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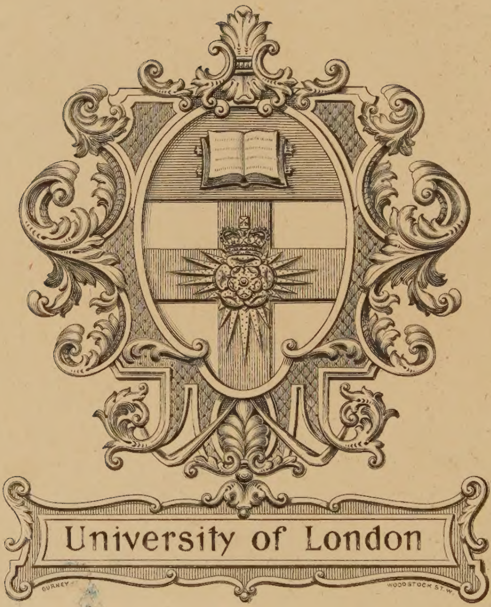

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COMMENCING WITH THE ACCESSION OF

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TO

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(In the Committee.)

CLASS IV.—EDUCATION, SCIENCE, AND ART.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £1,938,930, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for Public Education in England and Wales, including Expenses of the Education Office in London" 585
After debate, Motion made, and Question proposed, "That a sum, not exceeding £1,936,930, be granted, &c.,"—(*Mr. Richard*) 609
After further long debate, Motion, by leave, *withdrawn.*
Original Question put, and *agreed to.*
Motion made, and Question proposed, "That a sum, not exceeding £255,723, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for Public Education in Scotland" 660
After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Webster* :)—After further short debate, Motion, by leave, *withdrawn* :—Original Motion, by leave, *withdrawn.*
(2.) Motion made, and Question proposed, "That a further sum, not exceeding £1,032,570, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1884" 667
[Then the several Services are set forth.]
After short debate, Vote *agreed to.*

Resolutions to be reported *To-morrow*, at Two of the clock; Committee to sit again *To-morrow*

Railway Passenger Duty, &c. (*re-committed*) **Bill** [Bill 255]—
Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Chancellor of the Exchequer*) 672
After short debate, Question put, and *agreed to*:—Bill *considered* in Committee
After short time spent therein, Bill *reported*; as amended, to be considered *To-morrow*, at Two of the clock.

Isle of Wight Highways Bill [Bill 268]—
Moved, "That the Bill be now read a second time,"—(*Mr. Hibbert*) .. 681
Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Friendly, &c. Societies (**Nominations**) **Bill** [Bill 264]—
Bill, as amended, *considered* 682
After short debate, Bill read the third time, and *passed.*

Parochial Charities (**London**) (*re-committed*) **Bill** [Bill 215]—
Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Bryce*) 683
Moved, "That the Debate be now adjourned,"—(*Mr. Illingworth* :)—After short debate, Question put, and *negatived.*
Original Question put, and *agreed to*:—Bill *considered* in Committee.
Committee report Progress; to sit again *To-morrow.* [3.0.]

LORDS, FRIDAY, JULY 27.

London Commissioners of Sewers (*Ventilation of Railways*) *Bill and Metropolitan Board of Works* (*District Railway*) *Bill*—
Order of the Day for resuming the Adjourned Debate on the Motion of the Earl of Wemyss [July 26] read 687
Moved, "That the said Order be discharged,"—(*The Earl of Wemyss* :)—On Question? *Resolved* in the *affirmative*:—Order *discharged.*

PUBLIC HEALTH—PRECAUTIONS AGAINST CHOLERA—Question, Earl De La Warr; Answer, Lord Carrington 683

EGYPT—CHOLERA AMONGST BRITISH TROOPS—Question, Lord Ellenborough; Answer, The Earl of Morley 689

PARLIAMENT—PALACE OF WESTMINSTER—HOUSE OF LORDS—THE PEERS' ROBING ROOM—Observations, Lord Mount-Temple; Reply, Lord Thurlow:—Short debate thereon 690

IRISH LAND COMMISSION—MOTION FOR RETURNS—

Moved, "That there be laid before this House, Returns giving in each case decided by the Sub-Commission Courts the old rent, the judicial rent, the poor law valuation, the landlord's valuation, the tenant's valuation, and, in cases heard on appeal, adding the appeal rent and the court valuer's valuation,"—(*The Marquess of Waterford*) .. 694

After long debate, Motion (by leave of the House) *withdrawn.*

SCOTLAND—THE ORKNEY ISLANDS—THE "HEN AND CHICKENS" ROCK—Question, Lord Waveney; Answer, The Earl of Northbrook .. 774

[1.0.]

COMMONS, FRIDAY, JULY 27.

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QUESTIONS.

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PREVENTION OF CRIME (IRELAND) ACT, 1882—ARRESTS FOR MURDER, CONSPIRACY TO MURDER, AND TREASON-FELONY—Question, Mr. Healy; Answer, The Attorney General for Ireland 776

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INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE BARROW DRAINAGE WORKS—Question, Mr. Dawson; Answer, Mr. Courtney .. 781

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CONTAGIOUS DISEASES ACTS—INCREASE OF CASES—Question, Mr. Stewart Macliver; Answer, The Marquess of Hartington 787

ARMY—THE 21ST HUSSARS—Question, Colonel O'Beirne; Answer, The Marquess of Hartington 787

EGYPT—CHARGES AGAINST THE KHEDIVE—Questions, Sir George Campbell, Mr. O'Donnell; Answers, Mr. Gladstone 788

PARLIAMENT—BUSINESS OF THE HOUSE—SATURDAY SITTINGS—Questions, Sir George Campbell, Mr. Dalrymple; Answers, Mr. Gladstone .. 788

ORDERS OF THE DAY.

EAST INDIA (EXPENDITURE)—

Order read, for resuming Adjourned Debate on Amendment proposed to Main Question [8th May],

"That, in the opinion of this House, it is necessary that early steps be taken to reduce the expenditure of India,"—(*Mr. E. Stanhope.*)

And which Amendment was,

At the end of the Question, to add the words "and this House regrets the decision arrived at by Her Majesty's Government to cast a further burden upon the Revenues of India in order to meet the extraordinary charges incurred by that Government on account of the Military expedition to Egypt,"—(*Mr. Onslow.*)

Question again proposed, "That those words be there added:"—Debate *resumed* 790

After long debate, Question put:—The House *divided;* Ayes 55, Noes 210; Majority 155.—(Div. List, No. 237.)

Main Question put, and *agreed to.*

Agricultural Holdings (England) Bill [Bill 272]—

Bill, as amended, *considered* 816

After short debate, further Consideration of Bill, as amended, *deferred* till *Monday* next.

Agricultural Holdings (Scotland) Bill [Bill 190] [SECOND NIGHT]

Bill *considered* in Committee [*Progress 25th July*] 821

After short time spent therein, it being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

EDUCATION ACT, 1870—THE SCHOOL RATE—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the unforeseen and growing amount of the school rate; its unequal pressure upon various districts and various classes of the community; its failure in some cases to meet the requirements of the most necessitous classes; and the circumstance that it involves expenditure not originally anticipated, call for the serious consideration of Her Majesty's Government with a view to the relief of the burdens of the ratepayers, while maintaining, in accordance with the original intention of 'The Education Act, 1870,' the efficiency of elementary education,"—(*Mr. Salt,*)—instead thereof 830

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SUPPLY—Order for Committee read—*continued.*

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 102, Noes 74; Majority 28.—(Div. List, No. 238.)

Main Question proposed, "That Mr. Speaker do now leave the Chair:"—

Motion, by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

Statute of Frauds Amendment Bill [Bill 204]—

Moved, "That the Bill be now read the third time,"—(*Mr. R. T. Reid*) .. 862

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Lewis Fry.*)

Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 43, Noes 47; Majority 4.—(Div. List, No. 239.)

Words *added:*—Main Question, as amended, put, and *agreed to:*—Third Reading *put off* for three months.

Parochial Charities (London) (*re-committed*) **Bill** [Bill 215]—

Bill *considered* in Committee [*Progress 26th July*] 869

After some time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next.

MOTION.

Constabulary and Police Administration (Ireland) Bill—

Moved, "That this House do now adjourn,"—(*Colonel Nolan:*)—After short debate, Motion, by leave, *withdrawn.*

Moved, "That leave be given to bring in a Bill to improve the administration of the Royal Irish Constabulary and the Dublin Metropolitan Police; and for other purposes connected with the said forces,"—(*Mr. Trevelyan*) 891

Moved, "That the Debate be now adjourned,"—(*Mr. Arthur O'Connor:*)—Motion *agreed to:*—Debate *adjourned* till *Monday* next.

ORDERS OF THE DAY.

BANKRUPTCY [SALARIES]—

Considered in Committee 892

Resolution *agreed to;* to be reported upon *Monday* next.

SUPREME COURT OF JUDICATURE [FUNDS, &c.]—

Considered in Committee 892

Resolution *agreed to;* to be reported upon *Monday* next.

REVENUE AND FRIENDLY SOCIETIES [ADVANCES BY NATIONAL DEBT COMMISSIONERS]—

Considered in Committee 892

Resolution *agreed to;* to be reported upon *Monday* next.

[4.15.]

LORDS, MONDAY, JULY 30.

EGYPT—THE CHOLERA—Question, Earl De La Warr; Answer, Lord Carrington 893

ARMY—THE HEALTH OF THE TROOPS IN EGYPT—Questions, Lord Ellenborough, Earl De La Warr; Answers, The Earl of Morley .. 894

Ecclesiastical Courts Commission—The Report—Question, Observations, Lord Oranmore and Browne; Reply, The Lord Chancellor:—Short debate thereon 894

Irish Reproductive Loan Fund Act (1874) Amendment Bill—

Moved, "That the Bill be now read 2ª,"—(*The Lord Greville*) .. 906

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Sale of Intoxicating Liquors on Sunday (Cornwall) Bill—

Moved, "That the Bill be now read 3ª,"—(*The Earl of Mount-Edgcumbe*) 907

Amendment *moved*, to leave out ("now,") and add at the end of the Motion ("this day three months,")—(*The Earl of Wemyss.*)

After debate, on Question, That ("now") stand part of the Motion? Their Lordships *divided;* Contents 38, Not-Contents 38.

Division List, Contents and Not-Contents 924

The numbers being equal, it was (according to ancient rule) *Resolved* in the *negative.* [7.45.]

COMMONS, MONDAY, JULY 30.

QUESTIONS.

Vaccination Acts—Fines, &c.—Question, Mr. Hopwood; Answer, Mr. Trevelyan 925

India—"The Spoliation of India" (The "Nineteenth Century")—Questions, Mr. Passmore Edwards, Mr. O'Donnell; Answers, Mr. J. K. Cross 926

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National Education (Ireland)—Irish Model Farms—Question, Mr. Synan; Answer, Mr. Trevelyan 928

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Supreme Court of Judicature (New Rules)—Questions, Mr. Raikes, Mr. Warton; Answers, The Attorney General 935

Poor Law (England and Wales)—Poland Street Workhouse—Question, Mr. Small; Answer, Mr. George Russell 936

Suez Canal—The English Shares—Question, Mr. Cavendish Bentinck; Answer, The Chancellor of the Exchequer 936

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ORDERS OF THE DAY—

Ordered, That the Orders of the Day be postponed until after the Notice of Motion relating to Future Negotiations with the Suez Canal Company. —(*Mr. Gladstone.*)

MOTION.

SUEZ CANAL COMPANY (FUTURE NEGOTIATIONS)—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, praying that, in any negotiations or proceedings with reference to the Suez Canal Company to which Her Majesty may be a party, She will, while respecting the undoubted rights of the Company in regard of their own concession, decline to recognise any claim on their part to such a monopoly as would exclude the possibility of competition on the part of other undertakings, designed for the purpose of opening a water communication between the Mediterranean and the Red Sea,"—(*Sir Stafford Northcote*) .. 962

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House desires to maintain its entire freedom of judgment in regard to all matters connected with the question of water communication between the Mediterranean and the Red Sea; and this House, in consequence, declines to pass any Resolution as to future negotiations or proceedings respecting the same,"—(*Mr. Norwood,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 183, Noes 282; Majority 99.

Division List, Ayes and Noes 1051

Words *added:*—Main Question, as amended, put, and *agreed to.*

ORDERS OF THE DAY.

Constabulary and Police Administration (Ireland) Bill—

Order read, for resuming Adjourned Debate on Question [July 27]:—Question again proposed:—Debate *resumed* 1055

After debate, Question put:—The House *divided;* Ayes 84, Noes 12; Majority 72.—(Div. List, No. 245.)

Ordered, That leave be given to bring in a Bill, and that Mr. TREVELYAN do prepare and bring it in,

BANKRUPTCY [SALARIES]—RESOLUTION—
Resolution [July 27] *reported* 1090
Resolution read a second time:—*Moved,* "That the House do agree with the Committee in the said Resolution:"—After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Callan:*)—After further short debate, Motion, by leave, *withdrawn.*
Original Question put, and *agreed to.*

Railway Passenger Duty, &c. Bill [Bill 219]—
Moved, "That the Bill be now read the third time" 1094
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Warton.*)
Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 70, Noes 8; Majority 62.—(Div. List, No. 246.)
Main Question put, and *agreed to:*—Bill read the third time, and *passed.*

Parochial Charities (London) Bill [Bill 215]—
Bill, as amended, *considered* 1095
After short debate, *Moved,* "That the Bill be now read the third time,"—(*Mr. Bryce:*)—After further short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Illingworth:*)—After further short debate, Question put, and *negatived.*
Main Question put, and *agreed to:*—Bill read the third time, and *passed.*

Constabulary and Police Administration (Ireland) Bill—
Order for First Reading read 1104
After short debate, Bill *presented,* and read the first time. [Bill 274.]
[4.45.]

LORDS, TUESDAY, JULY 31.

EMIGRATION (IRELAND)—Question, Observations, Lord Emly; Reply, The Earl of Derby 1105
[5.0.]

COMMONS, TUESDAY, JULY 31.

PRIVATE BUSINESS.

Harrison's Estate Bill [*Lords*]—
Moved, "That the Bill be now read a second time" 1109
Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is not expedient to increase the area of Settled Land as proposed by the Bill,"—(*Mr. Arthur Arnold,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 186, Noes 37; Majority 149.—(Div. List, No. 247.)
Main Question put, and *agreed to:*—Bill read a second time, and *committed.*

Regent's Canal, City, and Docks Railway (*Various Powers*) *Bill* [*Lords*] (*by Order*)—
Moved, "That the Bill be now read a second time" 1123
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Monk.*)
Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Question put, and *agreed to.*
Main Question put, and *agreed to:*—Bill read a second time, and *committed.*

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Ireland—Inflammatory Speeches—Mr. William Johnston, Inspector of Fisheries—Question, Mr. Labouchere; Answer, Mr. Trevelyan .. 1136
The Magistracy (Ireland)—The Recorder of Dublin—Questions, Mr. Healy, Sir Walter B. Barttelot; Answers, The Attorney General for Ireland, Mr. Speaker 1137
Army—Mess Plate—Question, Mr. Tottenham; Answer, The Marquess of Hartington 1139
India (Bombay)—The Cholera—Question, Mr. O'Donnell; Answer, Mr. J. K. Cross 1140
Egypt—The Cholera—Question, Mr. O'Donnell; Answer, Lord Edmond Fitzmaurice 1141
Post Office (Ireland)—Letter Carriers and the New Parcels Post—Question, Mr. Healy; Answer, Mr. Fawcett 1142
Contagious Diseases Acts (Compulsory Examination)—The Metropolitan Police at Plymouth—Question, Captain Price; Answer, Sir William Harcourt 1143
Parliament—Business of the House—Court of Criminal Appeal Bill—Questions, Sir R. Assheton Cross, Mr. Healy; Answers, Mr. Speaker, The Attorney General 1143
Suez Canal—Corruptness of the Local Administration—Question, Mr. Ashmead-Bartlett; Answer, Mr. Chamberlain 1144
Newfoundland Fisheries—The Fortune Bay Dispute—Compensation—Questions, Sir Michael Hicks-Beach, Sir Henry Holland; Answers, Mr. Courtney 1145
Merchant Shipping—The Royal Commission on Tonnage—Question, Sir John Jenkins; Answer, Mr. Chamberlain.. 1147
Metropolis Water Act, 1871—The Grand Junction Waterworks Company—Question, Mr. Justin M'Carthy; Answer, Mr. George Russell 1147
India (Military Expenditure)—The British Commission at Simla—Question, Sir Wilfrid Lawson; Answer, Mr. J. K. Cross .. 1148
Contagious Diseases Acts—The Compulsory Clauses—Enforcement in the Seaports—Questions, Lord Eustace Cecil, Captain Price; Answers, Mr. Gladstone 1149
Harbour at Dover—Convict Labour—Question, Mr. W. H. Smith; Answer, Sir William Harcourt.. 1150
Suez Canal—Prior Claim to Exclusive Powers of M. de Lesseps—Question, Mr. Bourke; Answer, Mr. Gladstone 1151
Law and Justice (Ireland)—The Dublin Murders Trial—The Assassination of Carey, the Informer—Questions, Sir R. Assheton Cross; Answers, Sir William Harcourt, Mr. Trevelyan 1151

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PARLIAMENT—BUSINESS OF THE HOUSE—COURSE OF PUBLIC BUSINESS—Question, Sir Massey Lopes; Answer, Mr. Gladstone:—Short debate thereon 1152

EGYPT—HEALTH OF THE TROOPS—Question, Lord Eustace Cecil; Answer, The Marquess of Hartington 1156

PARLIAMENT—THE STANDING COMMITTEES—Question, Mr. Warton; Answer, Mr. Gladstone 1156

LAW AND POLICE (IRELAND) — THE INFORMER WALSH — Question, Mr. Healy; Answer, The Attorney General for Ireland 1156

THE NATIONAL GALLERY—EXTENSION OF THE HOURS OF ADMISSION AND LIGHTING—Question, Mr. D. Grant; Answer, Mr. George Howard .. 1157

NATIONAL EDUCATION (IRELAND)—NATIONAL SCHOOL TEACHERS—GRATUITIES TO WIDOWS AND FAMILIES ON DECEASE—Question, Mr. M. Brooks; Answer, Mr. Trevelyan 1158

POST OFFICE—THE PARCELS POST—Question, Mr. H. T. Davenport; Answer, Mr. Fawcett 1159

ORDERS OF THE DAY.

Agricultural Holdings (England) Bill [Bill 272]—
Bill, as amended, *further considered* [SECOND NIGHT] 1159
After debate, Bill to be read the third time *To-morrow.*

Agricultural Holdings (Scotland) Bill [Bill 190] [THIRD NIGHT]—
Bill *considered* in Committee [*Progress 27th July*] 1203
After short time spent therein, Committee report Progress; to sit again *To-morrow.*

Revenue and Friendly Societies Bill [Bill 269]—
Moved, "That the Bill be now read a second time,"—(*Mr. Courtney*) .. 1217
Moved, "That the Debate be now adjourned,"—(*Mr. Tomlinson*:)—After short debate, Question put, and *negatived.*
Original Question put:—The House *divided;* Ayes 41, Noes 4; Majority 37.—(Div. List, No. 253:)—Bill *committed* for *Thursday.*

Hyde Park Corner (New Streets) Bill—*Ordered* (*Mr. Shaw Lefevre, Mr. Courtney*); *presented,* and read the first time [Bill 275] 1218
[2.15.]

COMMONS, WEDNESDAY, AUGUST 1.

PROVISIONAL ORDER BILLS.

Electric Lighting Provisional Orders (No. 5) Bill [Bill 224]—
Moved, "That the Bill, as amended, be now considered,"—(*Mr. John Holms*) 1219
Motion *agreed to*:—Bill, as amended, *considered;* to be read the third time *To-morrow.*

Electric Lighting Provisional Orders (No. 8) Bill [Bill 230]—
Moved, "That the Bill, as amended, be now considered,"—(*Mr. John Holms*) 1219
After short debate, Motion *agreed to*:—Bill, as amended, *considered;* to be read the third time *To-morrow.*

ORDERS OF THE DAY.

Agricultural Holdings (England) Bill [Bill 272]—
Moved, "That the Bill be now read the third time,"—(*Mr. Dodson*) .. 1228
After short debate, Motion *agreed to*:—Bill (Queen's *Consent* signified on behalf of the Crown and the Duchy of Lancaster, and the Prince of Wales's *Consent* on behalf of the Duchy of Cornwall),—read the third time, and *passed*.

Agricultural Holdings (Scotland) Bill [Bill 190] [FOURTH NIGHT]
Bill *considered* in Committee [*Progress* 31*st July*] 1230
After long time spent therein, Bill *reported*; as amended, to be considered *To-morrow*.

PARLIAMENT—ORDER—TIME FOR PUTTING QUESTIONS — Question, Mr. Healy; Answer, Mr. Speaker 1293

ORDER OF THE DAY.

Local Government Board (Scotland) Bill [Bill 251]—
Second Reading *deferred* till *To-morrow* 1293
Questions, Mr. Dalrymple, Mr. Buchanan; Answers, Lord Richard Grosvenor.

QUESTIONS.

EGYPT—HEALTH OF THE TROOPS—Questions, Viscount Folkestone, Mr. O'Kelly; Answers, Sir Arthur Hayter 1294
CONSTABULARY AND POLICE ADMINISTRATION (IRELAND) BILL—Questions, Mr. Healy; Answers, The Attorney General for Ireland, Lord Richard Grosvenor 1294

MOTIONS.

Education (Scotland) Act (1872) Amendment Bill—*Ordered* (*Dr. Cameron, Mr. Buchanan, Mr. Henderson*); *presented*, and read the first time [Bill 276] .. 1295

Epidemic and other Diseases Prevention Bill—*Ordered* (*Mr. Gray, Mr. Dawson, Mr. Brooks*); *presented*, and read the first time [Bill 277] 1295

Hyde Park Corner (New Streets) Bill—
Ordered, That the Examiners of Petitions for Private Bills do examine the Hyde Park Corner (New Streets) Bill with respect to compliance with the Standing Orders, and that the said Examiners do proceed and report forthwith,—(*Mr. Shaw Lefevre.*)
[5.57.]

LORDS, THURSDAY, AUGUST 2.

Merchant Shipping (Fishing Boats) Bill (No. 144)—
Moved, "That the House do now resolve itself into Committee" .. 1296
After short debate, Motion *agreed to*:—House in Committee accordingly; Amendments made: the Report thereof to be received *To-morrow*; and Bill to be *printed*, as amended. (No. 170.)

Greenwich Hospital Bill (No. 165)—
Moved, "That the Bill be now read 2^{a},"—(*The Earl of Northbrook*) .. 1298
Motion *agreed to*:—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

ECCLESIASTICAL COMMISSION—REPORT ON PUBLIC-HOUSES—MOTION FOR A PAPER—
Moved, That there be laid before the House—
"Copy of any minutes recently made by the Ecclesiastical Commissioners for England upon the subject of public-houses of which they are the owners,"—(*The Lord Bishop of Rochester*) 1299
After short debate, Motion *agreed to*.

Trial of Lunatics Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1^{a} (No. 169) .. 1302
[5.30.]

COMMONS, THURSDAY, AUGUST 2.

PROVISIONAL ORDER BILLS.

Electric Lighting Provisional Orders (No. 5) Bill [Bill 224]—
Moved, "That the Bill be now read the third time,"—(*Mr. John Holms*) .. 1302
After short debate, Amendment proposed, to leave out the words "now read the third time," and add the word "re-committed,"—(*Mr. Hicks*,)—instead thereof.
Question proposed, "That the words proposed to be left out stand part of the Question:"—After further short debate, Amendment, by leave, *withdrawn*.
Main Question put, and *agreed to*:—Bill read the third time, and *passed*.

Electric Lighting Provisional Orders (No. 8) Bill [Bill 230]—
Moved, "That the Bill be now read the third time,"—(*Mr. John Holms*) .. 1305
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be re-committed in reference to the Strand District Provisional Order,"—(*Mr. Sheridan*,)—instead thereof.
Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to*.
Main Question put, and *agreed to*:—Bill read the third time, and *passed*.

QUESTIONS.

INDIA (CODE OF CRIMINAL PROCEDURE)—CORPORAL PUNISHMENTS—Question, Mr. T. C. Thompson; Answer, Mr. J. K. Cross 1316
CRIMINAL LUNATICS—REPORT OF THE COMMISSION—LEGISLATION—Question, Mr. R. H. Paget; Answer, Sir William Harcourt 1317
CRIMINAL LAW (SCOTLAND)—SUNDAY TRADING—THE STROME FERRY CASE—Question, Mr. Dick-Peddie; Answer, Sir William Harcourt .. 1317
INDIA (BOMBAY)—ADEN—THE MILITARY ESTABLISHMENT—Question, Mr. J. W. Barclay; Answer, Mr. J. K. Cross 1318
POOR LAW (ENGLAND AND WALES)—THE GUARDIANS OF THE PARISH OF ST. PANCRAS—VACCINATION OF FEMALE PAUPERS IMMEDIATELY AFTER CHILD-BIRTH—Question, Mr. Hopwood; Answer, Mr. George Russell 1318
CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE, IRELAND—Question, Mr. R. H. Paget; Answer, Mr. Trevelyan .. 1319

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Royal Irish Constabulary—Medical Officers—Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan 1320

Poor Relief (Ireland) Act—Rating of Cemeteries and Buildings, Co. Dublin—Question, Mr. Justin M'Carthy; Answer, The Attorney General for Ireland 1320

Parks (Metropolis)—The Inclosures in Regent's Park—Question, Mr. D. Grant; Answer, Mr. Courtney 1321

The Magistracy (Ireland)—Alleged Perjury by a Magistrate, Cavan Co.—Question, Mr. Biggar; Answer, Mr. Trevelyan 1322

Public Health (Ireland)—Cholera Hospitals — Question, Colonel Nolan; Answer, Mr. Trevelyan 1322

The Magistracy (Ireland) — Fishery Trespass Case at Glin, Co. Limerick—Question, Mr. O'Sullivan; Answer, Mr. Trevelyan .. 1323

The Magistracy (Ireland)—Derry Petty Sessions—Alleged Suppression of a Charge—Questions, Mr. Justin M'Carthy, Mr. Lewis, Mr. O'Donnell; Answers, Mr. Trevelyan 1323

The Geological Survey (Scotland)—Question, Mr. Buchanan; Answer, Mr. Mundella.. 1325

Army (Auxiliary Forces) — Reserve Men — Question, Mr. A Grant; Answer, Sir Arthur Hayter 1325

Elementary Education Act (1870) Amendment Act—School Board Loans—Question, Mr. Stanley Leighton; Answer, Mr. Mundella .. 1326

Literature, Science, and Art—Meteorological Stations—Question, Mr. Vivian; Answer, Mr. Courtney 1326

Criminal Law—West Riding—Trials for Rape—Question, Mr. Healy; Answer, Sir William Harcourt 1327

Poor Law (Ireland) — Poor Law Elections—Magherafelt Union—Question, Mr. O'Brien; Answer, Mr. Trevelyan 1327

Parliament—Business of the House—Land Improvement and Arterial Drainage (Ireland) Bill—Question, Colonel Colthurst; Answer, Mr. Courtney 1328

Army (Auxiliary Forces)—The Channel Islands Militia—Question, Mr. Coleridge Kennard; Answer, Sir Arthur Hayter 1328

National School Teachers (Ireland) Act, 1875—Amendment of Act—Questions, Mr. Meldon, Mr. Healy; Answers, Mr. Trevelyan .. 1329

Newfoundland Fisheries—The Fortune Bay Dispute—Compensation—Question, Sir Henry Holland; Answer, Mr. Evelyn Ashley .. 1330

Post Office (Contracts)—The Irish Mail Service—Questions, Mr. Tottenham, Mr. Gray, Lord Claud Hamilton, Sir John Hay; Answers, Mr. Fawcett 1330

Newfoundland Fisheries—Correspondence with the United States—Question, Sir Michael Hicks-Beach; Answer, Mr. Evelyn Ashley .. 1332

The Defences of Commercial Harbours—Report of the Committee—Question, Mr. James Stewart; Answer, Sir Arthur Hayter .. 1332

Suez Canal (Purchase of Shares)—The Drawn Shares—Question, Mr. Tomlinson; Answer, The Chancellor of the Exchequer 1333

Navy—Naval Engineers—Case of —— Walsh—Question, Mr. Stewart Macliver; Answer, Mr. Campbell-Bannerman 1333

The Welsh University—Claims of Aberystwith College—Question, Lord Claud Hamilton; Answer, Mr. Mundella 1334

South Africa—The Transvaal—The Native Tribes—Questions, Mr. Gorst, Mr. W. E. Forster; Answers, Mr. Evelyn Ashley, Mr. Gladstone 1334

Extradition of Criminals Act—The United States—Extradition of Mr. Sheridan—Question, Mr. Coleridge Kennard; Answer, Lord Edmond Fitzmaurice 1335

Supply—The Irish Education Votes—Question, Mr. Corry; Answer, Mr. Trevelyan 1336

IRELAND—STATE-AIDED EMIGRATION—EMIGRATION TO CANADA—Question, Mr. O'Brien; Answer, Mr. Trevelyan 1336

PARLIAMENT—PALACE OF WESTMINSTER—WESTMINSTER HALL—Question, Dr. Lyons; Answer, Mr. Shaw Lefevre 1337

REGISTRY OF DEEDS OFFICE, DUBLIN—Question, Dr. Lyons; Answer, Mr. Courtney 1337

LOCAL GOVERNMENT BOARD (SCOTLAND) BILL—ESTIMATES OF COST—Question, Sir R. Assheton Cross; Answer, Sir William Harcourt .. 1338

PUBLIC WORKS LOAN COMMISSIONERS — INTEREST ON LOANS—HARBOUR LOANS—Question, Mr. Marjoribanks; Answer, The Chancellor of the Exchequer 1339

METROPOLITAN IMPROVEMENTS—THE WELLINGTON STATUE—Question, Mr. R. H. Paget; Answer, Mr. Shaw Lefevre 1339

INTERNATIONAL ARBITRATION—Question, Mr. Jesse Collings; Answer, Mr. Gladstone 1340

EGYPT—WITHDRAWAL OF ARMY OF OCCUPATION—Questions, Baron Henry De Worms, Mr. Ritchie; Answers, Mr. Gladstone 1340

SUEZ (SECOND) CANAL—FORMER PROTEST OF M. DE LESSEPS IN 1872—Question, Mr. Gorst; Answer, Mr. Gladstone 1341

ENGLAND AND THE COLONIES — INCIDENCE OF COST OF DEFENSIVE MILITARY OPERATIONS—Question, Sir George Campbell; Answer, Mr. Gladstone 1341

TRAMWAYS (IRELAND) BILL—Question, Mr. Barry; Answer, Mr. Trevelyan 1342

PARLIAMENT — BUSINESS OF THE HOUSE — MINISTERIAL STATEMENT—Question, Sir R. Assheton Cross; Answer, Mr. Gladstone —Debate thereon 1342

POST OFFICE—THE "GRAPHIC" NEWSPAPER—Question, Mr. D. Grant; Answer, Mr. Fawcett 1349

EAST INDIA—RETURN OF CLAIMS FOR RECRUITS—Questions, General Sir George Balfour, Sir Stafford Northcote; Answers, Mr. Courtney .. 1349

LAW AND JUSTICE (IRELAND)—THE MURDER TRIALS AT DUBLIN—REPORTED ASSASSINATION OF A WITNESS—Question, Sir R. Assheton Cross; Answer, Mr. Trevelyan 1350

EGYPT—MR. CLIFFORD LLOYD—Question, Sir Wilfrid Lawson; Answer, Lord Edmond Fitzmaurice 1350

ORDERS OF THE DAY.

—o—

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.

(In the Committee.)

CLASS II.—SALARIES AND EXPENSES OF CIVIL DEPARTMENTS.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £15,432, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Office of Her Majesty's Woods, Forests, and Land Revenues, and of the Office of Land Revenue Records and Inrolments" 1351

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £14,232, be granted, &c.,"—(*Mr. Bryce:*)—After further debate, Question put:—The Committee *divided;* Ayes 38, Noes 74; Majority 36.—(Div. List, No. 256.)

Original Question again proposed 1371

After short debate, Original Question put, and *agreed to.*

(2.) £30,000, to complete the sum for the Mercantile Marine Fund (Grant in Aid).—After short debate, Vote *agreed to* 1374

(3.) Motion made, and Question proposed, "That a sum, not exceeding £4,658, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly on the Hereditary Revenue" 1376

SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

Motion made, and Question proposed, "That a sum, not exceeding £4,033, be granted, &c.,"—(*Mr. Labouchere*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 1378

After short debate, Motion made, and Question, "That a sum, not exceeding £4,470, be granted, &c.,"—(*Mr. Dick-Peddie,*)—put, and *negatived.*

Original Question put, and *agreed to.*

(4.) £12,040, to complete the sum for the Fishery Board, Scotland.—After short debate, Vote *agreed to* 1379

(5.) Motion made, and Question proposed, "That a sum, not exceeding £4,244, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Board of Lunacy in Scotland" .. 1389

Motion made, and Question proposed, "That a sum, not exceeding £1,444, be granted, &c.,"—(*Mr. Webster*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(6.) £5,521, to complete the sum for the Registrar General's Office, Scotland.—After short debate, Vote *agreed to* 1398

(7.) £22,143, to complete the sum for the Board of Supervision for Relief of the Poor, and for Public Health, Scotland.—After short debate, Vote *agreed to* .. 1399

CLASS III.—LAW AND JUSTICE.

(8.) £49,006, to complete the sum for Law Charges.—After short debate, Vote *agreed to* 1401

(9.) £2,427, to complete the sum for the Public Prosecutor's Office.—After debate, Vote *agreed to* 1403

(10.) £116,880, to complete the sum for Criminal Prosecutions, Sheriffs' Expenses, &c.—After short debate, Vote *agreed to* 1414

(11.) Motion made, and Question proposed, "That a sum, not exceeding £103,237, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for such of the Salaries and Expenses of the Chancery Division of the High Court of Justice, of the Court of Appeal, and of the Supreme Court of Judicature (exclusive of the Central Office), as are not charged on the Consolidated Fund" 1417

After debate, Motion made, and Question proposed, "That a sum, not exceeding £103,187, be granted, &c.,"—(*Mr. Stanley Leighton*:)—After further short debate, Question put, and *negatived.*

Original Question again proposed 1434

After short debate, Original Question put, and *agreed to.*

(12.) Motion made, and Question proposed, "That a sum, not exceeding £74,459, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Central Office of the Supreme Court of Judicature; the Salaries and Expenses of the Judges' Clerks and other Officers; of the District Registrars of the High Court; the remuneration of the Judges' Marshals; and certain Circuit Expenses" 1438

Motion made, and Question proposed, "That a sum, not exceeding £71,459, be granted, &c.,"—(*Mr. Rylands*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Warton*:)—After short debate, Question put, and *negatived.*

(13.) £57,696, to complete the sum for Probate, &c. Registries of the High Court of Justice.

(14.) £6,818, to complete the sum for the Admiralty Registry of the High Court of Justice.

(15.) £7,675, to complete the sum for the Wreck Commission.

Resolutions to be reported *To-morrow,* at Two of the clock; Committee to sit again *To-morrow.*

MOTION.

—o—

Diseases Prevention (Metropolis) Bill—

Moved, "That leave be given to bring in a Bill to make better provision, as regards the Metropolis, for the isolation and treatment of persons suffering from cholera and other infectious diseases; and for other purposes,"—(*Sir Charles W. Dilke*) 1441

Diseases Prevention (*Metropolis*) *Bill*—continued.

After short debate, Motion *agreed to*:—Bill *ordered* (*Sir Charles W. Dilke, Secretary Sir William Harcourt*); *presented*, and read the first time [Bill 279.]

QUESTION.

EGYPT—CHOLERA AMONGST THE BRITISH TROOPS—Question, Dr. Farquharson; Answer, Sir Arthur Hayter 1446

Isle of Wight Highways Bill—

Order for Committee read, and *discharged*.

Bill *committed* to a Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection.

[2.0.]

LORDS, FRIDAY, AUGUST 3.

PARLIAMENT—BUSINESS OF THE HOUSE—AGRICULTURAL HOLDINGS (ENGLAND) BILL—Question, Viscount Bury; Answer, Lord Carlingford:—Short debate thereon 1447

Electric Lighting Provisional Orders (No. 1) Bill (No. 157)—

Order of the Day for the Second Reading read 1448

Moved, "That the Order made on the 2nd day of March last 'That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Tuesday the 26th day of June next,' be dispensed with, and that the Bill be now read 2^a,"—(*The Earl of Redesdale.*)

After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed*: The Committee to be proposed by the Committee of Selection.

Electric Lighting Provisional Orders (No. 2) Bill (No. 151)—

Order of the Day for the Second Reading read 1455

Moved, "That the Order made on the 2nd day of March last 'That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Tuesday the 26th day of June next,' be dispensed with, and that the Bill be now read 2^a,"—(*The Earl of Redesdale.*)

Motion *agreed to*:—Bill read 2^a accordingly.

Moved, "That the Bill be referred to the same Select Committee as the Electric Lighting Provisional Orders (No. 1) Bill, with leave to all petitioners to be heard,"—(*The Viscount Bury.*)

After short debate, on Question? their Lordships *divided*; Contents 20, Not-Contents 25; Majority 5.

Division List, Contents and Not-Contents 1457

Resolved in the *negative*:—Bill *committed* to a Committee of the Whole House on *Monday* next.

SUEZ (SECOND) CANAL—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty for Papers respecting the proposed new Suez Canal,"—(*The Earl De La Warr*) 1457

After short debate, on Question? *Resolved* in the *negative*.

Petroleum Bill (No. 154)—

Moved, "That the Bill be now read 2^a,"—(*The Earl Granville*) .. 1460

After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *referred* to a Select Committee: The Committee to be named on *Monday* next.

CHILDREN'S DANGEROUS PERFORMANCES ACT, 1879—JUVENILE ACROBATS—Observations, The Earl of Shaftesbury; Reply, The Earl of Dalhousie 1462

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Statute Law Revision Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 176) 1465

Statute Law Revision and Civil Procedure Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 177) 1465

[6.45.]

COMMONS, FRIDAY, AUGUST 3.

QUESTIONS.

CRIME AND OUTRAGE (IRELAND)—THE "BAYONET CHARGE" AT WEXFORD—Question, Mr. Healy; Answer, Mr. Trevelyan 1466

EVICTIONS (IRELAND)—CARETAKERS—Question, Mr. Healy; Answer, Mr. Trevelyan 1467

THE IRISH LAND COMMISSION COURT—JUDICIAL RENTS—Question, Mr. Healy; Answer, The Attorney General for Ireland 1467

CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE—Question, Mr. Arthur Arnold; Answer, Mr. Dodson 1468

CYPRUS (FINANCE)—ASSESSMENT—Question, Mr. Arthur Arnold; Answer, Mr. Evelyn Ashley 1469

CRIMINAL LAW (IRELAND)—CASE OF J. W. NALLY—Question, Mr. Healy; Answer, The Attorney General for Ireland 1470

LAND LAW (IRELAND) ACT, 1881—THE IRISH LAND COMMISSION—SITTINGS AT ENNIS—Question, Mr. Kenny; Answer, Mr. Trevelyan .. 1471

WATER SUPPLY (METROPOLIS)—THE SOUTHWARK WATER COMPANY—Questions, Mr. Tatton Egerton, Mr. Labouchere; Answers, Mr. George Russell, Sir Charles W. Dilke 1471

PAUPER LUNATICS, IRELAND AND SCOTLAND—Question, Mr. O'Sullivan; Answer, Mr. Courtney 1472

POOR LAW (ENGLAND AND WALES)—THE MAIDSTONE UNION—Question, Mr. Sclater-Booth; Answer, Sir Charles W. Dilke 1473

CONTAGIOUS DISEASES ACTS—NAVAL AND MILITARY HOSPITALS—Questions, Mr. Hopwood; Answers, The Marquess of Hartington.. .. 1474

ARMY—CAVALRY COMMISSIONS—Question, Colonel O'Beirne; Answer, The Marquess of Hartington 1475

INDIA (FINANCE, &c.)—EXPENDITURE—Question, Mr. Ashmead-Bartlett; Answer, Mr. J. K. Cross 1475

NAVY—DOCKYARDS—COMMITTEE ON PROFESSIONAL OFFICERS—Question, Mr. H. G. Allen; Answer, Sir Thomas Brassey 1476

PUBLIC HEALTH—DANGER OF CHOLERA—DISINFECTION OF IMPORTED TEXTILE FABRICS—Question, Mr. Brinton; Answer, Sir Charles W. Dilke .. 1477

POOR LAW (ENGLAND AND WALES)—WORKHOUSE DIETARY—Question, Mr. Caine; Answer, Mr. George Russell 1477

PUBLIC HEALTH (IRELAND)—CHOLERA HOSPITALS—Question, Colonel Nolan; Answer, Mr. Trevelyan 1478

ARMY—H.R.H. THE DUKE OF CONNAUGHT—THE COLONELCY IN CHIEF OF THE RIFLE BRIGADE—Questions, Mr. Labouchere, Mr. Healy, Mr. J. R. Yorke, Mr. Arthur Arnold; Answers, The Marquess of Hartington 1478

EGYPT (RE-ORGANIZATION)—APPOINTMENT OF MR. CLIFFORD LLOYD—Questions, Mr. Biggar, Mr. Healy, Mr. Joseph Cowen, Sir George Campbell; Answers, Mr. Trevelyan 1480

SUNDAY TRAFFIC (SCOTLAND)—THE STROME FERRY RIOTS—Questions, Sir George Campbell, Sir Herbert Maxwell; Answers, The Lord Advocate 1482

SOUTH AFRICA—ZULULAND—CETEWAYO—Question, Sir Stafford Northcote; Answer, Mr. Gladstone 1483

PARLIAMENT—BUSINESS OF THE HOUSE—Ministerial Statement, Mr. Gladstone:—Short debate thereon 1484

ORDER OF THE DAY.

Local Government Board (Scotland) Bill [Bill 251]—
Moved, "That the Bill be now read a second time,"—(*Sir William Harcourt*) 1487
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Dalrymple.*)
Question proposed, "That the word 'now' stand part of the Question:" —After long debate, it being ten minutes before Seven of the clock, the Debate stood adjourned till *To-morrow.*

QUESTION.

EGYPT—HEALTH OF THE TROOPS—Question, Sir Lyon Playfair; Answer, Sir Arthur Hayter 1535

The House suspended its Sitting at five minutes to Seven of the clock.

The House resumed its Sitting at Nine of the clock.

[House counted out.] [9.5.]

COMMONS, SATURDAY, AUGUST 4.

QUESTIONS.

LOCAL GOVERNMENT BOARD (SCOTLAND) BILL—Notice of Question, Sir John Hay; Answer, Sir William Harcourt 1536
PARLIAMENT—THE "COUNT-OUT" ON FRIDAY—Question, Mr. Ashmead-Bartlett; Answer, Sir William Harcourt 1536
COURT OF CRIMINAL APPEAL BILL—Questions, Sir George Campbell, Mr. Ashmead-Bartlett; Answers, The Attorney General, Mr. Trevelyan .. 1538
PARLIAMENT—BUSINESS OF THE HOUSE—Questions, Sir Stafford Northcote, Mr. T. P. O'Connor, Mr. Anderson, Colonel King-Harman; Answers, Sir William Harcourt, Mr. Trevelyan, Sir Stafford Northcote .. 1539

ORDERS OF THE DAY.

Parliamentary Registration (Ireland) Bill [Bill 155]—
Moved, "That the Bill be now read a second time,"—(*Mr. Trevelyan*) .. 1541
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Ion Hamilton.*)
Question proposed, "That the word 'now' stand part of the Question:" —After short debate, Question put:—The House *divided*; Ayes 97, Noes 17; Majority 80.—(Div. List, No. 257.)
Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Local Government Board (Scotland) Bill [Bill 251]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [3rd August], "That the Bill be now read a second time:" —Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* 1552

After debate, Question put:—The House *divided;* Ayes 99, Noes 21; Majority 78.—(Div. List, No. 258.

Main Question again proposed 1566

After short debate, Question put, and *agreed to*:—Bill read a second time.

Moved, "That this House will, upon Monday next, resolve itself into the Committee on the Bill,"—(*Secretary Sir William Harcourt.*)

Amendment proposed, to leave out all the words after the word "That" to the end of the Question, in order to add the words "the Bill be referred to a Select Committee,"—(*Sir Alexander Gordon.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to*:—Bill *committed* for *Monday* next.

Agricultural Holdings (Scotland) Bill [Bill 278]—

Bill, as amended, *considered* 1575

Moved, "That the Bill be now read the third time,"—(*The Lord Advocate*:)—After short debate, Motion *agreed to* (Queen's *Consent* signified):—Bill read the third time, and *passed.*

Union Officers' Superannuation (Ireland) Bill [Bill 132]—

Moved, "That the Bill be now read a second time,"—(*Mr. Herbert Gladstone*) 1580

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Biggar.*)

Question proposed, "That the word 'now' stand part of the Question:" —After short debate, Question put:—The House *divided;* Ayes 80, Noes 25; Majority 55.—(Div. List, No. 259.)

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

MOTION.

PARLIAMENT—BUSINESS OF THE HOUSE—MOTION FOR ADJOURNMENT—

Moved, "That this House do now adjourn,"—(*Mr. Chamberlain*) .. 1590

After short debate, Question put:—The House *divided;* Ayes 52, Noes 66; Majority 14.—(Div. List, No. 260.)

ORDERS OF THE DAY.

Revenue and Friendly Societies Bill [Bill 269]—

Order for Committee read:—*Moved*, "That this House will, upon Monday next, resolve itself into the said Committee,"—(*The Marquess of Hartington*) 1592

After short debate, Amendment proposed, to leave out the word "Monday," and insert the word "Tuesday,"—(*Mr. Warton.*)

Question proposed, "That the word 'Monday' stand part of the Question:"—Question put, and *agreed to.*

Main Question put, and *agreed to*:—Committee upon *Monday* next.

Payment of Wages in Public-houses Prohibition Bill [*Lords*]

Order for Committee read :—*Moved,* "That Mr. Speaker do now leave the Chair" 1595

After short debate, Question put: — The House *divided;* Ayes 66, Noes 13, Majority 53.—(Div. List, No. 261.)

Bill *considered* in Committee :—Committee report Progress; to sit again upon *Monday* next.

Cruelty to Animals Acts Amendment (*re-committed*) **Bill** [Bill 118]

Order for Committee read :—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Anderson*) 1595

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee,"—(*Mr. Tottenham.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Warton :*)—Question put, and *negatived.*

Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 56, Noes 3, Majority 53. —(Div. List, No. 262.)

Main Question put, and *agreed to.*

Bill *considered* in Committee :—Committee report Progress; to sit again upon *Tuesday* next.

Patents for Inventions Bill [Bill 261]—

Bill, as amended, *considered* 1600

After short debate, Bill read the third time, and *passed.*

[7.45.]

LORDS, MONDAY, AUGUST 6.

Merchandise Marks (Channel Islands and Isle of Man) Bill

Order of the Day for the House to be put into Committee, read .. 1601

After short debate, Order *discharged,* and Bill (by leave of the House) *withdrawn.*

SUEZ CANAL—CONCESSION TO M. DE LESSEPS—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty for copies of the original concessions to M. de Lesseps with regard to the Isthmus of Suez Canal,"—(*The Lord Stratheden and Campbell*) 1602

After short debate, Motion (by leave of the House) *withdrawn.*

Irish Reproductive Loan Fund Act (1874) Amendment Bill

House in Committee (according to Order) 1608

Amendments made; the Report thereof to be received *To-morrow.*

Railway Passenger Duty, &c. Bill (No. 167)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Thurlow*) .. 1611

After short debate, Motion *agreed to* :—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

METROPOLIS—DRAINAGE—Observations, Lord Forbes; Reply, Lord Thurlow 1614

Petroleum Bill [H.L.]—

Select Committee *nominated* :—List of the Committee 1615

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QUESTIONS.

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National Education (Ireland)—Model Farms—The Mungret Agricultural School and Model Farm, Co. Limerick—Question, Mr. Synan; Answer, Mr. Trevelyan 1616
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Criminal Law—Assaults on Irish Harvestmen—Question, Mr. O'Brien; Answer, Mr. Hibbert 1621
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Prevention of Crime (Ireland) Act, 1882—Proclamation of County Wicklow—Question, Mr. M'Coan; Answer, Mr. Trevelyan .. 1638
Army—Field Marshals—Question, Mr. Arthur Arnold; Answer, The Marquess of Hartington 1638
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Land Improvement and Arterial Drainage (Ireland) and Board of Works (Ireland) Bills—Question, Mr. Arthur O'Connor; Answer, Mr. Courtney 1657
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Parliament—Sittings of the House—Saturday Sittings—Question, Sir Stafford Northcote; Answer, Mr. Gladstone 1658
Education (Scotland) Bill—Question, Mr. Dick-Peddie; Answer, Mr. Mundella 1658
Railways (India)—Question, Mr. Carbutt; Answer, Mr. J. K. Cross .. 1658

ORDERS OF THE DAY.

SUPPLY—*considered* in Committee—Civil Service Estimates—

(In the Committee.)

Class V.—Foreign and Colonial Services.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £9,425 (including a Supplementary sum of £3,808), be granted to Her Majesty, to complete

SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for certain Charges connected with the Orange River Territory, the Transvaal, Zululand, and the Island of St. Helena" 1659

Motion made, and Question proposed, "That a sum, not exceeding £7,105 (including a Supplementary sum of £3,808), be granted, &c.,"—(*Mr. Gorst*:)—After long debate, Question put, and *negatived.*

Original Question again proposed 1729

Motion made, and Question proposed, "That a sum, not exceeding £8,225 (including a Supplementary sum of £3,808), be granted, &c.,"—(*Mr. Guy Dawnay*:)—After debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

CLASS III.—LAW AND JUSTICE.

(2.) Motion made, and Question proposed, "That a sum, not exceeding £20,077, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for such of the Salaries and Expenses of the London Bankruptcy Court as are not charged on the Consolidated Fund" 1758

Motion made, and Question proposed, "That a sum, not exceeding £15,077, be granted, &c.,"—(*Mr. Rylands*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Macfarlane*:)—After short debate, Motion, by leave, *withdrawn.*

(3.) £394,122, to complete the sum for County Courts.

(4.) Motion made, and Question proposed, "That a sum, not exceeding £2,842, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Office of Land Registry" .. 1764

Motion made, and Question proposed, "That a sum, not exceeding £842, be granted, &c.,"—(*Mr. Arthur Arnold*:)—After short debate, Question put:—The Committee *divided;* Ayes 40, Noes 65; Majority 25.—(Div. List, No. 263.)

Original Question put, and *agreed to.*

(5.) £18,690, Revising Barristers, England.

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

Education (Scotland) Bill [Bill 226]—

Moved, "That the Bill be now read a second time,"—(*Mr. Mundella*) .. 1771

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Thursday.*

Labourers (Ireland) (*re-committed*) **Bill** [Bill 240]—

Bill *considered* in Committee [*Progress 4th August*] 1772

After some time spent therein, Bill *reported;* as amended, to be considered *To-morrow.*

Payment of Wages in Public-houses Prohibition Bill [*Lords*]—

Bill *considered* in Committee 1788

After short time spent therein, Bill *reported,* without Amendment.

Moved, "That the Bill be now read the third time,"—(*Mr. Samuel Morley.*)

Amendment proposed, to leave out the words "now read the third time," in order to add the word "re-committed,"—(*Mr. Warton*:)—Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to*:—Bill read the third time, and *passed,* without Amendment.

MOTIONS.

——o——

Corrupt Practices (Suspension of Elections) Bill—*Ordered* (*Mr. Attorney General, Mr. Solicitor General*); *presented,* and read the first time [Bill 281] 1789

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Cholera Hospitals (Ireland) Bill—*Ordered* (*Colonel Nolan, Mr. O'Kelly, Mr. Findlater, Mr. O'Brien, Mr. Macfarlane*); *presented*, and read the first time [Bill 282] .. 1790

Expiring Laws Continuance Bill—*Ordered* (*Mr. Herbert Gladstone, Mr. Courtney*); *presented*, and read the first time [Bill 283] 1790

Isle of Wight Highways Bill—
Select Committee *nominated* :—List of the Committee 1790
[3.30.]

LORDS, TUESDAY, AUGUST 7.

Oxford, Aylesbury, and Metropolitan Railway Bill—
Moved, "That the Bill be re-committed to the same Select Committee,"—(*The Lord Henniker*) 1790
After short debate, Motion (by leave of the House) *withdrawn.*

Parochial Charities (London) Bill (No. 168)—
Moved, "That the Bill be now read 2ª,"—(*The Earl of Camperdown*) .. 1794
After short debate, Motion *agreed to* :—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

Agricultural Holdings (England) Bill (No. 171)
Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 1796
Amendment *moved*,
To leave out all the words after ("That") for the purpose of inserting ("this House, while ready to promote a well-considered measure for the advancement of agriculture and the improvement, so far as possible by legislation, of the relations of landlord and tenant, is not prepared to give its sanction to a Bill which, in agricultural tenancies, forbids free contract in the future and breaks it in the past, thus destroying the foundation upon which alone agriculture, trade, and commerce can securely rest,")—(*The Earl of Wemyss.*)
After debate, Amendment (by leave of the House) *withdrawn.*
Amendment *moved*,
To leave out all the words after ("That") for the purpose of inserting ("this House is not prepared to give its sanction to a Bill which, in agricultural tenancies, forbids free contract in the future and breaks it in the past, thus destroying the foundation upon which alone agriculture, trade, and commerce can securely rest,")—(*The Earl of Wemyss.*)
On Question, "That the words proposed to be left out stand part of the Motion?" their Lordships *divided;* Contents 55, Not-Contents 9; Majority 46.
Division List, Contents and Not-Contents 1836
Resolved in the *affirmative;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next. [9.30.]

COMMONS, TUESDAY, AUGUST 7.

QUESTIONS.

Petroleum Acts—Storage of Petroleum in the Metropolitan Area—Question, Sir Edward Watkin; Answer, Sir William Harcourt .. 1837
Poor Law (Ireland)—Oldcastle Union (Meath)—Suspension of the Medical Officer—Question, Mr. Healy; Answer, Mr. Trevelyan .. 1837
The Magistracy—Language of a Sitting Magistrate at Sedgley—Question, Mr. P. A. Taylor; Answer, Sir William Harcourt .. 1839

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Royal Irish Constabulary—Sub-Constables Clifford and Egan—Question, Mr. O'Brien; Answer, Mr. Trevelyan 1840
State of Ireland—Protection of Vacant Farms—Question, Mr. O'Brien; Answer, Mr. Trevelyan 1841
Post Office (Telegraph Department)—Female Telegraphists—Question, Mr. Stewart Macliver; Answer, Mr. Fawcett 1841
Poor Law (Ireland)—Belfast Union Workhouse—Erection of Detached Dwelling House for the Master — Question, Mr. Biggar; Answer, Mr. Trevelyan 1842
Egypt (Re-organization) — Correspondence with Foreign Powers—Further Papers—Questions, Mr. Bourke, Sir Stafford Northcote; Answers, Lord Edmond Fitzmaurice 1843
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South Africa—Zululand—Question, Mr. O'Kelly; Answer, Mr. Gladstone 1849
Local Government Board (Scotland) Bill—Question, Sir H. Drummond Wolff; Answer, Sir William Harcourt 1850
Parliament—Private Estate Bills—Questions, Mr. Arthur Arnold, Mr. Raikes; Answers, Mr. Gladstone 1851
Parliament—Public Business—Rivers Conservancy and Floods Prevention Bill, &c.—Questions, Colonel Alexander, Mr. Rylands; Answers, Mr. Dodson 1852
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India—Policy of the Marquess of Ripon—Question, Mr. Ashmead-Bartlett; Answer, Mr. Gladstone 1853
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South Africa—The Transvaal—Bechuanaland and Griqualand—Question, Mr. W. E. Forster; Answer, Mr. Evelyn Ashley 1854

EGYPT—PROGRESS OF RE-ORGANIZATION — STATEMENT OF THE EARL OF DUFFERIN — Ministerial Statement, Mr. Gladstone; Questions, Sir Stafford Northcote, Mr. Sclater-Booth, Sir Wilfrid Lawson, Mr. Ashmead-Bartlett; Answers, Mr. Gladstone; Question, Mr. Raikes; [No reply] 1855

PEACE PRESERVATION (IRELAND) ACT, 1881—ARMS' LICENCES—Question, Mr. O'Sullivan; Answer, Mr. Trevelyan 1858

INLAND REVENUE—DISPARITY OF AMOUNT PAYABLE FOR GROCERS' SPIRIT LICENCES IN SCOTLAND AND IRELAND—Question, Mr. O'Sullivan; Answer, Mr. Courtney 1858

SUPPLY—CIVIL SERVICE ESTIMATES—THE SUEZ CANAL DIRECTORS' VOTE—Question, Mr. Bourke; Answer, Mr. Courtney 1858

ORDERS OF THE DAY.

National Debt Bill [Bill 182]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 1859

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the National Debt having been reduced during the last three years by £20,500,000, the present generation of British taxpayers, who have contributed to that result, are entitled to some relief from their burdens; considering also the backward state of Ireland, and the miserable condition of a large part of its population, it would be in the highest degree impolitic and unjust to re-create, partly at their cost, terminable annuities calculated only to relieve posterity of taxation in the year 1905,"—(*Mr. Mitchell Henry,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 149, Noes 95; Majority 54.

Division List, Ayes and Noes 1940

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday.*

LOCAL GOVERNMENT BOARD (SCOTLAND) [SALARIES]—RESOLUTION—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair" 1942

After debate, Question put, and *agreed to*:—Matter *considered* in Committee 1953

Moved, "That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the Salaries of the President, Secretaries, and other Officers of the Local Government Board for Scotland, which may become payable under any Act of the present Session for constituting such Board."

Amendment proposed, to leave out the word "Salaries," in order to insert the word "Salary,"—(*Sir H. Drummond Wolff.*)

Question proposed, "That the word 'Salaries' stand part of the Question:"—After short debate, Question put:—The Committee *divided;* Ayes 135, Noes 11; Majority 124.

Division List, Ayes and Noes 1957

Original Question put, and *agreed to*:—Resolution to be reported *To-morrow.*

Diseases Prevention (Metropolis) Bill [Bill 279]—

Bill, as amended, *considered* 1958

After short debate, Bill read the third time, and *passed.*

Stolen Goods Bill [*Lords*] [Bill 258]—

Moved, "That the Second Reading of the Bill be deferred till Thursday next,"—(*Secretary Sir William Harcourt*) 1959

Question put, and *agreed to*:—Second Reading *deferred* till *Thursday.*

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Corrupt Practices (Suspension of Elections) Bill [Bill 281]—

Moved, "That the Bill be now read a second time,"—(*Mr. Attorney General*) 1959

Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday*.

Cruelty to Animals Acts Amendment (*re-committed*) **Bill** [Bill 118]

Bill *considered* in Committee [*Progress 4th August*] 1960

After short time spent therein, Bill *reported*, without Amendment.

Moved, "That the Bill be now read the third time,"—(*Mr. Anderson.*)

Amendment proposed, to leave out the word "now," in order to insert the words "upon Thursday,"—(*Mr. Warton,*)—instead thereof.

Question "That the word 'now' stand part of the Question," put, and *agreed to*.

Main Question put, and *agreed to*:—Bill read the third time, and *passed*.

MOTIONS.

—o—

Tramways, &c. (Ireland) Bill—

Moved, "That leave be given to bring in a Bill for promoting the extension of Tramway communication in Ireland, and for assisting Emigration, and for extending certain provisions of 'The Land Law (Ireland) Act, 1881,' to the case of Public Companies,"—(*Mr. Trevelyan*) 1965

After debate, Question put, and *agreed to*:—Bill *ordered* (*Mr. Trevelyan, Mr. Chamberlain, Mr. Attorney General for Ireland, Mr. Courtney*); *presented*, and read the first time [Bill 286.]

Superannuation (Ireland) Bill—*Ordered* (*Mr. Herbert Gladstone, Mr. Courtney*); *presented*, and read the first time [Bill 285] 1986

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) [EXPENSES]—

Considered in Committee 1986

Resolution *agreed to*; to be reported *To-morrow*.

[3.45.]

COMMONS, WEDNESDAY, AUGUST 8.

QUESTIONS.

—o—

NAVY—BOW RUDDERS—Question, Mr. Gorst; Answer, Mr. Campbell-Bannerman 1987

SOUTH AFRICA—ZULULAND—CETEWAYO—Question, Mr. R. N. Fowler; Answer, Mr. Evelyn Ashley 1987

SOUTH AFRICA—NATAL—LANGALIBALELE—Question, Mr. R. N. Fowler; Answer, Mr. Evelyn Ashley 1988

PARLIAMENT—SITTINGS AND ADJOURNMENT OF THE HOUSE — SATURDAY SITTINGS—Observation, Sir R. Assheton Cross 1988

ORDER OF THE DAY.

—o—

Parliamentary Elections (Corrupt and Illegal Practices) Bill

Order for Consideration, as amended, read 1989

Moved, "That the Bill be re-committed in respect of Schedule 1,"—(*Mr. Warton.*)

After short debate, Question put, and *negatived*:—Bill, as amended, *considered*.

After further long debate, it being a quarter of an hour before Six of the clock, the Further Proceeding on Consideration of the Bill stood adjourned till *To-morrow*.

QUESTIONS.

PARLIAMENT—BUSINESS OF THE HOUSE—ORDER OF BUSINESS—Questions, Mr. Gorst, Mr. Lewis, Mr. Healy, Mr. Dixon-Hartland, Mr. Parnell; Answers, Mr. Gladstone, Lord Richard Grosvenor 2030

EGYPT—THE CHOLERA — HEALTH OF THE TROOPS — Question, Viscount Folkestone ; Answer, Sir Arthur Hayter 2032

[5.55.]

LORDS, THURSDAY, AUGUST 9.

Manchester Ship Canal Bill—

Report from the Select Committee, That it is not expedient to proceed further with the Bill; read, and ordered to lie on the Table.

Electric Lighting Provisional Orders (Nos. 5 and 8) **Bills**—

Moved, "That the order made on the 2nd day of March last 'That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Tuesday the 26th day of June next,' be dispensed with,"—(*The Lord Thurlow*) 2033

After short debate, Motion *agreed to*:—Bills read 2ª accordingly, and *committed.* The Committees to be proposed by the Committee of Selection.

Public Health Act, 1875 (Support of Sewers) **Amendment Bill**

Moved, "That the Bill be now read 2ª,"—(*The Earl of Milltown*) .. 2033

Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Patents for Inventions Bill (No. 201)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 2034

Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

Agricultural Holdings (Scotland) **Bill** (No. 178)—

Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 2036

After debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Railway Passenger Duty, &c. Bill (No. 167)—

Bill read 3ª (according to Order) 2061

Moved, to leave out Clause 3,—(*Lord Brabourne.*)

On Question, "That the Clause stand part of the Bill?" their Lordships *divided;* Contents 33, Not-Contents 7; Majority 26.

Resolved in the *affirmative.*

Division List, Contents and Not-Contents 2065

Other Amendment *moved,* and *negatived*:—Bill *passed.*

AFGHANISTAN—SUBSIDY TO THE AMEER—Questions, Earl Stanhope; Answers, The Earl of Kimberley 2066

[7.30.]

COMMONS, THURSDAY, AUGUST 9.

QUESTIONS.

METROPOLITAN IMPROVEMENTS—HYDE PARK CORNER—THE WELLINGTON STATUE—Questions, Sir Henry Holland, Mr. Rylands, Sir Eardley Wilmot, Lord John Manners; Answers, Mr. Shaw Lefevre .. 2067

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ORDERS OF THE DAY.

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SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.

(In the Committee.)

CLASS V.—FOREIGN AND COLONIAL SERVICES.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £113,300 (including a Supplementary sum of £6,000), be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Expenses of Her Majesty's Embassies and Missions Abroad" 2117
After long debate, Motion made, and Question proposed, "That a sum, not exceeding £111,300 (including a Supplementary sum of £6,000), be granted, &c.,"—(*Mr. Labouchere*) 2166
After further long debate, Question put:—The Committee *divided;* Ayes 42, Noes 114; Majority 72.—(Div. List, No. 270.)
Original Question again proposed 2212
After short debate, Motion made, and Question proposed, "That a sum, not exceeding £112,800 (including a Supplementary sum of £6,000), be granted, &c.,"—(*Mr. R. N. Fowler:*)—After further debate, Question put, and *negatived.*
Original Question put, and *agreed to.*
(2.) £152,477, to complete the sum for Consular Services.—After short debate, Vote *agreed to* 2227
(3.) £990, to complete the sum for the Suez Canal (British Directors).—After short debate, Vote *agreed to* 2230

CLASS III.—LAW AND JUSTICE.

(4.) £10,038, to complete the sum for Police Courts, London and Sheerness.
(5.) £255,233, to complete the sum for the Metropolitan Police.
(6.) £946,698, to complete the sum for the Police, Counties and Boroughs (Great Britain).—After short debate, Vote *agreed to* 2241
(7.) £1,500, Rewards to Police.
(8.) £309,852, to complete the sum for Prisons, England.—After short debate, Vote *agreed to* 2243
(9.) £138,518, to complete the sum for Reformatories and Industrial Schools, Great Britain.
(10.) £17,520, to complete the sum for the Broadmoor Criminal Lunatic Asylum.—After short debate, Vote *agreed to* 2245
(11.) £41,370, to complete the sum for the Lord Advocate and Criminal Proceedings, Scotland.
(12.) £41,506, to complete the sum for the Courts of Law and Justice, Scotland.
(13.) £25,491, to complete the sum for the Register House Department, Edinburgh.—After short debate, Vote *agreed to* 2246
(14.) £76,670, to complete the sum for Prisons, Scotland.

Resolutions to be reported *To-morrow* at Two of the clock; Committee to sit again *To-morrow.*

Cholera Hospitals (Ireland) Bill [Bill 282]—

Moved, "That the Bill be now read a second time,"—(*Colonel Nolan*) .. 2247
Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow*, at Two of the clock.

Sale of Intoxicating Liquors on Sunday (Durham) Bill—

Order for Committee read:—*Moved*, "That the said Order be discharged" 2247
Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "this House will, To-morrow, resolve itself into the said Committee."—(*Mr. T. Richardson.*)
Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*
Question proposed, "That the words 'this House will To-morrow' resolve itself into the said Committee."

Sale of Intoxicating Liquors on Sunday (*Durham*) *Bill*—continued.

Amendment proposed to the proposed Amendment, to leave out the word "To-morrow," in order to insert the words "Monday next,"—(*Sir R. Assheton Cross,*)—instead thereof.

Question proposed, "That the word 'To-morrow' stand part of the Question:"—Question put:—The House *divided;* Ayes 35, Noes 19; Majority 16.—(Div. List, No. 271.)

Main Question, as amended, put, and *agreed to :*—Committee *To-morrow.*

EDUCATION, SCIENCE AND ART (ADMINISTRATION OF VOTES)—

Select Committee *nominated :*—List of the Committee 2249

NAVY AND ARMY EXPENDITURE, 1881-2—

Committee to consider the Savings and Deficiencies upon the Grants for Navy and Army Services in the year ended on the 31st day of March 1882, and the temporary sanction obtained from the Treasury by the Navy and Army Departments to Expenditure not provided for in the Grants for that year, upon *Monday* next.

Ordered, That the Appropriation Accounts for the Navy and Army Departments, which were presented upon the 19th day of February last, be referred to the Committee.

[2.45.]

COMMONS.

NEW WRIT ISSUED.

MONDAY, AUGUST 6.

For *the County of Sligo, v.* Denis Maurice O'Conor, esquire, deceased.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

Fourth Session of the *Twenty-Second Parliament* of the
United Kingdom of *Great Britain* and *Ireland*,
appointed to meet 29 April, 1880, in the Forty-third
Year of the Reign of

HER MAJESTY QUEEN VICTORIA.

SEVENTH VOLUME OF SESSION 1883.

HOUSE OF LORDS,

Friday, 20th July, 1883.

ARMY (MEDICAL DEPARTMENT)—HOSPITAL SERVICES.

RESOLUTION.

VISCOUNT BURY, in rising to call the attention of the House to the Report of the Committee on Army Hospital Services, and to move to resolve—

> "That while the individual medical officers in Egypt behaved admirably well, the system under which they worked did not successfully stand the strain put upon it; that the military authority exercised by medical officers is inconvenient, and that discipline in hospitals ought to be administered by combatant officers, leaving to the medical officers medical duties only; also that medical officers ought to be attached to regiments instead of being detailed for duty day by day from station and other hospitals,"

said, the subject was one entirely independent of Party, for the care of our soldiers in war was a matter which nearly touched us all. In 1873 a very great change took place in Army Medical Administration, a change that was for the first time put to the test in the war of last year in Egypt; and he thought all must acknowledge that it did not altogether stand the strain then put upon it. Before the new organization of 1873 the system was purely a regimental one, a surgeon being attached to each regiment. In 1873 a system was introduced under which general hospitals were instituted, and all medical officers were attached to these hospitals, and detailed day by day for duty. Medical officers formerly attached to regiments were no longer so attached, and the Medical Department became general in its character. The Service was divided into two parts—the Army Hospital Corps and the Army Medical Department; the latter supplying dressers and servants generally, and the former supplying nurses. The exception to this system was the Household Cavalry, of which the Medical Service was still regimental. Medical officers had very important duties to perform, besides the treatment of sick soldiers, for they were responsible for the organization and management of the hospitals to which they were attached in peace or war, and for the control over the inmates, whether patients or otherwise. These officers had no opportunity of carrying on the regimental life they formerly enjoyed, for they lived out of barracks, apart from the soldiers, and thus they nad no opportunity of learning discipline. It was found in the Egyptian Campaign that the new system had somewhat broken down, and that, although the officers individually were unexceptionable in a medical point of view, they were unable, owing to defective training, to enforce discipline in the hospitals. This appeared from the recent Report of the Committee on Army Hospital Service. With regard to the remedy for the existing defects, he was disposed to agree with the two Members of that Committee who dissented from the Report—namely, Major General Hawley and Sir Robert Loyd Lindsay. They proposed two remedies—first, a return to the regimental system, so far as attaching a medical officer to each unit of the Service was concerned; and, secondly, what he himself suggested in his Motion—namely, that the discipline in hospitals ought to be administered by combatant officers. Then they went on to point out the disadvantage of conferring upon medical officers military rank, while exempting them from military discipline. This was the *crux* of the whole thing. They pointed out that the regimental system was adopted by every Continental Army, and that it was, moreover, the system that the British Army, as a matter of fact, reverted to in time of war. They accordingly advised a partial return to the old regimental system, as he had already stated. He would now proceed to deal with the evidence before the Committee; but, first, he would like to say that the conduct of the medical officers in the late campaign was beyond all praise, that the individual officers did well, and that there was nothing whatever to be said against them. Everything they could do was done; and in what he was about to say he had no intention whatever of casting blame upon individual officers, but only on the system. Lord Wolseley, speaking of the hospital at Ismailia, said in his evidence that the medical officers themselves worked individually remarkably well, and that their devotion to the sick was admirable. There was, however, a gloomier side to the picture disclosed in the gallant General's evidence. Lord Wolseley said that he visited the hospital after the two fights of the 24th and 25th, and that he found a great many things deserving disapproval, which led him to form the conclusion that the system was bad. At the Cairo Hospital he found the same defects, and he believed that there was no excuse for them. After the third day the hospitals should have been as well supplied as a hospital in London, there being no difficulty about obtaining any amount of servants, food, and necessary materials. He mentioned that he found the men lying on the ground in a filthy condition, and that the cooking arrangements were very inefficient. Colonel Knox also gave evidence to the effect that the hospital at Cairo was not well administered; that there was a want of organization and an insufficiency of men to do the work of the hospital. According to the evidence of the Colonel of the York and Lancaster Regiment, 18 wounded soldiers belonging to that regiment were almost unanimously of opinion that the nursing in the hospitals was very indifferent, and that there was very little discipline in the establishment. They were, however, quite satisfied with the manner in which the surgeons performed their duties. Thus, while no fault could be found with the surgeons' knowledge or treatment, the discipline maintained among their subordinates was very unsatisfactory. It was said by the surgeons that the hospitals were merely field hospitals, in which the same perfection of organization as existed in fixed hospitals could not be expected. Lord Wolseley, however, described the hospital at Ismailia as a base, and not a field hospital. With regard to that hospital, therefore, the argument of the surgeons fell to the ground. The Commander of the expedition said that while the medical officers were capital doctors they certainly were not soldiers, and had not the power of maintaining discipline among their men. The great fault which Lord Wolseley found with them was that they did not assume the responsibilities which their high position imposed upon them. That bore out his contention that medical officers ought to be confined to purely medical control, and that combatant officers ought to be placed in the hospitals to maintain discipline. Lord Wolseley stated that the medical men were entirely wanting in initiative, and that, when asked why they had not bread, they said that the Commissariat had not given it, and why they had not stretchers, that stretchers had not been supplied. His Royal Highness the Duke of Cambridge had said that of everything connected with the Medical Department the medical officer ought to have charge, but of everything beyond that he could know nothing. His Royal Highness added that he thought it the greatest misfortune that the medical officer should attempt to do that to which he had not been brought up. Colonel Maurice, who had been Deputy Assistant Adjutant General, said that as he was known to be an officer on the Staff of the General Commanding-in-Chief nobody would think of treating him otherwise than well; and yet, while lying wounded in the tent, he was woke up three or four times in the course of a night, once because the doctor wanted to know his name. Colonel Maurice said that in speaking of medical officers he was speaking of his own personal friends, men for whom he had the greatest personal regard; but he felt it his duty to say that the system was by no means perfect. He said that medical officers did not sufficiently recognize their functions at the head of an organization in which a number of persons were to be made to do their duty. Colonel Maurice related some stories in corroboration of what he had said. One was that he told a servant to get him some food, and the servant went to the cook, who, in a very uncivil way, said he would not work for an officer, or something to that effect. When the surgeon was told what had occurred, he said it was true that an incivility had been committed; but Colonel Maurice must remember not only that he was an officer, but that he was his patient. Colonel Maurice was entirely of opinion that the discipline of the hospitals ought to carried out by combatant officers, and not by medical men, on account of the want of knowledge on the part of the latter. And Lord Wolseley said he was convinced that the presence of a military officer in the hospitals would have gone far to correct all that was wrong. It would be unfair to blame a man for not knowing what he had not been taught, and what he had no means of knowing. Their Lordships would be of opinion that medical officers had no opportunity of learning discipline. His Royal Highness said he thought that a man should be an officer in the Army to know what discipline was. If their Lordships turned to Appendix 24 to the Minutes of Evidence, they would find a Report on the system employed in the different Armies of Europe. That system combined the advantages of the departmental and regimental systems. The regiment officers and those of higher ranks in this country had unanimously expressed an opinion in favour of the adoption of that system. Owing to the frequent change of medical men the present system fostered malingering, because the medical officer was not attached to a regiment sufficiently long to be able to learn anything about the men with whom he had to deal. Another evil was that Commanding Officers rarely visited their men in hospital, and, in fact, lost sight of them from the time they became ill. The Report of the Committee which sat at Aldershot on the 6th of February showed that of the 14 officers in command of regiments, who were examined before it not one gave evidence to any other effect than that it was desirable that medical officers should be attached to regiments, and that the old system should, thus far, at any rate, be reverted to. The evidence showed that the system was so far in fault that the medical officers did not administer discipline, because they themselves were not, in a military point of view, disciplined men. Without going into other details of the Report, he might point out the practical difficulty that existed in obtaining good hospital nurses. These men were enlisted on the same terms as other men were enlisted into the Army; they were not properly trained, and were, in fact, exceedingly bad nurses. Another point was the presence of lady nurses in hospitals. Everybody knew the admirable services they rendered; and it would be ungracious not to pay a tribute to the excellence of lady nurses in the hospitals in Egypt. Time, however, did not admit of his going into these details, and he therefore concluded with moving his Resolution in the terms of which he had given Notice.

Moved to resolve—

> "That while the individual medical officers in Egypt behaved admirably well, the system under which they worked did not successfully stand the strain put upon it; that the military authority exercised by medical officers is inconvenient, and that discipline in hospitals ought to be administered by combatant officers, leaving to the medical officers medical duties only; also that medical officers ought to be attached to regiments instead of being detailed for duty day by day from station and other hospitals."—(*Viscount Bury.*)

THE EARL OF MORLEY said, it was quite unnecessary for the noble Lord opposite to apologize for bringing this question before the House, for it was a question of the greatest importance to the Army at large. Neither could he complain of the manner in which the noble Lord had introduced the subject. The noble Lord in his speech disclaimed any intention of making an attack on any officer, and he had certainly carried out that intention. The ability of the medical officers in Egypt had been acknowledged by Lord Wolseley himself, and he concurred with the noble Lord opposite in acknowledging the admirable work done by the lady nurses in Egypt, and wherever else their services had been required. Before he spoke on the remedies proposed by the noble Lord for what he considered the defects of the present hospital system of the Army, he desired to make a few comments on the working of the system during the late campaign in Egypt. The noble Lord had referred to the Report of the Committee. It was admitted that there were some defects in the administration and general management of the hospitals during the recent campaign; but it was necessary to bear in mind the remarkable nature of the service. The peculiarity of the campaign was its extreme rapidity. On landing at Ismailia the Army had at once, for military reasons, to move into the Desert, and before the hospital equipment had been landed. The noble Lord had quoted an answer given by Lord Wolseley with regard to base hospitals. It was not intended that there should be a base hospital—which was a furnished hospital fitted with bedsteads and other furniture such as was supplied to general hospitals—at Ismailia, the exact time the troops would land there being uncertain. Accordingly, base hospitals were established at Alexandria, Cyprus, and Gozo, the hospital at Ismailia being fitted as a field hospital only. Then the noble Lord had referred to the evidence of Colonel Maurice; but he thought that that evidence should be compared with the evidence subsequently given by Surgeon Major Veale before the noble Lord formed an opinion on several of the points on which that officer had animadverted. With regard to the medical results of the campaign they were somewhat remarkable, and showed that even if there was in some instances undue delay it had not been productive of serious consequences to the sick. He would take the period from the 17th of July, when the first battalions landed in Egypt, to the 10th of October, the date at which the Cairo hospitals were converted into station hospitals, and the Army became an Army of Occupation instead of an Army in the field. Between those two dates there were 378 non-commissioned officers and men in hospital from wounds in the field. Of these only 11 died. Then there were admitted from other causes 7,212 non-commissioned officers and men, of whom 79 died. Thus the total number of wounded and sick was 7,590, of whom only 90 died. Of those who had been invalided from Egypt there died elsewhere before the 10th of October 21 who had been wounded in action, and 94 from other causes, making a total of 115. Therefore, out of 7,590 admitted to hospitals the number of deaths was 205—32 wounded in action, and 173 from other causes; these numbers being exclusive of the 82 killed in action. The 37 deaths on the passage from Egypt were included in the deaths stated to have occurred "elsewhere." He did not think that these figures were at all unsatisfactory. There was a total absence of pyæmia, gangrene, or other diseases peculiar to hospitals; and it was a remarkable fact that there was not a single case of loss of sight from ophthalmia, and that this disease was, by skilful treatment, almost completely stamped out. These facts, especially if compared with the medical history of former campaigns in Egypt, showed, whatever defects there were, that medical officers were careful and skilful. He was not prepared to question the statement that the Army Hospital Corps was not in a satisfactory condition; there were admirable nurses in it; but, at the same time, there were some who were indifferent. As a rule, they had not had sufficient training as nurses to make them efficient. In the opinion of some, the only means of improving the nursing was to employ to a much greater extent female nurses; and he agreed that, where circumstances permitted, this should be done; but it was wholly impossible to employ female nurses in military hospitals to the same extent as in civil hospitals, because there were diseases and circumstances in connection with which women could not be employed. Unfortunately for the Army Hospital Corps, the patients in all our civil hospitals were nursed by women. It was a disadvantage to the military hospitals that there was no large body of men from whom nurses could be drawn in cases of emergency. The whole supply of male nurses and hospital orderlies must be maintained by and for the Army. The noble Lord appeared to have paid too little attention to the paragraphs of the Report relating to the Army Hospital Corps, to which he attached more importance than to any other part of the Report. The Committee recommended that the men should have more training as nurses, and also that there should be a better system of promotion, so that higher appointments in the wards might be given to good nurses. He hoped that when the Secretary of State had had time and opportunity to consider the suggestions that had been offered, there would be improvements made in the pay of nurses, and in the co-ordination of the different branches of the Corps. The Committee over which he had the honour eventually of presiding was appointed originally with reference to the condition of the Army Corps in South Africa; and its labours were approaching completion when the larger questions arising out of the Egyptian Campaign were referred to it. As regards the duty of the medical officers in charge of hospitals, and the necessity for having combatant officers at the head of such institutions, there were, undoubtedly, differences of opinion; and he admitted that the weight of military authority was on the noble Lord's side. But there were considerations which induced the majority of the Committee to take an opposite view. In proposing that hospitals should be presided over by a Military Commandant, he presumed the noble Lord did not mean to include, besides the general hospitals, the numerous station hospitals scattered over the country.

VISCOUNT BURY: Yes; I did.

THE EARL OF MORLEY: Then his suggestion would be difficult to carry into effect, because there were 182 station hospitals in England and Ireland alone; and it had never been proposed that these should have Military Governors like Netley. The Committee unanimously came to the conclusion that it was undesirable that there should be a double control in any instance. They felt the great importance of unity of control, and that it should be vested in the medical and not in the military officer. They feared the evils that might result from friction between the military and the medical authorities. The Military Commandant at Netley, as long as the discharge depôt—now removed to Portsmouth—was attached to the hospital, had duties to perform in connection with this depôt which rendered it necessary to have an officer of high position; and even now there was a considerable amount of work done there in connection with the discharge of men invalided from India and elsewhere. No doubt, a station hospital should be under the control of the General Officer commanding the district, or of the officer commanding the troops at the station. The Committee thought that the inspection of all hospitals by an officer of high rank, specially appointed, should be frequent and searching; but that it would be far better that the administration of the hospitals in all branches should be in the hands of one responsible medical head. With regard to attachment of medical officers to regiments the Committee were not unanimous; two of his Colleagues were in favour of a return to the old system so far as the medical officers were concerned. As far as hospitals were concerned, experience had so amply shown that the regimental system was impracticable in war that it was hardly worth while arguing the question. The noble Lord would attach medical officers to every battalion and every corps of troops. He quite admitted the importance of the witnesses who favoured such a change; but a medical officer would deteriorate if his only duty were to look after healthy troops, and if he were debarred from attending hospitals; and he considered that there would be considerable difficulties in the way of employing medical officers attached to corps in the station hospitals. If it were said they should be attached to regiments with the view of learning discipline, that implied that the medical officers should be young and therefore inexperienced; and if they were, that would diminish the confidence of those requiring their services. Another difficulty in the way of the adoption of the proposal of the noble Viscount was the extra expense that it would involve. This matter had been carefully considered by a Departmental Committee which sat some years ago. The appointment of a considerable number of additional medical officers would be required, and this would cost £20,000 or £30,000 a-year. Of course, if that were necessary for the benefit of the troops, such an additional expense ought not to stand in the way of the change. In his opinion, however, the advantages that might be derived from the change suggested would not be commensurate with the cost of the experiment. He was opposed to the attachment of medical officers to regiments, because officers so attached would gain less experience than under the present system, because it would render it difficult to distribute the medical officers, so that they should severally have duties which they were best qualified to perform; because, though this was not by any means an insuperable objection, it would interfere with the roster for foreign service; and because it would involve an additional expense without securing any adequate benefit to the Army. He thought he had dealt with the two main points raised by his noble Friend, and that he had given the reasons which induced the majority of the Committee to take the views which the Report showed they did take upon these matters. Before sitting down he wished to rectify an error into which a noble Lord had fallen. A notion prevailed, and had been given expression to that day, that a gallant colonel was reprimanded for visiting some of his men in hospital. The reason of the difficulty that had arisen in the case referred to was that the visit was paid when the medical officers were engaged in the wards. During the hours when they were so engaged inconvenience would be caused if a large number of officers were to visit their men; but it must not be supposed that regimental officers were prohibited from visiting station hospitals, except during certain hours, when the medical officers were treating the patients. Any prohibition of that kind would be directly contrary to the wishes of the medical officers, and obviously wrong. With regard to the charges made by the noble Viscount opposite, he admitted that improvements in the cooking and nursing in Army hospitals were required, and that other matters connected with the administration of hospitals, and with the Medical Service generally, called for amendment; but he failed to see how the defects complained of by the noble Lord would be remedied by the adoption of the proposal before the House.

THE DUKE OF RICHMOND AND GORDON said, he felt very strongly that of the many changes that had been introduced into the Army during recent years, of which he most entirely disapproved, the alteration in the Army medical system was, perhaps, the worst. He could conceive no system more objectionable and disadvantageous than the present; and he regretted very much that, in the Report of the Commission, it was suggested that the system should be extended to the Household Troops. The noble Earl admitted that the arrangement, in accordance with which medical officers were not attached to regiments, was deprecated by all the military witnesses who gave evidence before the Commission. Were not the commanding officers of regiments the very persons who knew best how the present system worked, and how the former system had worked? This the noble Earl admitted, and yet he came to a conclusion adverse to the recommendations of those officers who were eminently qualified to give an opinion upon the subject submitted to them. In former times the medical officer was said to be the father of the regiment. He had probably assisted at the birth of every child in his regiment, and he knew the constitution of every man and woman in it. It was to him that the young men went when they had got into scrapes. All that had been altered, and the change was a very bad one. The noble Earl said that before introducing innovations the expense that they would entail must be considered. In his opinion, if a change was desirable, on the ground that it would improve the health of the Army, the question of expense was the very last that ought to be considered.

THE DUKE OF CAMBRIDGE said, that, as his evidence had been referred to in the course of the discussion, he felt bound to make a few observations. His noble Friend the Under Secretary of State for War (the Earl of Morley) had been induced on that occasion to give expression to views which were not altogether in accordance with his own. He, however, desired it to be clearly understood that he recognized fully the excellence of our medical officers, and was inclined to make every allowance for the shortcomings which were sometimes the result of the difficulties which they had to face, especially in time of war. If anything had gone astray in their Department, it was the system, and not the individuals, who were at fault. He should very much like to see the present system modified, so that medical officers, for at least two or three years, should be attached mainly to a regiment. He did not think that there was any other Army in which there was not a medical man attached to the regiments. He believed that the old system was a very good system; but, as it had been so much altered, we could not go back to anything which had been so thoroughly changed. But he thought it essential that there should be some men to whom the whole constitution of the Army should be thoroughly known. If any one of their Lordships wanted medical advice, he would not wish to put himself into the hands of different doctors. But men were now sent about so much that they had five or six different surgeons to deal with them. It was not a question of roster, nor did he see any difficulty in accommodating the roster to the requirements of the case. It was all matter of arrangement. What he wanted to see was, that a medical officer should be attached absolutely for two or three years to a regiment, and should perform all the medical duties connected with that regiment. His noble Friend had said that a medical man would not acquire medical knowledge in that way. But he did not see why medical men should not spend a portion of their day in the station hospitals. In the London hospitals the visiting surgeons only came at certain hours; and he could not imagine, therefore, how a practical difficulty could be raised in that respect. It would be a mere matter of arrangement by the Head of the Department. Why should they not attend to the ordinary medical requirements of the regiments, and, having done that, attend also at the station hospitals? He wished it to be clearly understood that he did not object to station hospitals at all. Station hospitals, in his opinion, were very good; they were better than mere military hospitals; there was more system in them, and there was less extravagance in carrying them on. His noble Friend (the Earl of Morley) also thought that the discipline of the hospital should be in charge of the medical officer. He (the Duke of Cambridge) did not see how the medical officer could understand anything about discipline. Under the old system he joined a regiment as a young man and lived with it, and he did learn discipline; but now he joined as a professional man, and was attached to some station. What military discipline could he learn there? A military medical man ought to know military discipline, quite apart from medical discipline. He could not see why the station hospital system, as it existed, should not be combined with that moderate regimental system which he ventured to suggest, and which he believed to be compatible with the requirements of the roster. But he confessed he did not think that medical men were the proper persons to carry out discipline in hospitals. He was himself President of the London Hospital, and a civilian lived on the spot, who conducted the supervision of that Establishment. A great London hospital might be compared with a military hospital; and, inasmuch as they had a civilian to look after the wants and requirements of the London Hospital, he would say that they ought to have a military man to look after the wants and requirements of a military hospital like Netley, quite independent of the medical officer who might be in charge of the sick. He regretted, to some extent, the changes which had been made. He would not say that the new system should be entirely altered; but he thought it should be modified to the extent which he had indicated. He hoped it was possible that the discussion which had taken place, as well as the general feeling in the Army, which entirely accorded with the views he had expressed, would bring about this modification. He believed the change would be very beneficial to the Army, and that it would not be found out of accord with the prevailing system, which, with the limitation he had suggested, would continue much in its present form.

Lord ELLENBOROUGH said, that a system which was admitted not to work well in time of peace could not reasonably be expected to be successful during war. He did not wish to seek popularity by suggesting more economy, but a restoration of the late system. Everything that gave dissatisfaction to officers or men was due to the sacrifice of efficiency to economy. He would revert to the old system, as he thought that all the changes which had been made in the Army had proved to be of the most expensive kind. Nothing was more economical than sending a soldier to his duty instead of having him in hospital for six months. Ten years ago he had pointed out the absurdity of the present medical system in the Army; and he hoped that the present Secretary of State for War would make some alteration in it in the direction of the views entertained by the late Sidney, Lord Herbert.

The Earl of LONGFORD said, the fact was, the Army, with its attached Departments, had been re-organized to within an inch of its life. This very Medical Department had been under re-organization for more than 20 years. The statue of Sidney Herbert stood in Pall Mall as a grateful recognition of the attention given by a good and earnest man to this special branch of the Service. The result was that, in the Egyptian Expedition, a large staff of qualified medical officers, with subordinate assistants, and ample supply of stores, close to their ships, with no overwhelming number of sick on their hands, were unable to establish their hospital, and give proper attention to the sick for several days; and, according to the Report of this Committee, administrative defects were observed in other hospitals subsequently formed. Regimental paymasters, regimental surgeons, regimental numbers found no favour with modern Army reformers; and had been superseded by systems which, as far as he could understand, gave no satisfaction to anybody. He did not propose to go through a list of Army grievances then, and the medical question had already been sufficiently discussed; but he might mention that, having been lately present in one of their largest garrisons, in a military society, he made inquiry respecting two cases, in which, by the neglect of officers to pass certain examinations for promotion, junior officers had been promoted over their heads. The answer was in language more forcible than polite—"The whole thing is so disgusting that no one cares a big D whether he is passed over or not." This was not the spirit that military reformers intended to introduce into the Army; but it was the spirit which they very generally—though he did not say universally—had introduced by their constant innovations.

The Marquess of HERTFORD said, that many excellent reasons had been given for a return to the regimental system, as far as was possible, and there was a strong objection to the new plan being adopted with the medical officers of the Household Brigade. He thought medical officers should be put on the same footing as the other officers of the Army.

Viscount BURY said, he would not trouble the House to divide, as he was quite satisfied with the discussion which had taken place.

Motion (by leave of the House) *withdrawn.*

ARMY (RE-ORGANIZATION)—PURCHASE COLONELS.

QUESTION. OBSERVATIONS.

The Earl of LONGFORD said, he rose to ask the Under Secretary of State for War, If it was intended to take any steps to redress the injury that Colonels with purchase rights, who held that rank prior to the 1st of October, 1877, had suffered by being compulsorily retired from the Service before the time their removal would have taken place by the terms of the warrants in force when they were promoted to the rank of Colonel? He (the Earl of Longford) voted for the abolition of Purchase on the assurance that the rights of officers would be respected, and their promotion maintained. First, the age of retirement from the Active List was fixed at 63, then, in 1881, it was reduced to 55 in the case of Colonels, unless they had obtained a certain rank. The officers in question had purchased rights, and among others was the expectation of promotion of which they were summarily deprived. If that was necessary to the reconstitution of the Army, it was but simple justice that they should be amply compensated. It was true that the authorities at the War Office had already recognized, in some measure, the claims of these officers. One of them had received an additional pension of £5 a-year, another £8 17*s*., and another £1 19*s*. But these cases, he submitted, had not been sufficiently considered, and they were entitled to compensation far beyond anything that had been awarded to them.

THE EARL OF MORLEY, in reply, said, he was afraid he could not add anything to what had been already stated in "another place" by the late Secretary of State for War in regard to these Colonels. The noble Earl had stated rightly that in 1877 a new Rule came into force regarding the age at which these officers should retire; but they were compensated for any loss that might occur under this Rule. Whereas, under the old Rule, the half-pay of these officers could not exceed £200, the retired pay now reached to as much as £420. In addition to this, in 1878, they received compensation for the loss of their chance of obtaining unattached pay as general officers; and those attaining the age of 59 before their term of employment was up received full compensation for the term they were unable to complete in that employment. The other claims were of so vague and shadowy a character that it was impossible to consider them, and he could not undertake to re-open the question.

House adjourned at Seven o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 20*th July*, 1883.

The House met at Two of the clock.

MINUTES.] — PUBLIC BILL — *Committee* — Agricultural Holdings (England) [186] [*Fourth Night*]—R.P.

PRIVATE BUSINESS.

HULL, BARNSLEY, AND WEST RIDING JUNCTION RAILWAY AND DOCK (INTEREST) BILL.

CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill, as amended, be now considered."

SIR JOSEPH PEASE said, he was sorry, when the House had so much other Business before it, to have to occupy time in moving, "That the Bill, as amended, be considered on that day three months;" but the task he had undertaken was one which he had undertaken entirely as a matter of public duty. He had stated, some time ago, that if the Standing Order were left alone, he would leave the Hull and Barnsley Company to take such course as they approved; but, when the Standing Order was passed and modified most carefully by the Chairman of Ways and Means, he (Sir Joseph Pease) felt it his duty to the House, to the commercial interests of the country, and to the Railway interest in particular, to see that this Bill should have the careful consideration of the House. It was on that ground he moved that the Consideration should be postponed. He might be told that he was opposing the Bill as a Railway man. He was not at all afraid of that charge, because it seemed to him that the House had taken into its hands—rightly he dare say—the question of competition between different Railway interests; and, when the House decreed competition, it behoved Railway Companies to carry out that competition according to the rules and forms laid down by the House, and according to the laws they were obliged, from time to time, to pass. If the House agreed to encourage competition, he, as a Railway man, was quite ready to acquiesce in that view; but he must appeal to the House that the rules regulating competition should not be abrogated by the Act of any Company or private individual. If the House were to decree that this Bill should pass, he should feel that he had done his duty in calling the attention of the House to it; but it seemed to him that there were very grave reasons why it should not be allowed to pass into law. The Bill itself was of a very peculiar and a very remarkable character. No doubt, Bills of a peculiar character had been passed by the House in former years, and, notably, the London, Chatham, and Dover Railway Bill; but that Bill was introduced after an arbitration before Earl Cairns and the Marquess of Salisbury. The present Bill involved the payment of interest out of capital to a very large extent, far outside the Standing Order recently passed at the suggestion of his hon. Friend the Chairman of Ways and Means, and after the proposal had been supported in a speech by his hon. Friend below him (Mr. Chamberlain). If they passed this Bill, it seemed to him (Sir Joseph Pease) that they would do away with all respect for Statute Law, and all respect for their Standing Orders, and they would deal a death-blow to the observance of that upright and straightforward dealing which ought to characterize all matters connected with trade in this country. The Bill had been very much modified since it had been laid on the Table of the House. It was proposed that 5 per cent should be paid on a capital of £3,000,000 sterling, and it further proposed that 5 per cent should be paid upon an additional share capital of £2,400,000, in accordance with the Act of 1882. That latter clause had since been eliminated from the Bill, and the measure now merely referred to the capital of £3,000,000 sterling of the Hull and Barnsley Railway, and it was to that provision that he desired to call the attention of the House. In 1880, the Hull and Barnsley Company obtained their Act of Parliament, and the Act contained the usual provisions to put in force the Statute Law as sanctioned by the Standing Order of 1845. The promoters accepted the Bill, with the restriction that they should not pay interest out of capital, because that was a clause which had been enacted in every Railway Bill for a long series of years. Having obtained their Bill, they found that they wanted shareholders, and the idea of paying interest out of capital seemed at once to have occurred to the Board. They proceeded, however, with great caution, and this was one of his reasons for finding fault with their proceedings. Before they inserted a clause in their prospectus, in which they proposed to pay interest out of capital, they took the opinion of very eminent counsel. He was not aware what the result of that opinion was; but he had no doubt that it was in accordance with the judgment of the Master of the Rolls which came afterwards. But, in spite of the judgment of the Master of the Rolls, and of the legal opinion thus obtained, a clause was inserted in the prospectus, of which, according to the Hull papers, 300,000, weighing somewhere about 14 tons, were sent out. Advertisements or notices were issued in at least 51 newspapers, and the Company paid something like £55,000 to various brokers, in order to secure the issue of shares. The Board then proceeded to pass a Minute, authorizing them to obtain tenders for a contract in the usual way; and, on the 15th November, they rescinded that resolution, and the Chairman was sent to London to make other arrangements. He made a contract with a highly respectable firm of contractors—Messrs. Lucas and Aird—by whom the works were to be put through, and by whom interest was to be paid, although they had previously obtained the opinion that the payment of interest out of capital was altogether illegal. He would not trouble the House by entering into the contracts. On the 4th March, before any interest had been paid, the Master of the Rolls granted an injunction against the Company, to restrain them from paying interest out of capital, and no interest up to that time had been paid. An expense, however, of £2,200 had been incurred, for a grand celebration in connection with the passing of the Act on the 15th July. No sooner did the Company get notice of the injunction which had been granted by the Master of the Rolls, than they attempted to sail to the windward of it; and they succeeded, through the contractors, in forwarding to the shareholders the dividend which the Master of the Rolls had declared to be an illegal payment. He could not imagine, for a moment, how Messrs. Lucas and Aird men of proverbial intelligence, could have obtained no other security for the payment of their advances than the promise that an Act of Parliament would be subsequently introduced. He saw in the contract between Messrs. Lucas and Aird a curious reference to a sum of £100,000 to be paid to them for the speedy completion of the works; but he could only find one reference in the contract itself to the completion of the works; and it was that they should be finished by the year after next. It would be apparent to the House that the Company had defied the law; that they had made arrangements to go beyond the law; and that, even after the Master of the Rolls had laid down the law, they went, with their eyes open, and made arrangements with the contractors to pay this interest.

He was prepared to assert that no Bill was ever introduced into the House in such a position, in order to secure the sanction of Parliament to the payment of interest out of capital. The House knew the nature of the agitation which was got up last year. In that year a Committee was appointed, at the instance of the Chairman of Ways and Means, which reported in favour of altering the Statute Law. This year there had been the same kind of agitation again; and the Chairman of Ways and Means, no doubt considering it advisable to conform to the views of the people behind the agitation, brought in a Standing Order which was most carefully and consistently guarded. That Standing Order was passed by the small majority of 8 in the House; but it was found that even that Standing Order would not allow the Bill to be passed. The Standing Order and the present Bill were diametrically opposed to one another. First of all, the Standing Order of his hon. Friend the Chairman of Ways and Means contemplated a Committee of Inquiry; but there had been none. On the 12th of July, his hon. Friend held a Committee on the Bill, and received a Report from the Board of Trade, in pursuance of his own request, and which Report was said to be in pursuance of the Standing Order. But the Standing Order said that no Company should pay more than 4 per cent, and the Bill proposed to pay 5 per cent. The Standing Order was prospective. The Bill was evidently retrospective. The Standing Order said that the 4 per cent should appear in the advertisements and prospectuses; but the advertisements and prospectuses of the Company were issued in 1879 and 1880, when it was illegal to pay interest out of capital altogether. None of the half-yearly Reports of the Company complied with the Standing Orders. The Board of Trade were told that if the provisions of the Bill did not become law, it would be impossible to continue the works for more than two or three months longer. There was another allegation which he wished to call attention to, because it appeared to him that the Report which had been presented from the Committee by the Chairman of Ways and Means was founded on it, and the Report also of the Board of Trade. The statutory accounts were published duly by the Company; and no one could find fault with the form in which they appeared. It appeared from them that on the 31st December no less a sum than £2,130,000 was at the command of the Directors. The amount to be spent, according to the statutory declaration necessary to be made by all Companies, was, up to the 30th June, £533,000; and the Company would require, up to the end of the year, £1,599,000 to complete their obligations with regard to works. The Board of Trade said, very wisely, that the Company seemed to have paid no attention to finance. First of all, the preliminary expenses amounted to the large sum of £72,900; and, in their Report, in order to show what had become of so large a sum, the Company stated that the advertisements had cost £10,000; brokers' receipts for commission, £54,900; whereas the interest on the pre-payment of calls by the Company was only £14,000 during four half-years. The bankers had allowed £12,000 in one year for money in hand; and these figures certainly showed a large amount of transactions which ought to have been investigated by the Board of Trade, or else by the Chairman of Ways and Means, before any Report that could be satisfactory was sent down to the House. The hon. Baronet the Chairman of Ways and Means stated in his Report that he was moved to report the Bill by the fact that 8,000 or 10,000 persons would be thrown out of work if the Bill were not passed. Why? Navvy Jack was a creature here to-day and gone to-morrow; and no sooner was he out of work in one place than he got it elsewhere. There was, therefore, no force whatever in that argument. The Board of Trade said the same thing; but he failed to see its bearing. Now, what did the argument of stopping the works amount to? The Bill did not raise a shilling of extra capital in any shape or form. The capital of the Company remained the same as it was by the Act of Parliament already passed. There was still a sum of £300,000 to be borrowed, and £1,113,000 to be called on the shares. There was no question of getting the amount of the capital. The capital had been greedily taken up; and there was no question of getting out of the shares. If this Bill had any effect, it was taking money out of the hands of the Directors and placing it in those of the shareholders. The effect of not giving the Directors power to complete the works would be to place the money again in the hands of the Directors. The Directors did not spend the money, and did not make calls on the shareholders; then it would remain in their pockets until after the works were finished in 1884; so that, within 12 months of the present time, the whole question must come to an end. In his opinion it was much better that the matter should remain as it was. In the House of Lords, the Lord Chancellor had made a strong statement as to the propriety of leaving all Bills alone until the Statute Law was altered, indicating that it was intended to repeal it, piecemeal, by legislation. He contended that the House of Commons could not well pass this Bill. The Directors had taken the Act with the usual clause in it; they had taken opinions as to the legality of the prospectus; and they had issued it knowing that the clause they had inserted in it could not be carried out legally. They had issued it on the chance of nobody inquiring into the matter; but, fortunately, somebody had done so. Even after they obtained the decision of the Master of the Rolls, they went on, and, in spite of everything they knew to be right, decided on paying interest out of capital. How much they had paid out he did not know; but he thought he had proved conclusively that, in effect, this Bill would not be to further the works, but rather to take money away from the works out of the pockets of the Directors for the purpose of paying interest on capital, and placing it in the pockets of the shareholders. The case was of so strong a character, and so well exemplified the danger of interfering with the Standing Orders of the House, that he begged to move the Amendment of which he had given Notice.

Mr. CROPPER said, he would not delay the House more than a minute in seconding the Amendment of his hon. Friend the Member for South Durham (Sir Joseph Pease). The whole merits of the case were discussed a short time ago, on the 6th June; and, therefore, there was nothing to be gained by entering again into any argument as to the question of paying interest out of capital. But the case seemed to go a great deal too far in advance of the decision which he thought the House came to wrongly five weeks ago. Not content with taking the 4 per cent allowed by the Standing Order, the Bill, in advance of the decision of the House, claimed 5 per cent; and, as the hon. Member for South Durham had shown, the Company proposed to raise an additional share capital of £2,400,000 on the same terms. He felt that everything his hon. Friend had stated deserved the attention of the House, and he had great pleasure in seconding the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Sir Joseph Pease.*)

Question proposed, "That the word 'now' stand part of the Question."

Colonel GERARD SMITH said, he had listened to the speech of the hon. Baronet the Member for South Durham (Sir Joseph Pease) with much surprise. He (Colonel Smith) had regarded the Bill as an unopposed Bill; and, according to the Rules of the House, unopposed Bills — that was to say, Bills against which no party had a *locus standi*, on a matter of Petition, went before the Chairman of Ways and Means, assisted by other hon. Members and the Speaker's Counsel, who took the matter into their consideration. Under those circumstances, he trusted that the House would hesitate before it attempted to upset a decision arrived at after full inquiry by a Committee presided over by the Chairman of Ways and Means. He did not intend to follow the hon. Baronet in a single word he had said as to the purely personal matters which the hon. Baronet had thought it right to bring before the House. He (Colonel Smith), for one, would be no party to wasting the valuable time of the House in the discussion of a purely personal matter; but the House ought to know that the hon. Baronet was a Director of the Board of the only Railway which was in direct opposition to this Company. The hon. Baronet had done all that he could to damage the Company which he (Colonel Smith) represented; but he knew very well that, in circles where these matters were understood, the statements of the hon. Baronet would damage the Company the hon. Baronet himself represented much more than the Hull and Barnsley Company. The Bill had been carefully amended, and, in deference to the decision of the other House, various provisions of the Bill had been cut out, in order not to prejudice a question which was still *sub judice*, the Houses of Lords and Commons not being entirely agreed upon it. He should have thought that this would have satisfied the hon. Baronet the Member for South Durham—namely, the cutting out of every provision of the Bill which could be objectionable, leaving such matters to be settled another year. But the hon. Baronet was not satisfied, and he came down to the House, in a strange spirit of inconsistency, to try and oppose the Bill. And why was the hon. Baronet inconsistent? It was because, on the 6th June, when the question was previously discussed, he had made use of these words—

> "He believed that the representations which had been made by the promoters of the Bill had been owing to an entire want of knowledge of the law."—(3 *Hansard*, [279] 1855.)

The hon. Baronet now said that they had taken the opinion of eminent counsel, and that they knew the law. Which was right? Then, again, the hon. Baronet said on the 6th June—

> "If the Hull and Barnsley Company had made a mistake, he, for one, should not for a moment object to their coming in a white sheet, with a candle in their hands, asking to be put right, after due inquiry, with their shareholders. He would not oppose them if they did that—he should pass no opinion on the Hull and Barnsley scheme as a railway enterprize; but he said this—if they had made a mistake, by all means let them acknowledge it."—(*Ibid.*)

Now, the hon. Baronet seemed to have changed his mind, and he came down to the House, in defiance of the pledge he had given to support the Bill.

SIR JOSEPH PEASE said, that, on the occasion referred to, he was arguing against the Standing Order and what he said was that, if there had been no Standing Order, he should not have opposed the Bill; but as there was a Standing Order, and this Bill did not comply with it, he thought it ought not to be allowed to go on.

COLONEL GERARD SMITH said, he declined to follow the hon. Member into the statement he had just made. He would rather follow the previous declaration of the hon. Member. It certainly seemed strange, after the words used by the hon. Baronet on the 6th June, that he should come down to the House now with a violent opposition to the Bill. He would not waste the valuable time of the House, on a day when they had other important matters to discuss. This was an attempt by a side-wind to upset the decision come to in June for the establishment of a principle which would not only help the development of railway enterprize in this country, but, if applied to Ireland—with probably similar results — would tend as much as anything to the establishment of tranquillity and peace in that country. He opposed the proposition of the hon. Baronet the Member for South Durham, on the ground that it would weaken the hands of the Chairman of Ways and Means, if the House consented to adopt the practice—now, he regretted to say, too common—of upsetting the decision of Committees upstairs. If they did nothing else, by rejecting the Amendment, they would show the hon. Baronet the Member for South Durham that the House of Commons was not the place for the ventilation of private grievances between opposing Railway Companies.

SIR ARTHUR OTWAY said, he was altogether in a different position from the hon. Baronet who first addressed the House (Sir Joseph Pease), or the hon. and gallant Gentleman who had just sat down (Colonel Smith). He had no interest whatever in the question, beyond that of doing what he considered to be right in the performance of his duty towards the House. He must say, in regard to this Bill, that he was somewhat surprised at the quarter from which the opposition had arisen, when he recalled the observations of the hon. Baronet on the 6th June, and he concurred in the statement made by the hon. and gallant Member for High Wycombe, because the hon. Baronet, on that occasion, most distinctly stated—and he (Sir Arthur Otway) held in his hands a copy of the hon. Baronet's words—that if the Hull and Barnsley Company had made a mistake and would bring their Bill before the House, he, for one, would not oppose it.

SIR JOSEPH PEASE said, he would ask his hon. Friend (Sir Arthur Otway) to quote the whole of his speech. This argument was addressed entirely to the Standing Order; and what he had said was that, if the Company had made a mistake, let them acknowledge it. But he found they had not made a mistake. They knew very well what they were doing.

SIR ARTHUR OTWAY said, it would be very hard upon the House if he were required to quote the whole of the speech of the hon. Baronet. The hon. Baronet certainly did make a serious assertion, that if the Hull and Barnsley Company brought in the provision they were now asking for, he would not oppose it. He (Sir Arthur Otway) only did what he considered he was bound to do in asking the House to amend the Standing Order. When the Bill was brought before him, he had to consider the circumstances of the case, and the Board of Trade were directed to make a Report upon the matter. On receiving that Report from the Board of Trade, the Committee came to the conclusion that, under the circumstances, the relief sought for by the Bill ought to be granted. What did the Board of Trade say in their Report? The Board of Trade recited the circumstance, that the capital had been supplied both privately and by the shareholders; and they then went on to say—

> "In these circumstances, and without offering any opinion as to the course which the Directors have taken in raising the capital under the Act of 1880, or as to the arrangements entered into with the contractors—a statement relating to which is given in the Preamble of the Bill, the Board of Trade are of opinion that no impediment should be placed in the way of the early completion of the railways which were authorized by Parliament, after lengthened and exhaustive inquiries, as being of great public utility, and that the powers sought by the Bill should be sanctioned. The shares in the first capital of £3,000,000, having been issued, with the understanding that the shareholders were to receive 5 per cent, it would appear desirable that that rate should be sanctioned, and that the same rate should be authorized for the share capital of £2,400,000 under the Act of 1882, as proposed by the Bill."

The Board of Trade, it would be seen, suggested that interest might be allowed at the rate of 5 per cent; but the Committee were not of the same opinion, and as, in amending the Standing Order, the House had suggested 4 per cent, the Committee struck out the higher rate of interest. The hon. Baronet the Member for South Durham had put words into his (Sir Arthur Otway's) mouth which he could not find in the Report of the Committee, to the effect that 8,000 or 10,000 men would be thrown out of employment; but all that he would say was that it was all very well for the Chairman of a great and promising concern to look with equanimity upon a proposal which might involve the throwing of 8,000 or 10,000 men out of employment, and regard it as a matter of very little consequence. He (Sir Arthur Otway) regarded it as a matter of very considerable importance; and when he was told that, if this Company did not obtain the relief they sought, 8,000 or 10,000 men engaged in a useful and great work would be thrown out of employment, it was certainly not a matter which was without its influence upon him. The Committee thereupon had come to the conclusion stated in their Report, and he saw no reason for departing from the conclusion come to on that occasion. Certainly, nothing which had been brought forward by the hon. Baronet would induce him to change his opinion. The hon. Baronet was one who was opposed to all enterprize on the part of people who were not so well established as himself; but considerations of that kind would have very little weight with the public or the House. As he had said, he was perfectly indifferent in this matter. If the House thought fit to pass by what had come down from the Committee, he should not feel in the least degree mortified. He had done what he thought it right to do. The Committee were satisfied with the conclusion they had come to, and they left the question in the hands of the House. He had no feeling whatever in the matter; and if the House thought fit to decide in favour of the proposition of the hon. Baronet, all that he could say was that it would give him some surprise, but no dissatisfaction whatever.

Mr. THOMAS COLLINS said, he thought the House was very much indebted to the hon. Baronet the Member for South Durham (Sir Joseph Pease) for having brought the matter forward. It seemed to him to be a question of public policy, to be decided by the House, rather than by the Chairman of Committees. The question was, whether a Railway Company, having knowingly and wilfully broken the law, should now come down for a special Act of Parliament, to set themselves right in the teeth of the breach of the law they had already committed? It was a great question whether this power ought, on any occasion, to be granted; and, if it was, it ought to be prospective and not retrospective. He objected to the condonation of a fault openly and wilfully committed by persons who ought to know better. On that ground alone, without entering into the question of paying interest out of capital, the should support he Motion of the hon. Baronet.

Mr. C. H. WILSON said, the hon. Baronet the Chairman of Committees had stated that he was perfectly indifferent in this matter. Now, he (Mr. C. H. Wilson) was not indifferent in it at all. He took a very deep interest in it as one of the Representatives of the town of Hull; and he might say that this was really an attempt to destroy the united feeling and desire of the town of Hull to relieve themselves of a great Railway monopoly. All those hon. Members who were in favour of sanctioning a great Railway monopoly in that part of the country would support the Amendment of the hon. Baronet below him (Sir Joseph Pease); but he did not see how those who regarded the efforts of the community to relieve themselves of the weight of that monopoly were to proceed if these difficulties were to be placed in their way by Parliament? They had had to raise millions of money already; and everyone knew that it was utterly impossible to induce shareholders to invest, unless they could see a prospect of some immediate return for their money. This was actually a question whether the Port of Hull should deal with a monopoly they had suffered from for a number of years, or whether they should be allowed to remain in the hands of one Railway Company, which had for some years favoured other ports in preference to Hull. This feeling was so strong that the Port of Hull was unanimous in the matter; and it appeared to him that it would be monstrous for the House of Commons to object to this measure, and, by doing so, to throw out of employment the large number of men who were at present engaged in constructing one of the most important Railways and one of the finest docks in the country. That might possibly be considered by the hon. Baronet a matter that would be for the advantage of the Railway Company which he represented; but he (Mr. C. H. Wilson), as a large trader and shipowner connected with the town of Hull, felt sure that even the North-Eastern Railway would benefit by this addition to the trading interests of the Port of Hull. It was all very well for a Director of the North-Eastern Railway, who happened to possess a seat in the House of Commons, to take this course; but he (Mr. C. H. Wilson) did not think it right that matters that were really of private interest should be put upon public grounds, for that was what that opposition virtually amounted to. ["No, no!"] They might cry "No;" but he was speaking of what he knew to be a fact; and he hoped that this measure would receive the support of all those who regarded the interests of the community, and who believed that they ought not to be compelled to suffer a disadvantage in consequence of a monopoly of any sort or kind.

Mr. GILES said, he could not help reminding the House that, in these matters, they were guided very much by precedent; and he felt that, if they were to go into the merits and demerits of a scheme which had been thoroughly thrashed out by a Committee of the House of Commons, and upset the decision of that Committee by a side wind, they would establish a very awkward precedent. If payment of interest out of capital was going to be stopped, they might say good bye to the grand public works of the country. This country was noted for its grand public works, and he ventured to say that there were no greater works being executed at the present time than the new dock at Hull, and the Hull and Barnsley Railway. This new dock was made because the Port of Hull was not capable of accommodating the shipping of the present day; for, though there were many good docks at Hull, there were none capable of accommodating the largest merchant ships of modern construction. He hoped the House would reject the Amendment of the hon. Baronet the Member for South Durham (Sir Joseph Pease).

Mr. WARTON said, he thought the hon. Baronet the Chairman of Committees had departed a little from his usual impartiality, when he brought such a general charge against the hon. Baronet the Member for South Durham (Sir Joseph Pease), as saying that the hon. Baronet opposed every scheme of this kind, and that he had discussed it as a mere partizan. The hon. Baronet the Chairman of Ways and Means had departed somewhat from his judicial position of a Judge. The hon. Baronet the Member for South Durham had not allowed himself to be influenced by the payment of interest out of capital. That was not the question; the question was one of public honesty; and for that the hon. Member for South Durham had always stood up. Had this Company acted honestly or not? That was the only matter that was worthy of the consideration of the House; and, so far as the statement made by the hon. Member for Hull (Mr. C. H. Wilson) was concerned, that the unanimous feeling of Hull was in favour of this Railway, all he (Mr. Warton) could say was, that as Hull was a large and wealthy place, the people there should start a Company to make this line on an honest principle. The hon. Baronet the Member for South Durham appeared to him to be standing up for the principles of common honesty; and on that ground he thought the House was indebted to the hon. Baronet for the action he had taken in the matter.

Question put.

The House *divided*:—Ayes 109; Noes 124: Majority 15.—(Div. List, No. 218.)

Main Question, as amended, put, and *agreed to.*

Consideration, as amended, *put off* for three months.

QUESTIONS.

* * *

MADAGASCAR—THE FRENCH AT TAMATAVE.

MR. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether the Despatch from Zanzibar, quoted by the First Lord of the Treasury, and described by the noble Lord as coming from Colonel Miles, was sent, in the first instance, to Zanzibar from Commander Johnstone, Her Majesty's Acting Consul at Tamatave; and, whether he will communicate to the House the telegraphic information received from Madagascar since July 10th?

LORD EDMOND FITZMAURICE: Sir, the telegram from Colonel Miles, quoted by my right hon. Friend the First Lord of the Treasury, was probably based upon information received from Commander Johnstone, of Her Majesty's ship *Dryad*, at Tamatave, through the Commander of the *Dragon*, which conveyed a telegram and despatches from Tamatave to Zanzibar. Commander Johnstone is not Acting Consul at Tamatave, and does not correspond with the Foreign Office. It would be inconvenient and irregular to lay on the Table necessarily imperfect summaries, sent by telegraph, of despatches not yet received. The statement of my right hon. Friend the Prime Minister on Wednesday was based, as my right hon. Friend informed the House at the time, upon information received from Zanzibar and Madagascar—that is to say, from Colonel Miles at Zanzibar, and Commander Johnstone at Tamatave.

MR. ASHMEAD-BARTLETT: The noble Lord has stated that this information was "probably" sent by Commander Johnstone. May I ask, if the despatch did not distinctly state that it was sent by Commander Johnstone; and can the noble Lord inform the House when the despatches to which he has referred will be received in this country?

LORD EDMOND FITZMAURICE: I cannot inform the hon. Member clearly the contents of despatches which have not yet been received at the Foreign Office. With regard to the probable time of arrival, I cannot say definitely; but I hope they will arrive towards the end of the month.

POST OFFICE (IRELAND)—TELEGRAPH DEPARTMENT—TELEGRAPHIC COMMUNICATION WITH CAHIRMEE HORSE FAIR.

MR. O'BRIEN asked the Postmaster General, Whether it is the fact that telegraphic communication with the Cahirmee Horse Fair (the greatest of its kind in Ireland) is only maintained by messengers to the adjoining towns, and that for the remuneration of these messengers a subsidy of £2 is required by the Post Office from the baron of the fair; and, whether, considering the vastness of the business transacted at the fair, and the importance of prompt telegraphic communication, he will be good enough to arrange for direct connection with the field for the future, on the responsibility of the Post Office, as has been done in the case of Fairyhouse Racecourse?

MR. FAWCETT, in reply, said, it was the fact, as stated by the hon. Member, that telegraphic communication with this fair was only maintained by messengers to the adjoining towns; but no such subsidy was required by or paid to the Post Office, as that to which he had referred. He (Mr. Fawcett) believed the case was that the proprietor of the fair supplied a room for telegraphic purposes, the rent of which he estimated at £2 a-year. The average number of telegrams sent to and from the fair was 35; the number sent from Fairyhouse Racecourse was four times as large; and, in the latter case, the Race Committee supplied a telegraphic room at their own expense, and also, at their own expense, had put up telegraph wires from the course.

Mr. O'BRIEN asked, whether the right hon. Gentleman would consider whether the small number of messages sent from the fair was not in consequence of the extreme inconvenience of the present mode of sending them?

Mr. FAWCETT, in reply, said, that was taken into account; and if the telegraph wires were sent into the fair, as was the case with the racecourse, he should be very glad to carry on business with them.

BOARD OF PUBLIC WORKS (IRELAND)—IRISH NATIONAL SCHOOL TEACHERS' RESIDENCES.

Mr. BERESFORD asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Irish National School Teachers who recently waited on the Lord Lieutenant were correct in stating to His Excellency that the Commissioners of Public Works refuse to grant loans of money under "The National School Teachers' Residences (Ireland) Act, 1875," for the improvement of houses already occupied as residences of National Teachers; and, whether loans were formerly granted for the same purpose for which it is alleged grants are now refused; and, if such a restriction has been imposed on the granting of loans, whether Government will relax the conditions under which money is lent so as to facilitate the improvements of unsuitable existing residences without entailing on school managers the expense of erecting new structures?

Mr. COURTNEY: Sir, I understand that, owing to an oversight in the Rules that were issued in 1881 by the National Education Commissioners, the Board of Works, in some few cases, were entirely precluded from making, and had, in fact, had no option but to decline to make, loans for the improvement of houses already occupied as teachers' residences. But that error in the Rules has now been rectified, and the Board will be able to make such loans, on the same footing as for new residences, if the alterations proposed be reported as reasonable and necessary, and the cost not less than £50.

POOR LAW (ENGLAND AND WALES)—THE WESTMINSTER WORKHOUSE INQUIRY.

Mr. BIGGAR asked the President of the Local Government Board, Whether, having regard to the lengthened investigation and the importance of the questions raised in their bearing on the proper control of workhouses, he will forthwith lay upon the Table of the House a Copy of the evidence taken at the recent official inquiry at the Westminster Workhouse, Poland Street, into the conduct of the master, Mr. John Bliss?

Mr. GEORGE RUSSELL: Sir, if the hon. Member will move for the Return, my right hon. Friend the President of the Board (Sir Charles W. Dilke) will have no objection to produce it.

THE SUEZ (SECOND CANAL)—EXCLUSIVE POWERS OF M. DE LESSEPS AND THE SUEZ CANAL COMPANY.

Sir STAFFORD NORTHCOTE asked Mr. Chancellor of the Exchequer, Whether his attention has been drawn to a reported interview between a correspondent of the "Daily Telegraph" (Thursday July 19th) and M. Charles de Lesseps, in which the writer states—

> "In reply to my inquiry as to how the Company had succeeded in obtaining from the British Government the explicit recognition of their exclusive powers, M. Charles De Lesseps assured me that neither before nor during the negotiations for an arrangement had they been discussed by the English Government;"

and, whether the statement thus attributed to M. C. de Lesseps is correct?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): Sir, I have read the statement in yesterday's *Daily Telegraph* to which this Question refers. The question of the exclusive powers was never discussed with the MM. de Lesseps in the course of these negotiations.

SUPREME COURT OF JUDICATURE (NEW RULES).

Mr. W. LOWTHER asked Mr. Attorney General, Whether the New Rules of Procedure, framed by a Committee of Her Majesty's Judges, and now lying upon the Table of the House, have been printed; if so, when they will be in the hands of Members, and, whether any Copies of the Rules will be obtainable by members of the legal profession other than honourable and learned Members?

THE ATTORNEY GENERAL (Sir HENRY JAMES), in reply, said, that the course which had been taken in connection with the New Rules was to direct that about 8,000 copies of them should be printed. It was not thought necessary, as they formed a very bulky volume, to distribute copies to every hon. Member of the House; but everyone who so desired would be supplied with a copy on application. He believed they would be ready on Monday afternoon, and distributed on Tuesday morning. After supplying the requisite number of copies to those interested—namely, Members of both Houses and the official Members—the remainder would be placed at the disposal of the law booksellers, for sale to the public.

SIR HARDINGE GIFFARD asked Mr. Attorney General, whether he was aware that this bulky volume would become law, after it had been laid on the Table of the House for 40 days?

THE ATTORNEY GENERAL (Sir HENRY JAMES): I do not know why my hon. and learned Friend asks me this Question. Of course, I know that it will then become law; but I do not think that the fact of the volume being bulky makes any difference in that respect.

SIR HARDINGE GIFFARD: In consequence of the Attorney General's answer, I will, on Monday, ask the Prime Minister, whether he will give us an opportunity to prevent this bulky volume from becoming law without discussion?

TREATY OF WASHINGTON — THE "ALABAMA" (SURPLUS) CLAIMS—COURT OF COMMISSION.

MR. COLERIDGE KENNARD asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have received advices from Her Majesty's Ministers at Washington, that the Court of Commission of Alabama (Surplus) Claims has decided that subjects of Great Britain residing in the United States have been embraced in the beneficial provisions of the Acts re-establishing the said Court on an equal footing with all other residents and aliens; and, if so, whether the original award at Geneva embraced that class of petitioners?

LORD EDMOND FITZMAURICE: Sir, Mr. West has informed Her Majesty's Government that the Court of Commission of Alabama (Surplus) Claims has decided in the sense indicated in the hon. Member's Question. Under the Geneva Award, a gross sum of 15,500,000 dollars in gold was paid by Great Britain to the United States in satisfaction of all claims referred to the consideration of that tribunal, conformably to the provisions of the Article of the Treaty of Washington. No class of petitioners was specially mentioned in that Award.

THE SUEZ (SECOND) CANAL—EXCLUSIVE POWERS OF M. DE LESSEPS AND THE SUEZ CANAL COMPANY.

MR. GIBSON asked Mr. Chancellor of the Exchequer, Whether the opinion of the Law Officers with reference to the alleged exclusive rights of M. de Lesseps and the Suez Canal, under the concessions relating thereto was given before the instructions were given by the Secretary of State for Foreign Affairs to the British Suez Canal Directors to enter upon the recent negotiations, or after those negotiations were entered upon or were concluded?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Sir, I fear that, with no want of respect for the right hon. and learned Gentleman opposite (Mr. Gibson), I must adhere to the answer which I gave him yesterday. Her Majesty's Government are entitled to ask for the advice of the Law Officers of the Crown, and they did so in this matter. But, for the reasons I gave yesterday, I must decline to give the date of their advice, for, by so doing, I should establish a precedent of a very dangerous character. The hon. Member for the Tower Hamlets (Mr. Ritchie) will, perhaps, be good enough to accept this as an answer to his Question, No. 16.

MR. GIBSON: Having regard to the answer of the Chancellor of the Exchequer to the right hon. Baronet (Sir Stafford Northcote), this question becomes of greater importance than before, and I desire to state that I shall, on Monday, again refer to it, and present it in the form of a Question.

Sir HARDINGE GIFFARD: And I shall, at the same time, ask the Prime Minister, Whether there is any precedent for having stated that there was an opinion by the Law Officers, and given the effect of it, and then refusing to produce it or give the date on which it was delivered?

Mr. J. LOWTHER: I will also ask the right hon. Gentleman, Whether it is not the usual practice, when a quotation is made from any document, that that document is laid upon the Table?

Mr. STUART-WORTLEY asked the Under Secretary of State for the Colonies, What details of the scheme for the construction of a second Suez Canal there are which have as yet been laid before Parliament, but which cannot have reached the Governor of Queensland by the ordinary telegraphic agencies; what length of time would be required for the transmission by the mail of a letter or despatch from the Colonial Office to the Governor of Queensland; and, whether any such letter or despatch, containing any information as to the details of the scheme above-mentioned, has, in fact, been as yet written or sent; and, if so, when?

Mr. EVELYN ASHLEY: Sir, as far as I understand the meaning of the Question, it is intended as a rebuke to me for having said yesterday that, in my opinion, the Premier of Queensland was in rather too great a hurry to express an official opinion on the Suez Canal arrangement. Well, considering the deluge of Questions which have been put down on the Paper by hon. Members opposite on this matter during the last week in this House, we are landed in this dilemma. Either Sir Thomas M'Ilwraith, who asks no Questions, has more intelligence than hon. Members of this House, or else there is some additional information to be obtained beyond the short statement made on the 11th instant. Now, the first hypothesis is, I am sure the hon. Member will agree, absolutely untenable; so we are driven to the second, and that was all I said in the House yesterday. The telegram is dated the 14th; and with respect to the part of the Question as to Papers laid before the House since that date, I may mention, among other statements before Parliament, which the Queensland Ministry could not have had before them at the date of their telegram of the 14th, the Report of the British Directors, a document which certainly contains some considerations of importance as regards the Question; and further, the account of the deputation that waited on the Chancellor of the Exchequer, and his statement, both of which are subsequent to the telegram of Sir Thomas M'Ilwraith. But I would rather appeal to the view of the Victoria Government, who certainly does not, from a telegram we have received, entirely unsolicited, this morning, appear, like the Queensland Government, satisfied with the abundance of their knowledge. I will read it, as I promised to the right hon. Gentleman the Member for King's Lynn I would read any telegram that I might receive on the subject. It is thus—Mr. Service, the Premier of Victoria, sends as follows to the Agent General, a day later than the Queensland telegram:—"As to Suez Canal quite in the dark." The telegram proceeds to say that the Chamber of Commerce has passed a resolution that Great Britain should have preponderating influence in the management, and that they—that is, the Chamber of Commerce—will support action for that object.

Mr. STUART-WORTLEY: I wish to know whether the hon. Gentleman seriously wishes the House to believe that he has any doubt that the Governor of Queensland knew as much as this House about the terms of this arrangement?

Mr. EVELYN ASHLEY: I am not only not in great doubt, but I am certain he did not. The date of the telegram was the 14th, and the first statement in this House was made on Wednesday the 12th.

Mr. STUART-WORTLEY: Could the hon. Gentleman state how long it would take for a despactch to reach Queensland?

Mr. EVELYN ASHLEY: It will take five weeks to communicate by despatch with Queensland. As to the last part of the Question, no communication has been made, and, at this stage, it is not proposed to make any communication to the Colonies.

Mr. BOURKE: Will my hon. Friend state what possible practical object could have been gained, if the Governor of Queensland had waited for details?

Mr. EVELYN ASHLEY: That is not a Question I can answer now.

Mr. J. LOWTHER: How long will it take to communicate by telegraph?

Mr. EVELYN ASHLEY: Well, electricity destroys time. We could telegraph in a day, of course.

Mr. LABOUCHERE asked the Under Secretary of State for Foreign Affairs, Whether he will lay upon the Table of the House a Copy of the Firman of the Sultan, dated 1873, in which the Khedive is granted power to enter into Commercial Treaties and Conventions without their confirmation by the Sublime Porte being necessary in order to give them validity; and, whether it is not a fact that since this Firman numerous concessions in regard to Canals and other industrial undertakings have been granted by the Egyptian Government, without reference to or confirmation by the Porte?

Lord EDMOND FITZMAURICE: Sir, the Firman of 1873, to which my hon. Friend refers, has been already laid upon the Table of the House in a Paper presented in 1879 (Egypt, No. 4, p. 47); and I may remind him that the subsequent Firman of 1879 (Egypt, No. 1, 1880, p. 51) contains an additional provision respecting a communication to the Porte of all such acts before their promulgation. The second portion of my hon. Friend's Question is in too general terms to allow me to give a reply at such short Notice.

Sir H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government will lay upon the Table a Copy of the Note addressed, on the 6th of April 1863, by the Sublime Porte to the Courts of London and Paris opposing the continuation of the works on the Suez Canal?

Lord EDMOND FITZMAURICE: Sir, it would be entirely misleading to present this despatch in a separate shape, as the state of things to which it refers has been entirely superseded by the Firmans of 1873 and 1879.

Sir H. DRUMMOND WOLFF asked, whether the concession which bore upon the question of granting land could not be given?

Lord EDMOND FITZMAURICE: The document is of no value for the reasons I have given.

Sir H. DRUMMOND WOLFF: In consequence of the answer of the noble Lord, I shall, on Monday, ask the Prime Minister, Whether the land which is now to be applied for by Her Majesty's Government in conjunction with M. de Lesseps, as a concession for the new Canal, is not part of the same land which, on account of the arbitrary decision of the Emperor of the French, the Egyptian Government purchased at a very large price from the Canal Company in 1876?

Subsequently,

Sir H. DRUMMOND WOLFF asked the First Lord of the Treasury, Whether he can state to the House the reasons which have induced Her Majesty's Government to recognise an exclusive character in the concession of the Suez Canal Company?

Mr. GLADSTONE: Sir, in reply to the Question, I am afraid I cannot say more than this—that the privileges of the Canal Company are, of course, defined by the concession. We found ourselves on the language of that concession. Our interpretation of it is an interpretation which we arrived at without any doubt, and we conceive that we are supported in that interpretation by very great authority, and by all the facts which make up the history of the case.

Sir H. DRUMMOND WOLFF: I beg to ask, Whether it is the intention of the Government to give the House any information as to the reasons which induced them to come to this decision before the question is debated in the House? It is usual for the Government, I believe, to do so. Does the right hon. Gentleman not intend to give us any guidance in this matter?

Mr. GLADSTONE: Sir, I am not aware that it is usual to make a statement of one side of a case before there is an opportunity of stating the other side of the case. I am afraid that would be the result of the practice which the hon. Gentleman recommends.

MADAGASCAR—STRENGTH OF THE FRENCH NAVAL FORCE.

Mr. ASHMEAD-BARTLETT asked the Secretary to the Admiralty, Whether any ships of war have lately been ordered to the Mauritius or to Madagascar; and, if so, whether he can state their names and size; and, whether he can give the number and strength of the French fleet now at the Island of Madagascar?

MR. CAMPBELL-BANNERMAN: Sir, I told the hon. Member yesterday that no additional ships of war have been sent to Madagascar. The fuller information he now asks for I must, with all respect to the House, decline to give; and I venture to appeal to the House whether some mischief may not even be done by such a Question being put on the Paper?

MR. ASHMEAD-BARTLETT: I beg to state that I put the Question at the request of the hon. Member yesterday. If the Question had been answered when I first put it on the Paper four days ago, it would have saved a great deal of the time of the House.

MR. CAMPBELL-BANNERMAN: Sir, the Question the hon. Member put to me yesterday was, whether certain ships had been sent to the Mauritius? But now he puts a Question, asking the size and names of the ships; and, also, in juxtaposition, an inquiry as to the strength of the French force in those seas. It is because that juxtaposition brings out apparently the motive of the Question that I declined to answer it.

MR. ASHMEAD-BARTLETT: I will withdraw the last paragraph of the Question, as the hon. Member puts that construction upon it; and I beg now to ask him, if he will state whether any British ships of war have been sent to the Mauritius?

MR. CAMPBELL-BANNERMAN: Sir, the evil, such as it is, which I anticipated from the Question has been already done; and, under those circumstances, I must decline to answer the Question altogether.

MR. ASHMEAD-BARTLETT: I beg to give Notice that, on going into Committee of Supply, I shall call attention to the evasive answers on this subject by the noble Lord the Under Secretary of State for Foreign Affairs and the hon. Gentleman the Secretary to the Admiralty; and, moreover, to the terror displayed by Her Majesty's Government to state what they have done in these matters.

EGYPT—THE CHOLERA.

MR. ONSLOW: I beg to ask the noble Lord the Under Secretary of State for Foreign Affairs a Question of which I have given him private Notice—Whether Dr. Hunter has yet started for Egypt; and, whether, the noble Lord is in a position now to make any further statements regarding the Special Commission and the position of English medical officers in Egypt?

LORD EDMOND FITZMAURICE: Yes, Sir; Dr. Hunter has started, and I may add that Mr. Mieville, the English Delegate on the Egyptian Joint Sanitary Board, and Dr. Mackie, the consulting English Physician who attends that Board, have been attached to the Commission, and I feel that their great local experience will be of the greatest value to Dr. Hunter. I am also glad to inform the House that the Egyptian Government are not only ready, but anxious, to avail themselves of the services of Dr. Hunter.

LORD HENRY LENNOX: I wish to ask the noble Lord a Question, of which I was only able just now to give him private Notice. It is, Whether the attention of the Government has been called to the facts related by the Special Correspondent of *The Standard* this morning from Cairo, who says, with regard to the alarming spread of cholera in Cairo, that the mode of conducting funerals in that city directly contributes to the rapid spread of contagion; that the bodies are carried through the streets in coffins of the slightest construction; that the clothes of those who died of cholera in hospital are sent home for the relations to wear, and thus further spread the disease; also, whether it is true that patients are carried to the hospital in Cairo without any attempt at precaution; whether some poor creatures have died in the open streets with a gaping crowd looking on; and, whether the noble Lord will at once telegraph instructions to Cairo with the view of putting an end to this state of things?

LORD EDMOND FITZMAURICE: Sir, I make no complaint of my noble Friend having asked this Question without previous Notice, because I know the painful interest with which this subject is being watched, not only in this House, but throughout the country. I cannot, of course, answer, in reply to this Question, as to how far the details mentioned by my noble Friend in it are accurate or not; but, unfortunately, every Member of this House—and there are many—who has travelled in the East knows only too well how very defective sanitary arrangements are, and especially with what very great and lamentable carelessness, according to European ideas, funerals and burials are conducted in these countries. I may, however, assure my noble Friend and the House that the attention of the Representatives of Her Majesty's Government on the spot has been already called to these subjects, and they have instructions to press upon the Egyptian Government the great importance of attending to all these subjects, because, as I informed the House the other day, it is upon strict attention to sanitary laws and arrangements, and not to cordons, or lazarettos, or quarantine measures of that kind, that Her Majesty's Government look for a suppression of this terrible disease now raging in Egypt. Considering, however, the very great gravity of the statements contained in the paragraph alluded to, I shall make it my special and immediate duty to call Sir Edward Malet's attention to these statements, and, no doubt, he will direct his attention in a peculiar degree to the necessity of impressing upon the Egyptian Government the desirableness of attending to these subjects, and to the cases described in the telegram. I may, however, mention that, naturally, these are the points to which Dr. Hunter's attention will be immediately devoted upon his arrival; although, at the same time, the pressure which Her Majesty's Government can bring to bear upon the Egyptian Government must, in the first place, be exercised through their diplomatic Representatives, and not through Dr. Hunter himself. I hope this will be considered a satisfactory statement, and that the House will realize that everything is being done that can be done to assist the Egyptian Government, although, at the same time, I must warn the House that, in our view, nothing would be more likely to lead to the spread of the disease than if it were thought by the Egyptian Government that Her Majesty's Government were going to take into their own hands the stamping out of the disease; for in that case, I believe, the only result would be that the Egyptian Government would put upon the shoulders of Her Majesty's Government the whole responsibility now justly resting on them, and Her Majesty's Government clearly have not at present the requisite staff or necessary means to undertake that responsibility. What Her Majesty's Government has to do is to bring pressure upon the Egyptian Government.

Viscount FOLKESTONE: May I ask the noble Lord, Whether he has any reason to believe that the statement made in the papers to-day is true, to the effect that deaths from cholera are far more numerous than is officially reported by the Egyptian Government?

Lord EDMOND FITZMAURICE: Sir, I cannot, of course, give a precisely accurate answer as to the number of deaths. All I can do is simply to place before the House the telegrams giving the official Returns from time to time. But I can assure the noble Viscount that I am no implicit believer in the necessary truth of every figure that is officially published, and I believe there are unrecorded deaths in the great cities, where statistical information is imperfect.

PARLIAMENT — BUSINESS OF THE HOUSE—THE AGRICULTURAL HOLDINGS (ENGLAND) BILL, &c.

Mr. GLADSTONE said, that, with regard to the course of Business to-day, he thought that it would, no doubt, be greatly convenient to the House if an arrangement could be made to continue the discussion on the Agricultural Holdings (England) Bill throughout the entire day. His hon. Friend the Member for Ipswich (Mr. Jesse Collings) had a Motion down for 9 o'clock, which, undoubtedly, related to a matter of great interest and importance, one well deserving discussion, but which his hon. Friend would be aware could lead to no immediate practical result—namely, one with regard to a peasant proprietary; and he (Mr. Gladstone) felt some difficulty in appealing to him again, because he had already shown much kindness and deference to the House, and a readiness to alter his arrangements on a former occasion to meet the convenience of the Government. But he would suggest to him that, if he consented to waive the discussion that day, under the circumstances, he would give an additional proof of that deference, and would do still more to secure a kindly hearing for the question when he found himself able to bring it forward. He would also suggest that the right hon. Gentleman opposite the Leader of the Opposition should make a similar appeal to the hon. Member for Eye (Mr. Ashmead-Bartlett), in reference to the Motion that stood in his name also for that evening, and which related to the murder of Mr. J. W. Honey in Stellaland.

SIR STAFFORD NORTHCOTE: No doubt, it would be extremely convenient that the House should proceed this evening with the further consideration of the Agricultural Holdings (England) Bill. My hon. Friend the Member for Eye (Mr. Ashmead-Bartlett) has on one occasion recently given way, and I do not know whether I may fairly appeal to him again to take the same course today.

MR. JESSE COLLINGS said, the appeal of the Prime Minister placed him in a rather awkward position. That was the second time that he had, with great difficulty, secured a first place for his Motion, and he was now appealed to a second time to withdraw it. The question was one of great interest and importance to a great body of agricultural labourers, who were not in any way represented in the House, and if the Motion was again withdrawn, they would certainly have some right to complain.

MR. SPEAKER, interposing: The hon. Member is proceeding beyond the limits of an answer to the Question addressed to him by the Prime Minister. He is debating the matter.

MR. JESSE COLLINGS said, he was only pointing out reasons for not withdrawing his Motion. He had not said, however, that he was not going to withdraw it. He was going to say, as one reason why he should not withdraw his Motion, that so much time was occupied in the discussion of foreign affairs, that subjects of this description could not secure adequate attention. At the same time, he was bound to say that the appeal of the Prime Minister placed him in this position—that if he persevered with his Motion, he would incur the great responsibility of going against the feeling of the House, and of interfering with the wishes of the Government, and that he would probably thereby injure the question by preventing that kindly and patient reception which he hoped it would meet when it came on for discussion. He had, therefore, no alternative but to yield to the wish of the right hon. Gentleman; but he did so with a great deal of reluctance, and only on one condition—namely, that the Government would really have the night for the purpose for which they asked for it.

MR. ASHMEAD-BARTLETT said, that there were then only three hours left in the week for private Members. He gave way last week with great reluctance, and not at all in deference to the Government, but in deference to the personal wishes of the right hon. Baronet who led the Conservative Party. He would make this offer to the Government—that if he had an opportunity of bringing forward his Motion, he would promise not to take up more than 15 minutes of the time of the House, and, no doubt, Ministers, if they were moderate, would be able to compress their replies within the same limit. He did not understand the Leader of the Opposition to do more than make a suggestion to him.

VISCOUNT LYMINGTON said, he entirely agreed with the right hon. Baronet opposite (Sir Stafford Northcote) as to the advisability of proceeding with, and devoting the whole day to, the Agricultural Holdings (England) Bill. He would appeal to the hon. Member for Eye——

MR. CALLAN rose to a point of Order, and asked the Speaker whether there was any Question before the House.

MR. SPEAKER: There is no Question before the House.

MR. GLADSTONE said, he hoped he might be permitted, in thanking his hon. Friend the Member for Ipswich (Mr. Jesse Collings) for his offer, to express the hope that he would allow it to hold good. He had no control, either by influence or in any other way, over the hon. Member for Eye (Mr. Ashmead-Bartlett), who, he thought, was more careful than necessary to disclaim any deference to the Government. [MR. ASHMEAD-BARTLETT: On this occasion.] He must leave the matter in the hands of the hon. Member and of the right hon. Baronet opposite (Sir Stafford Northcote); but there was this to be said on the part of the Government, that he did not think they would be able to take part in any discussion on the Motion of the hon. Member, for the reason that the Papers on the subject to which the Motion referred were, he believed, now on the Table of the House, and would be in the hands of hon. Members in three or four days.

Sir STAFFORD NORTHCOTE said, he was restrained from making any special appeal to his hon. Friend the Member for Eye (Mr. Ashmead-Bartlett), because he thought care should be taken not to endeavour to infringe upon the very limited time at the command of private Members. He had expressed his own opinion that it would be for the general convenience of the House if they were able to proceed with the Agricultural Holdings (England) Bill. Beyond that he did not think he was justified in going.

Mr. HEALY said, he would give Notice that he should call attention, at the Evening Sitting of that day, to the circumstances attending the brutal bayonet charge by the police upon the citizens of Wexford, while the latter were waiting outside the Mayor's office to hear the poll declared, whereby many people were injured. He should be bound to bring forward the matter that day, unless the right hon. Gentleman the Chief Secretary for Ireland gave him an assurance that he would at once direct an inquiry to be opened into the circumstances under which the charge was made.

Mr. TREVELYAN, in reply, said, that the case stood thus. The events which had taken place were undoubtedly of sufficient gravity to demand very careful investigation on the part of the Government. He had received a considerable number of telegrams on the subject; and he had received a Report, in reference to the proceedings complained of, from the Sub-Inspector present, which had been forwarded to him by the County Inspector. The most important information on the subject, however, was to be obtained from the Resident Magistrate who was in the town during the proceedings; and, until he obtained a Report from that gentleman, he could not come to any final decision in the matter, because he thought it extremely important that no hasty or partial decision should be given. He was afraid, under these circumstances, that he could not give the hon. Member opposite (Mr. Healy) the assurance he asked for, either one way or the other. He wished to know whether he rightly understood that it was the intention of the hon. Member to move his Resolution on the subject that night, in order that he (Mr. Trevelyan) might be able to meet him with such materials as he had at hand?

Mr. HEALY: Yes, Sir, I shall. The position in which I stand is this. I will have an opportunity to-night which I may not have again. I have no desire whatever to obtrude the matter upon the attention of the House, if I am assured by the right hon. Gentleman that, as to the initiation of the riot, he will grant an inquiry.

Mr. TREVELYAN: It is utterly impossible I can say so until I get the Resident Magistrate's Report. I think, under those circumstances, the hon. Member will have another opportunity of moving for this inquiry, in case I am unable to grant it straight off. [*Cries of* "When?"] He will have other opportunities. [*Renewed cries of* "When?"] It would be grossly unjust, as against the police, to grant an inquiry, which, in itself, expresses blame, until I have the preliminary Reports.

Mr. HEALY: I would like to ask the right hon. Gentleman why, as the bayonet charge took place on Tuesday last, and this is Friday, the police did not send this Report? I should also like to ask when another opportunity will arise if I forego the opportunity I shall have to-night?

Mr. TREVELYAN said, that if the hon. Member would repeat his Question on Monday next he should be prepared to give him a full answer.

Mr. JESSE COLLINGS said, he wished to know from the Prime Minister how matters stood. He (Mr. Jesse Collings) had agreed, out of deference to the wishes of the House, to postpone his Motion, in order that the Bill referred to might be proceeded with; but he was not willing to give way if the time of the House that evening was to be taken up by the Motions of the two hon. Members who had declined to give way. In such an event, he thought he understood that the Prime Minister would not press him, because there would be no object to serve in withdrawing his Motion on a peasant proprietary.

Mr. GLADSTONE said, that he believed the state of the case to be this. The right hon. Baronet the Member for North Devon (Sir Stafford Northcote) had made a sort of informal appeal to the hon. Member for Eye (Mr. Ashmead-Bartlett), to which that hon. Member had not at present yielded, though he had promised a limit of his observations; and the hon. Member for Wexford—[Mr. HEALY: No; Monaghan]—he begged the hon. Gentleman's pardon, he should have said Monaghan, and it was very wrong on his part to have made the mistake—the hon. Member for Monaghan had heard the statement of his right hon. Friend (Mr. Trevelyan) that he would be prepared to give him a distinct answer to his inquiry on Monday. He would not make any appeal—he had no right to make an appeal—but he was in hopes that, under the circumstances, the hon. Member would be inclined to trust to the future for the purpose which he had in view, if he should think it necessary to persevere in it. It was quite plain that the matter could not be adequately disposed of to-night; and he was bound to say that if the hon. Gentleman did not press his Motion to-night, he would have some claim upon the Government to endeavour to give him some assistance as soon as they could. Neither would he venture to make an appeal to the hon. Member for Eye; but he hoped that, under the circumstances of the case, he would perceive the convenience it would be to the House if he would withdraw his Motion. Unless he did so, however, the hon. Member for Ipswich would be entitled to the consideration of the House.

PRIVILEGE.

PARLIAMENT—PRIVILEGE—"BRADLAUGH v. GOSSET."

CONSIDERATION OF WRIT AND OTHER DOCUMENTS.

Order for Consideration read.

WRIT AND OTHER DOCUMENTS *considered.*

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that in consequence of the communication which had been made to the House yesterday by the Serjeant-at-Arms, he had now to move—

> "That leave be given to Ralph Allen Gosset, esquire, Serjeant-at-Arms, to appear and plead in the Action brought against him by Charles Bradlaugh, esquire."

He believed that it would be only necessary very briefly to state that the Motion was made not only on account of its necessity and prudence, which he thought would cause it to be accepted by the House, but also because this course was entirely governed by precedent. He was sure that the House would desire to maintain, to the fullest extent, its right to control its own action within its walls, and that no interference would be willingly allowed with such action by any Court, under any circumstances whatever. But he was sure the House would see that, on the other hand, there was a *primâ facie* right in any and every subject of this Realm to institute proceedings in any Court of Justice. Therefore it was necessary, if such action was instituted, that the Court should be informed, in some way or other, that the suit which was brought was an interference with the rights and Privileges of this House; and, until that was done, the Court would be uninformed as to the fact that any question as to the Privileges of that House was involved. In former times, he believed that the attempt was made to communicate that fact—namely, that the Privileges of that House were involved in the question in dispute—by means of a certificate from the Speaker in the Chair; but such a method of communication had been found to be very inconvenient and very insufficient, and, therefore, many years ago, as early as 1810 at least, when an action was brought against one of the Predecessors of the right hon. Gentleman in the Chair (Mr. Speaker Abbot), and also against the then Serjeant-at-Arms, by Sir Francis Burdett, the House resolved in terms very similar to those which he (the Attorney General) was now submitting to the House. Since that time some six or seven occasions had occurred of actions having been brought, when the like course had been pursued, and that House had always directed that a plea should be entered, on behalf of the officer of the House, to ensure that the Court might be informed that the officer was acting in accordance with the Orders of the House, and that, therefore, the Court could not interfere to stop the operation of or question those Orders. He would not dwell upon these precedents, neither did he enter very much into the question at large, whether it was, as he said it was, a prudent course to pursue, because the House would recollect that, as late as May of last year, an action was brought, in many respects similar to the present one—although this one seemed to be an action in anticipation of events that might occur, whereas the action of 1882 had reference to events that had occurred —but the same principle was involved, and he had then, when the question came before the House, stated the reasons why he thought a Motion similar in its terms to the present should be submitted to the House, and the House resolved unanimously that that was a proper and fit course to pursue. The result was, that in accordance with the Orders of the House, the defence of the Deputy-Serjeant-at-Arms was brought to the notice of the Court. That defence was held by the Court to be sufficient, inasmuch as the Courts had no power to interfere with the action of the House, and that the House, forming as it did a part of Parliament, constituted one of the highest Courts in the Realm, and, therefore, had a right to determine its own action within its own walls. That being the course then taken, he could perceive no reason why a similar course should not be pursued now. He must point out that, if this course were not taken, and the House refused to interfere, great inconvenience or something worse might arise, and the result would be that they would leave the officer of the House unprotected. Either that officer would have to appear personally—and he presumed that that was not a course which the House would desire that should be taken, when an officer was acting in obedience to an Order of the House—or he would not appear, and then the action which had been commenced would be entirely unanswered. The result would be, that the Court would not be informed of the fact that the officer of the House had acted in obedience to the Orders of the House, and the plaintiff would be able to state any circumstances he thought proper, entirely uncontradicted, and the judgment would go by default, in consequence of the Court not being informed of the real state of the facts, and then, when the process of the Court was attempted to be executed, they would have to take action to prevent a grave inconvenience and confusion from arising. He might point out that in the case of "Stockdale *v.* Hansard" that course was practically followed. The officer was, in the first instance, allowed to plead in person; but the matter was not followed up in the way he had indicated, and the consequence was that, afterwards, the House came into collision with the Courts of the country, a circumstance which gave rise to many debates, and involved a difficulty from which the House had much trouble in escaping. Under those circumstances, he could not anticipate that any objection would be raised to the adoption of the course which he now proposed should be taken. If they did not adopt that course, he feared that consequences might arise of grave inconvenience, which they could not at that moment foresee, but which could not possibly occur if they followed the course which was taken last year. The House would, he trusted, excuse him for being so brief in this matter. He begged to move the Resolution which he had already submitted to the House.

Motion made, and Question proposed,

"That leave be given to Ralph Allen Gosset, esquire, Serjeant-at-Arms, to appear and plead in the Action brought against him by Charles Bradlaugh, esquire."—(*Mr. Attorney General.*)

Sir HARDINGE GIFFARD said, that a great deal had fallen from the hon. and learned Gentleman the Attorney General in which he concurred; but he thought that before the House agreed to what seemed to him the very grave precedent which it was now invited to adopt, it should have distinctly before it a statement by which it could understand what was really the question at issue. Doubtless the course suggested by the hon. and learned Gentleman had been adopted in a great many cases, and for this obvious reason—that, judicially, it could not be known what was the subject matter of complaint; for, although, in the first instance, authority might have been given by the House, it might well have been, as in one or two instances it was decided to have been, that the authority so given to the officer had been exceeded; and therefore, in so far as what he had done in excess of that authority, he was liable to be dealt with by an action in the Courts of Law. But that was not the case now. The case now was one in which, from the correspondence which had been read, and from the form of writ which had been read also, it appeared that, for the first time, it was sought to bring into a Court of Law the question whether the House of Commons had authority—conclusive and exclusive authority—to deal with matters arising within its own walls. That was not a complaint of anything which had been done, and therefore was not a complaint that could possibly have reference to any excess of authority by any of the officers of the House. That which was sought to be obtained was an injunction, and it was sought to bring the matter into the Courts of Law for the purpose of an inquiry whether the House of Commons had power to make an Order upon its own officers with reference to proceedings occurring within its own walls. Now, the hon. and learned Gentleman might be right or he might be wrong as to the convenience of the course which he suggested; but what occurred to him (Sir Hardinge Giffard) was, that it was far too grave a matter to be decided at such a short Notice, and he would be disposed to move either the adjournment of the Debate, or the appointment of a Committee to inquire and determine what should be done in the matter. He must say, at the present moment, he regarded with very considerable apprehension that what the House would do by this course of proceeding would be tantamount to a surrender of the Privilege which the House of Commons had certainly, for the last 200 years, claimed—to treat an action brought against an officer of the House, for anything done or to be done in obedience to its Orders, as an absolute breach of Privilege. He did not want to go back into any precedents, but there was one in which the House sent two Judges to the Tower for having tried a case affecting the Privileges of the House; and, even if he did, he need not go further back than 1844, in which year, if his recollection was correct, Mr. Howard, a solicitor, for having brought an action against Mr. Gosset, the then Serjeant-at-Arms, was himself brought to the Bar on the charge of having been guilty of committing a breach of Privilege. Now, it might be right or it might be wrong that the House should surrender their Privilege in such matters; but he could not help thinking that when a question now, for the first time, arose, in a definite and clear form, that the plaintiff had complained, not of something that had been done, but statedly as to something the Serjeant-at-Arms had said he would do in obedience to the Orders of the House of Commons, whether the House ought to permit such an action to go on. The claim was that an injunction should be issued, and that it should be argued in a Court of Law as to whether the House of Commons had the right to give such a direction to its officers. That writ claimed an injunction, and, nothing else, and, coupled with the letters which had been read to the House, it came to this, that the Speaker having, by the authority of the House, directed the Serjeant-at-Arms to exclude Mr. Bradlaugh from the House, an injunction should be issued by the Courts of Law to restrain the Serjeant-at-Arms from obeying the Orders of the House. It seemed to him that was far too serious and important a question to be decided in this very light and cavalier manner, and for that reason he now moved the adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned." (*Sir Hardinge Giffard.*)

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he could not help thinking that his hon. and learned Friend (Sir Hardinge Giffard) must be under some misapprehension when he said the question was whether they would allow the action to go on. That was not the question. The House could not help the action going on. What his hon. and learned Friend the Attorney General proposed was, that the action should not go on on the *ex parte* statement of the person who had brought it, without any security that the facts should be brought to the attention of the Court. Of course, the action would go on, whether the House wished it or not, and he did not understand what the hon. and learned Member for Launceston meant. He supposed the hon. and learned Gentleman meant that if, upon the statement of the case which the plaintiff made, the learned Judge should decide in the plaintiff's favour, that then the House might send the Judge to prison, and any of the officials who carried out his judgment. [MR. HEALY: Hear, hear!] The hon. Member assented to that, and cheered it; but was that really the course upon which the House of Commons at the present time, in its cool senses, was going to embark? He should have thought that the experience of the past would have shown that such a course would be a foolish one in the extreme. There was no need to bring the House into a needless conflict with the Courts of Law, which would not conduce to the dignity of the House or to the benefit or advantage of anybody. The only question was whether they should now take such a course; or whether the House should take the precaution, as on the previous occasion, of seeing that the facts were brought before the Courts of Law, in order that they might not be ignorant of the circumstances of the case, and so come into conflict with the rights of that House? No inconvenience or difficulty resulted from a defence being made to the previous action, and there was no abandonmeut of the rights of the House. The House was now asked by the Government Motion really to enforce its rights. The Serjeant-at-Arms could not appear to the action without their leave. Was it not a sensible thing to give him leave to appear, so as to let the facts be brought before the Court? Surely that was likely to lead to a better result than if they did not give him leave, and if, on an erroneous representation of the facts, the Courts decided the case against their own jurisdiction, it would be then that the conflict would arise; and it was to avoid that inconvenience that the present course, recommended by his hon. and learned Friend the Attorney General, was proposed to the House. He submitted that, by adopting such a course, they would abandon no right, but only be exercising the same discretion as when they determined, a year ago, that the Serjeant-at-Arms should have leave to appear, and when the matter at issue was decided in full knowledge of all the circumstances.

Mr. GORST said, he did not think that the hon. and learned Gentleman (the Solicitor General) was dealing with the matter on a proper footing. He said that the hon. and learned Member for Launceston (Sir Hardinge Giffard) wished the case to go on without the Court being properly informed; but it was the business of the Court to inform itself whether it had jurisdiction. Supposing that the Serjeant-at-Arms did not appear, on the ground that the writ showed that the plaintiff was seeking to invoke the action of the Courts in a matter in which the Courts had no jurisdiction, the course that would be taken by the learned Judge would be this—that when the plaintiff appeared before him, and asked for an injunction to forbid the Serjeant-at-Arms obeying the Orders of the Speaker, the Judge would at once say—"I have no jurisdiction to issue an injunction in this matter," and would at once dismiss the case. He thought there was no doubt that would be the course that would be taken by the learned Judge. The question for the House was, whether they should give their sanction to one of their officers condescending to appear to take any part in a proceeding, the nature of which he knew to be an injunction craved from the Courts of Law, directing him to disobey the Orders of that House? He thought there was so much doubt on the question as to justify the House in accepting the Motion of the hon. and learned Member for Launceston, and adjourning the debate, in order to give the House a little more time to consider the question.

Mr. SPEAKER: Before this matter goes any further, it is right that I should remind the House that the immediate Question before it is the Motion for the adjournment of the Debate. If the House desires to debate the Main Question, then the Motion for Adjournment must first be disposed of by being withdrawn.

Mr. LABOUCHERE asked the Speaker whether, on a Question of Privilege, the debate could be adjourned? He was under the impression that it must be carried on until the Question was decided.

Mr. SPEAKER: It is quite open to the House to adjourn the debate on this matter, if it thinks proper; but, as I have already pointed out, the debate on the Main Question cannot proceed before the Motion for the adjournment of the Debate has been disposed of.

Mr. NEWDEGATE said, he wished to call the attention of the Prime Minister to the fact that Mr. Bradlaugh, by this action, had——

Mr. ILLINGWORTH rose to Order.

Mr. SPEAKER: The hon. Member for North Warwickshire (Mr. Newdegate) does not appear to have taken note of my observation that the debate on the Main Question cannot proceed until the Motion for the adjournment of the Debate has been disposed of.

MR. NEWDEGATE: Then, may I ask the hon. and learned Member for Launceston (Sir Hardinge Giffard), who moved the adjournment, to tell us to what day he proposes to adjourn the debate?

SIR STAFFORD NORTHCOTE: Speaking strictly on the question of Adjournment, to which I will confine myself, I imagine that the matter stands thus. A certain course has been taken which has been brought under the notice of the House. The hon. and learned Gentlemen the Attorney General has moved that, in this case, we should proceed in the same manner as that in which we proceeded in another case last year. My hon. and learned Friend the Member for Launceston (Sir Hardinge Giffard) considers that there is a distinction between that case and the present. He also considers that the question which is raised is one which touches so nearly the question of the rights and Privileges of this House, that it ought not to be decided, at all events, without some discussion, in order to show how far we have raised and clearly considered questions which may affect the Privileges of this House for all time. My hon. and learned Friend thought that it would be better that the discussion should take place after an interval for consideration; but it seems to me that the House is in a position in which it might be very fairly, if it so pleased, discuss the question, and so settle it at once; and, in order that this decision should not be hampered by a Motion for Adjournment, upon which the merits of the case cannot be entered upon, I would suggest to my hon. and learned Friend that he should withdraw the Motion for the adjournment of the Debate, and let us continue the discussion on the Motion of the hon. and learned Gentleman the Attorney General.

SIR HARDINGE GIFFARD said, he was willing, with the leave of the House, to withdraw his Motion; but wished to point out, by way of explanation, that he had suggested two alternative courses —either to refer the matter to a Committee, or to move the Adjournment. He understood, from a gesture that he made, that his hon. and learned Friend the Attorney General objected to a Committee, and therefore he moved the adjournment.

Motion, by leave, *withdrawn*.

Original Question again proposed.

MR. NEWDEGATE said, he wished to call attention to the course Mr. Bradlaugh was pursuing in the country. He had been proceeding from place to place accusing that House of being the source of illegality. Last year he issued an address, in which he impugned the right of that House to exercise any jurisdiction over the admission of those elected to be its Members; while, by law, it was the duty of that House to witness the swearing in of all Members, and to see that they took the Oath or Affimation of Allegiance, according to the spirit and intent of the Statutes imposing these obligations. Mr. Bradlaugh seemed to imagine that that House had ceased to be a portion of the High Court of Parliament, and appealed to "our masters," the constituencies of the country. Mr. Bradlaugh was doing everything he could to derogate from the position of the House of Commons, and was doing that during the Session of Parliament. Surely, the first duty of the Members of that House was to preserve the rights and efficiency of the Assembly to which they were returned by the constituencies; and, if the House was worthy of the confidence reposed in it by the constituents, it would deal with Mr. Bradlaugh's conduct as a matter of violated discipline, and of insult, directed against one branch of the highest Court existing in this country. In that view he was supported by a leading Member of the Liberal Party and ex-Cabinet Minister. In speaking on the Parliamentary Oaths Act Amendment Bill in 1882, the Duke of Argyll said—

> "On the 10th of March Mr. Bradlaugh circulated by post—it came to me by post, and I suppose it came to other noble Lords—a most violent and scurrilous attack upon the House of Commons in consequence of the vote of the 6th of March. I will not take up the time of the House by reading any part of that address. It was called 'An Address to the Majority of the House of Commons,' and, as far as I can judge, it is full of matter insulting to the House of Commons; and if the House should be of that opinion, there is nothing whatever in this Bill, or in any Bill which we should pass, which would prevent the House of Commons from

continuing the exclusion of this particular Member on the ground of discipline."—(3 *Hansard,* [271] 1369.)

That was spoken by the noble Duke, while he was proposing a Bill to admit Atheists to this House. No one, therefore, could doubt that the noble Duke spoke with perfect impartiality.

Mr. LABOUCHERE said, he had not risen for the purpose of opposing the Motion of his right hon. and learned Friend the Attorney General, for it was very evident that if Mr. Bradlaugh brought an action against one of the officers of the House they were bound to cover that officer with the protection of the Law Officers of the Crown, and to see to their appearing in answer to the suit. But he took exception to the mode in which the hon. and learned Attorney General asked the House to instruct him to plead that the Orders of the House to its officers were over and above the law. The hon. and learned Gentleman did not propose to allow the Court to inquire whether those Orders were legal or illegal, but simply asked the House to pledge itself to a prejudice, and to assert that no Court of Law in this country had any right to interfere with the disciplinary power of the House of Commons within its walls. It appeared to him (Mr. Labouchere), however, that if such a docrine were allowed it would be open to the House to pass a Resolution directing the Serjeant-at-Arms to kill him (Mr. Labouchere) within its precincts. That being done, the Attorney General for the time being—perhaps it might be the hon. and learned Member for Launceston (Sir Hardinge Giffard)—might appear and say that he had been justly and properly killed, and that the Sergeant-at-Arms was covered by the Order of the House. It seemed to him (Mr. Labouchere) that it would be only reasonable that the hon. and learned Attorney General should allow the question to be raised that was at the bottom of the whole of this dispute—namely, whether the Order of the House was legal or illegal? That had been the desire of Mr. Bradlaugh from the commencement of his dispute with the House. He had all along wished to carry the matter before a Court of Law, and in every way in his power he had sought to attain this object. The case really was not one of "The Serjeant-at-Arms *v.* Mr. Bradlaugh," but "The People of England *v.* the House of Commons." ["No, no!" *and laughter.*] Well, such was the view unquestionably taken by a very large number of persons out of the House, who could not understand why it was that the House should claim—just as Sovereigns used to claim in days of old—to be superior to the law, and should decline to allow the question of whether the Order of the House was legal or not to be submitted to the tribunals of the country. This was the contention of Mr. Bradlaugh. He held that the disciplinary power of the House over a Member commenced as soon as he was a complete Member, and that he derived his right to go up to the Table, and to do what the House had declared was requisite to qualify him to sit and vote in the House, from the fact of his being elected; and that the House possessed no right to interfere with him, or in any way to interfere with his going up to the Table and performing those acts which were necessary to enable him to take his seat. Having performed those acts, Mr. Bradlaugh did not deny for a moment that he came entirely under the disciplinary power of the House, or that the House would have a perfect right the next day to order him to be excluded from the House. He (Mr. Labouchere) would place before the House a hypothetical case to show the absurdity of the denial that a Member derived his right to sit and vote from the fact of his election. Let the House suppose that this Parliament were dissolved, and that another House of Commons came into existence. Then, as soon as there were 40 Members sworn, and a quorum was constituted, they might, without giving any reason for so doing, pass a Resolution directing the Serjeant-at-Arms to exclude every other Member. This quorum of 40 might then proceed to legislate as the House of Commons of this country. ["No, no!"] He asserted, and defied anyone to deny, that if the contention of the hon. and learned Gentleman the Attorney General was correct, the House of Commons had an inherent right to prevent any duly elected Member who was not disqualified by law—[Mr. Newdegate: That is the point.]—from coming up to the Table of the House, from taking the Oath, and then taking his seat. Then, no one could deny the fact that 40 Members of the House, being a quorum, might exclude every other Member who was elected. He thought it was right, in stating that proposition, to make clear to the country the utter absurdity, injustice, and illegality of the course of action that had been pursued, and was still being pursued, by the House towards Mr. Bradlaugh.

Sir H. DRUMMOND WOLFF said, he thought the speech of the hon. Gentleman the Member for Northampton (Mr. Labouchere) clearly showed how very injudicious and impolitic was the proposition of the hon. and learned Gentleman the Attorney General, for it appeared, from what the hon. Member had just said, that it was the wish of Mr. Bradlaugh to bring this question before a Court of Law, in order to test the legality of the proceedings of that House, and he wished to obtain the decision of a Court of Justice on the rights of that House, which was a higher Court than any other Court in this country. He (Sir H. Drummond Wolff) did not think much of the arguments used by the hon. and learned Attorney General, nor did he think he was ever more astounded than when he heard the comparisons drawn by the hon. and learned Gentleman between the proceedings this year and those of last year. It was impossible to have two cases standing upon more widely different footings. Last year the Serjeant-at-Arms had acted, and, consequently, it might have been right for a Court of Law to inquire whether that officer had, or had not, exceeded the instructions received by him from the House of Commons. But here Mr. Bradlaugh endeavoured to anticipate the action of the Serjeant-at-Arms, and to stand between the House of Commons and the Orders it had given to one of its servants. If the servant exceeded his duty, then it was perfectly legal for the Judges to inquire into it; but until some act had been performed by the Serjeant-at-Arms, in obedince to the Orders of the House, it seemed utterly irrational, as well as illegal, for a Court of Law to step in to say that the House had no right to give those Orders, and that they should not be executed for fear of committing some illegality of which Mr. Bradlaugh might afterwards take advantage. He trusted that the Government, notwithstanding their eternal desire to force Mr. Bradlaugh into the House, would not carry their proposal.

Mr. HORACE DAVEY said, that he did not understand what was the alternative course recommended by the hon. and learned Member for Launceston (Sir Hardinge Giffard), or by the hon. Member for Portsmouth (Sir H. Drummond Wolff), to that which was proposed by his hon. and learned Friend the Attorney General. The hon. Member for Portsmouth said it would be irrational and illegal to allow a Court of Law to stand between this House and the Orders which it had thought fit to give to one of its officers. There might be a great deal of truth in that; but he (Mr. Horace Davey) contended that the alternative course which was proposed was the very course which would enable that to be done, and that the course proposed by the hon. and learned Attorney General was exactly that which was best calculated to put the Courts of Law in possession of all the circumstances and the proper aspect of the case. The hon. and learned Attorney General proposed that the House should instruct its Law Officers to put in a plea, that the act which it was said Mr. Bradlaugh desired to restrain the Serjeant-at-Arms from committing was an act which he had been ordered by the House to do, and that the Serjeant-at-Arms should plead the Orders of the House as a complete justification. He did not understand his hon. and learned Friend to propose, or suggest, that any pleading should be put in on behalf of the Serjeant-at-Arms, or that any issue should be taken or raised, as to the legality of the Order made by the House. All that was to be pleaded was, that the House having given its Order to its own officer, no Court of Law had any jurisdiction or authority to interfere with the execution of that Order. That appeared to him to be a perfectly proper defence. He thought the House was bound to support its own officers in executing its own Orders; and it was simply because he thought the course recommended by his hon. and learned Friend the Attorney General best fitted to confine the issue before the Court of Law to that question, that he intended to support the Motion of his hon. and learned Friend now before the House. It had been said—"Why should we condescend to appear before a Court of Law at all? We should not sacrifice our dignity by condescending to appear before a Court of Law." Such language might be applicable to other times; but he did not think its weight had continued down to the present time. For his own part, he saw no condescension, but only the manifestation of a proper respect for the Courts of Law, in authorizing, or ordering, if necessary, their officers to appear in proper mode before them. The alternative course for the House to adopt was, that they should not put in any plea at all, and that they should leave Mr. Bradlaugh at liberty to move on the proper Motion day, making such statements as he might think proper to make in any affidavits that he might choose to file. But, in that case, there was no security that the true facts of the case would be brought to the attention of the Court; and it might be asked to adjudicate on a question involving grave Constitutional issues. Such proceedings might bring the House into collision with the Courts of Law, or rather the Courts of Law into collision with the House, simply because the House of Commons had not taken the trouble, or had not "condescended," to lay before them the proper state of the facts. In his opinion, therefore, it was much more consonant with their own dignity and respect, and much more respectful to the Courts of Law, that they should authorize their officer not to raise any question as to whether the Order of the House was legal or illegal, but that he should merely plead the Order of the House. The course proposed by his hon. and learned Friend the Attorney General was perfectly consonant with precedent, and was best calculated to maintain the dignity of the House.

Mr. GIBSON said, he thought it would be very much to be regretted if, upon a question of that kind, there should be anything like a considerable division of opinion, or any apparently sharp antagonism of feeling, as to what was the right course to adopt. He felt sure that every hon. Member of the House only desired to vindicate fairly the position of the House in reference to this transaction. When his hon. and learned Friend the Member for Launceston (Sir Hardinge Giffard) spoke, he pointed out the truism that the hon. and learned Gentleman the Attorney General had not had an opportunity of testing the judgment of the House, and said he thought that he and his Colleague the Solicitor General ought to have every opportunity of conversing over the matter, and of making up their own minds about it. Under those circumstances, he (Mr. Gibson) would have been very glad to have had an opportunity of thinking out the matter more fully; and if time had permitted, and it had arisen at an earlier period of the Session, he should have been very glad to have seen the course taken of referring the subject to the care and calm consideration of a Committee to see exactly how they stood; or, if not that, to defer further proceedings as regarded it to another and a later day. But his right. hon Friend the Leader of the Opposition (Sir Stafford Northcote) had given good reasons why the matter should now be put into a train of final decision, if possible, and especially after the way in which the matter had been presented to the House, and after the short and temperate discussion that had taken place upon it. Personally, he (Mr. Gibson) was very much disposed to think that, had the matter been left to the Judge alone, as in the case of what he might term a collusive action against Mr. Bradlaugh, by a plaintiff selected by himself, the Court would at once challenge legal evidence from Mr. Bradlaugh. He had very little doubt that, if this case were now brought before the Court, the Judge would very likely take up this point, and put Mr. Bradlaugh to prove that the Order of the House was not a full and complete justification for their officer in what he had to do. But his hon. and learned Friends the Attorney General, the Solicitor General, and the Law Officers, whose duty it was to look into this matter, advised the House that they, themselves, would be the masters of the pleadings put in in the action; and they had arrived at the conclusion that the best advice they could give to the House was that they should allow their officer to appear and to plead like an ordinary suitor, subject only to this difference—that the hon. and learned Attorney General had given the House a clear and distinct understanding that the question of the legality of the Orders and proceedings of the House were not to be submitted to the judgment or arbitration of the Courts. Under those circumstances, he apprehended that the best and wisest course for the House to adopt was not unduly to prolong the discussion, and to avoid anything in the shape of difference of opinion, and much less any chance of collision or disagreement, by assenting to the Motion.

Original Question put.

Ordered, That leave be given to Ralph Allen Gosset, esquire, Serjeant-at-Arms, to appear and plead in the Action brought against him by Charles Bradlaugh, esquire.

Motion made, and Question proposed,

"That the Attorney General be directed to defend the Serjeant-at-Arms against the said Action."—(*Mr. Attorney General.*)

MR. ALBERT GREY moved to amend the Motion by leaving out "the Attorney General," and inserting instead "Sir Hardinge Giffard." In doing so, the hon. Member said, the position in which they were placed was the direct result of the unconstitutional action of the majority. The reason why he made this proposal was that, while there was no stouter opponent of the action of the House that had been taken on this question from the first than the former hon. and learned Gentleman, it had no more enthusiastic supporter than the latter; and because it would not tend to raise the present high standard of morality at the Bar, that the House should instruct one of its most eminent Members to plead in a manner known to be in direct opposition to his own feelings and opinions.

[There being no Seconder, the Amendment was not put.]

SIR WILFRID LAWSON said, he wished to move an addition to the Motion, as an Instruction to the Attorney General—

"but that the ordinary fulfilment of his statutory obligation by a duly elected Member of this House is not to be held as disturbing the proceedings of the House."

All this discussion, and all those proceedings arose, in the first place, from the Motion which the right hon. Baronet opposite the Leader of the Opposition persuaded the House to accept. ["No, no!"] It appeared to him the Motion went directly in the teeth of the law. ["No, no!"] When this matter was previously before the House, and the Previous Question was proposed, the Speaker, replying to a question as to what would be the effect of carrying "the Previous Question" against the Resolution of the Leader of the Opposition to exclude Mr. Bradlaugh, said, that—

"In the event of the Resolution being set aside by the Previous Question, there would be no Resolution before the House adverse to the operation of the law by which the hon. Member for Northampton would undoubtedly be entitled to take his seat." — (3 *Hansard*, [278] 1856.)

Therefore, upon the authority of the Speaker, the Resolution was adverse to the operation of the law. He (Sir Wilfrid Lawson) most strongly objected to Resolutions overriding the law of the land; and, therefore, he proposed the Amendment. What, he would ask, was the meaning of the words "not further to disturb the proceedings of the House" in the Resolution which the House had passed?

MR. SPEAKER: I must remind the hon. Baronet that the Question before the House is, that the Attorney General be directed to defend the Serjeant-at-Arms against the said Action, and that he is going beyond the Question before the House.

SIR WILFRID LAWSON said, he would say no more, but would conclude by moving his Amendment.

MR. ILLINGWORTH seconded the Amendment.

Amendment proposed,

To add at the end of the Question the words "but that the Attorney General be instructed that the orderly fulfilment of his statutory obligation by a duly elected Member of this House is not to be held as disturbing the proceedings of the House."—(*Sir Wilfrid Lawson.*)

Question proposed, "That those words be there added."

MR. GLADSTONE: I am sorry my hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) has felt himself called upon, by political consistency, to make this Motion. There are very few hon. Members whose convictions carry them further than myself in their opposition to the original proceedings of the House. I do not know that I ever used the expression that the action of the House had, in my view, been illegal; but certainly I have said, and I have not the slightest hesitation in repeating it, that I am unable to reconcile the action of the majority with my conception of the law. But in all Parliamentary proceedings there is a point at which it becomes necessary to recognize the decisions of the House as regards their consequences, and as regards matters which are subsidiary to them. It is upon that principle that we, I think, on this side of the House have very generally, even where we disapproved of the Motion on which the proceedings were founded, recognized the highest Executive authority of the House, and that the officers of the House must be sustained in their obedience to the Orders of the House. This is a question of proceeding altogether consequential and auxiliary. There is no principle going to be laid down anew as against the view of my hon. Friend; and I would, therefore, submit to him that nothing is gained in point of principle, and much is lost in point of practice, to the general convenience and the general conditions under which alone the Business of a great Assembly like this can be carried on, if a Motion of this kind is pressed for the purpose of introducing a novel principle with regard to a question which really raises no principle, but simply expresses the intention of the House to act upon its own deliberative Resolutions. If that question is to be re-tried, it ought to be re-tried, not by a collateral proposition of this kind, but by an attempt made to overset the original decision which lies at the root of all these proceedings. I think my hon. Friend will feel that there is an objection, from his own point of view, to the form of his proceeding, and that I am right in saying that, if we are to question what is now proposed, we ought to question it by going to the root of the matter, and getting rid, if we can, of the original proposition, to which this is merely secondary and consequential. I hope, under these circumstances, my hon. Friend will not press his Motion. [*Cries of* "Withdraw!"]

SIR WILFRID LAWSON said, he was anxious to take a vote, because he wished to show who was the revolutionary Party in that House. However, he would, at the request of the Prime Minister, yield to what appeared to be the general feeling, and not press his Amendment.

Amendment, by leave, *withdrawn.*

Original Question put.

Ordered, That the Attorney General be directed to defend the Serjeant-at-Arms against the said Action.

ORDER OF THE DAY.

AGRICULTURAL HOLDINGS (ENGLAND) BILL.—[BILL 186.]

(*Mr. Dodson, Mr. Shaw Lefevre, Mr. Solicitor General.*)

COMMITTEE. [*Progress* 19*th July.*]

[FOURTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART I.

IMPROVEMENTS.

As to Improvements executed before the Commencement of Act.

Clause 5 (Reservation as to existing and future contracts of tenancy).

Amendment proposed, in page 3, line 5, after the word "secures," to insert the word "compensation."—(*Mr. Chaplin.*)

Question proposed, "That the word 'compensation' be there inserted."

MR. E. STANHOPE said, that, as he was unfortunately absent yesterday when this Amendment was moved by his hon. Colleague (Mr. Chaplin), perhaps he might be allowed to say a word or two in explanation of the object he (Mr. Stanhope) had in view in putting it upon the Paper. He had read carefully the remarks made last night, and he found it was stated that the words he proposed were vague. He was not going to say for a moment that they were not vague; but what he did venture to assert was, that they were very much less vague than the words proposed by the Government in the Bill, and that it would be very difficult indeed to frame any words at all which would not be more or less vague. No one could doubt that the words "fair and reasonable compensation" were vague. They had no reference to any standard at all; but the Amendment he proposed had a standard to which they could refer, and that standard was the 1st clause of the Government Bill. The 1st clause of the Government Bill laid down that the compensation to be paid should be such a sum as fairly represented the value of an improvement to an incoming tenant. Therefore, his

Amendment, and the whole of the clause, if his Amendment were accepted, would be interpreted by the valuers to have reference to the provisions of the 1st clause, wherever the compensation under any particular agreement was contrary to, or in evasion, of the objects of the Bill.

SIR HENRY HOLLAND said, that he regretted to be compelled to differ from the hon. Member who had just sat down (Mr. E. Stanhope); but he thought that, vague as were the words "fair and reasonable," the words proposed in the Amendment were quite as vague, and more difficult to deal with. In truth, lawyers would have really little difficulty in dealing with the words "fair and reasonable," as they were words well known to lawyers, who had often to determine whether conditions were "fair and reasonable;" and he did not believe that valuers, though laymen, would practically have much trouble in deciding whether the compensation awarded by a contract was "fair and reasonable" within the meaning of the Act. But what would valuers have to do under the Amendment proposed. They would have to consider what was the "object and intention" of the Act. That might sound easy to do; but only last night, in the Lobby of the House, when he (Sir Henry Holland) was discussing this Amendment with an hon. Member of great experience, and who had paid great attention to the Bill, he found that they differed as to the exact intention of the Bill. If, then, they, who had been all these days discussing the Bill, could not quite agree as to the object of it, what difficulty might not the lawyers or valuers have, who had not had the advantage of hearing all these debates? He believed that the intention of the Bill was to secure to the tenant a "fair and reasonable" compensation; and, therefore, in considering, under the Amendment, whether the agreement which gave the compensation was in accord with the "object and intention of the Act," the valuers would have, in fact, to consider whether the compensation was "fair and reasonable." Why, then, should not that be done directly under the words, as proposed by the Bill, rather than indirectly under the words proposed by the Amendment? He was informed that one important Chamber of Agriculture, if not more, after full discussion, had resolved in favour of the term "adequate" in lieu of "fair and reasonable." He confessed he did not himself think this term less vague, or more likely to secure a just decision, nor did he think it so much in keeping with the spirit of the Bill. Unless, therefore, the Government could find some better term than "fair and reasonable"—and he doubted whether they could do so—he hoped they would adhere to the Bill as now framed.

MR. RYLANDS said, it was quite possible that landlords would compel tenants to enter into agreements, giving compensation entirely inadequate to the circumstances under which the agreements were made. He was quite aware that hon. Gentlemen might say that there was no great chance of tenants being put under such a screw, because landowners were of opinion that, in the present state of agriculture, tenants had a better chance than they had had in former years of looking after their own interests. That was true, no doubt. It was to be hoped that the great depression in agriculture would not continue; but, at all events, as long as it had continued, the effect had been, no doubt, to reduce the value of the land, and to increase the number of farms not in occupation; and, therefore, to give tenants seeking farms an opportunity of making terms with landowners and land agents. This Bill had been drafted, not with a view to a particular state of agriculture, but to the normal state of agriculture. In Great Britain, there was but a very small amount of land; and it was quite clear that, under normal circumstances, applications for land would be greater than the land could meet, a knowledge of which would put tenants in a position of not being able to make fair contracts. Under the circumstances, it appeared to him that they ought to keep words in the clause which would give some protection to the tenant. He appealed to hon. Gentlemen opposite, who were landlords, not to try to water this Bill down to such weakness that it would be scarcely worth having.

SIR BALDWYN LEIGHTON said, it would be in the recollection of the Committee that they arrived at this point last night—namely, that his right hon. Friend (Sir Michael Hicks-Beach) asked whether an agreement, under the

Agricultural Holdings (England) Act of 1875, would be deemed to give "fair and reasonable compensation?" The right hon. Gentleman stated that, generally speaking, such would be held to be the case, but that there might be parts of the country where that might not be held to be so; and the right hon. Gentleman the Member for Ripon (Mr. Goschen) suggested that a Proviso might be added to the clause defining what was "fair and reasonable." Now, what was wanted was that which many Amendments and speeches had pointed to—that there should be some sort of definition, as far as they could determine, as to what was "fair and reasonable;" so that the matter should not be left in doubt. It was of the greatest disadvantage to the tenant, quite as much as to the landlord, to have this matter remaining undecided. The Government had expressed a willingness to listen to a proposal to define the words "fair and reasonable." His right hon. Friend the Member for East Gloucestershire did make some such suggestion, although he did not formulate the words. He (Sir Baldwyn Leighton) desired to take this opportunity of acknowledging and recognizing that Her Majesty's Government had, during the course of this Bill, endeavoured to meet reasonable proposals coming from any side of the House; and he believed they would find this feeling was reciprocated by the Members of the Committee generally. He had on the Paper a Proviso which he was not competent to move on this Amendment; but he would be in Order in reading it. It was a Proviso in the sense of the suggestion of the right hon. Gentleman the Member for Ripon; and if it were adopted by the Government, it probably might take the place of many Amendments on the Paper, and tend very much to shorten the discussion. It was to this effect—

> "Provided always, where such an agreement in writing secures the prescribed compensation in the Agricultural Holdings (England) Act of 1875, or such other compensation as is generally equivalent to the same, according to the custom of the locality, such compensation shall be deemed to be 'fair and reasonable' within the meaning of this Act."

That would be a definition and standard for a Court of Law, or an arbitrator, or a referee to go upon; and he believed that if the Government could intimate their readiness to accept some such proposal at the end of the clause they would get rid of many Amendments, and farmers and landlords would be no longer in suspense as to how "fair and reasonable" would be interpreted. All that was asked was, that there should be a standard of what was "fair and reasonable." There was no doubt that "fair and reasonable" were legal words; but they were not agricultural words, and the uncertainty was what they wished to get rid of.

Mr. W. FOWLER said, he had also been greatly puzzled with the words "fair and reasonable." He could not understand what their operation would be. His impression was, that the proposal made by the hon. Gentleman the Member for Mid Lincolnshire (Mr. E. Stanhope) would meet the difficulty. He understood that the hon. Gentleman would subsequently move to add, at the end of the clause, these words —"Unless the agreement is contrary to, or in evasion of, the object and intention of this Act." Of course, these words were, in a certain sense, vague; but he apprehended that no words they could possibly find could be otherwise than vague. They must either say that any agreement should oust an Act of Parliament, or they must have some words of this kind, which were liable to discussion, and possibly to litigation. It was only a question as to which would lead to the least litigation, and which would be most clear to ordinary minds. What was wanted was an Act of Parliament which a farmer could understand as well as a lawyer; and he was of opinion that the words proposed by the hon. Member for Mid Lincolnshire were certainly as good — indeed, he (Mr. W. Fowler) thought they were better — than the words "fair and reasonable." If the hon. Gentleman went to a Division he should vote with him.

Mr. CHAPLIN said, he was glad to hear the observations which had just fallen from the hon. Gentleman the Member for the borough of Cambridge (Mr. W. Fowler), because he (Mr. Chaplin) had never departed from the view which he entertained in regard to this matter. There was just one word which fell from the hon. Member for Burnley (Mr. Rylands) upon which he would like to make a remark. The hon. Gentleman said that the effect of this Amendment would be to water down the Bill. Now, he (Mr. Chaplin) had ascertained two matters in connection with this Amendment, which, perhaps, he ought to have mentioned to the Committee before. The first was, that the Amendment was unanimously accepted at a meeting of the Central Chamber of Agriculture, met for the purpose of discussing this Bill, and of making suggestions, with the view of strengthening it in the interests of the tenant. He also found that these words were taken from an original draft of one of the measures introduced by the Farmers' Alliance. Under the circumstances he did not think these words could be considered to weaken the Bill in the interest of the tenant farmers. The Committee were most anxious to come to a decision, and he would appeal to the Government to accept the Amendment, and put an end to what must necessarily be a prolonged controversy.

MR. J. W. BARCLAY said, he sympathized with the wishes of the hon. Gentleman the Member for Mid Lincolnshire (Mr. Chaplin), that there should be as much latitude as possible given to an agreement between landlord and tenant. They were told there was no standard set up of what was "fair and reasonable compensation;" but they had laid down in the Bill what he presumed was considered to be fair and reasonable compensation for improvements. He thought that the clear course to adopt in regard to this measure was to lay down that the provisions of this Bill formed a reasonable standard of compensation; that landlords and tenants might have power to enter into agreements for a higher rate of compensation than would be provided in the Bill; but that, in order to avoid litigation, and to make sure that farmers should have the benefit of this Bill, such as it was, a Proviso should be inserted, to the effect that farmers entering into agreements of the kind which was desired by the hon. Member for Mid Lincolnshire should have the option of claiming compensation, either under the agreement, or under the Bill. If hon. Members were anxious to give farmers the benefit of the Bill, or something better, and also at the same time to avoid litigation, they ought to accept the solution of the question he (Mr. J. W. Barclay) now proposed.

MR. DODSON said, he stated last night that the Government had not heard, or received, from any quarter, any suggestion which they could prefer to the words to be found in the Bill; and he was bound to say that the reflection over night had not altered that opinion. The words "fair and reasonable," as he had stated last night, and as was stated just now, by the hon. Baronet the Member for Midhurst (Sir Henry Holland), were words known to the law. It was said they were not words understood by farmers. It certainly appeared to him (Mr. Dodson) that they were clear and intelligible to the lay mind—at least, as intelligible as the words proposed to be substituted; and he could not agree that those hon. Gentlemen who had taken the view that the Amendment to be moved by the hon. Member for Mid Lincolnshire (Mr. Stanhope)—namely, "unless such agreement is contrary to, or in evasion of, the objects and intention of this Act," would be as clear as the words "fair and reasonable." It would be very difficult to say what agreement was contrary to, or in evasion of, the Act. It was necessary to have, in relation to these words "fair and reasonable," some standard upon which the Court could go. There was a standard provided by the Bill. The Bill laid down what the compensation should be—namely, the value of the improvements. There was thus a standard for the Court to go by; and, therefore, "fair and reasonable" compensation might be something which approximately gave to a tenant the value of his improvements, though it might be given in some other form than that which was provided under the terms of the Act. He presumed they were now discussing the Amendment of which Notice had been given by the hon. Member for Mid Lincolnshire (Mr. Chaplin), therefore he would not proceed to discuss the Amendment which had been placed on the Paper by the right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach), which he presumed would be moved as a subsequent Amendment ["Go on!"] If it was the pleasure of the Committee that he should on, he would state why he preferred to retain the clause in the form in which it stood, rather than adopt the Amendment proposed by the right hon. Baronet. The Amendment of the right hon. Baronet was to insert the words "the specific compensation provided by 'The Agricultural Holdings (England) Act, 1875' or other." Now, the effect of that would be to set up a double standard—a standard under the Bill, and a standard under the Agricultural Holdings Act, 1875. He was at a loss to know, if they provided in this clause that an agreement in the terms of the Agricultural Holdings Act, 1875, was to be considered a "fair and reasonable" standard, how the Court could set aside such agreement. If they were to put before the Court, by the Amendment of the right hon. Baronet, an agreement embodying the terms of the Agricultural Holdings Act, 1875, he did not know how the Court could decide that it was not "fair and reasonable," or how it could set the agreement aside. He thought it would be unwise to adopt that Amendment in other respects. It would bring in all those petty restrictions with regard to manures and feeding stuff; and, therefore, he thought they had better leave in the clause the words "fair and reasonable," which were generally intelligible to the lay mind. To go back to the Amendment immediately before them—namely, that of the hon. Gentleman the Member for Mid Lincolnshire (Mr. Chaplin), it had been stated that the words were approved by the Central Chamber of Agriculture. He (Mr. Dodson) had great respect for the Central Chamber of Agriculture as an authority on agricultural matters; but when they were drafting an Act of Parliament, it was the Government and the House of Commons that must be responsible, and must take upon themselves the framing of a measure that would work, and be acceptable to the public at large. They could not, therefore, be content to accept what they thought worse words, because they had received the approbation of agricultural meetings.

Sir MICHAEL HICKS-BEACH said, the provisions of the Bill might be intelligible to lawyers; but what was feared was that they would not be intelligible to the public generally. The object of this and several other Amendments was, that there should be something done to preserve the landlords and tenants who only desired to make *bonâ fide* agreements amongst themselves from troublesome and costly lawsuits. He disclaimed, as he was sure his hon. Friend (Mr. Chaplin) did, any desire to water down the Bill; but he could not agree with the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Dodson) that there was anything in the Bill which was a sufficient standard on which the valuers could work. On the contrary, it seemed to him that the provisions of the Bill were framed so as to leave everything in the vaguest possible way to the valuers, although, no doubt, the Bill had been, to some extent, made plainer by the Amendments that had been already introduced in the 1st clause. Now, his proposal, which he would venture very shortly to allude to, because the right hon. Gentleman had alluded to it, was that there should be some standard fixed on which both landlord and tenant might agree, and which, if once fixed, should be recognized by the Courts, when it came to be interpreted at the determination of the tenancy, as an agreement giving, in the words of the Bill, fair and reasonable compensation. Why had the right hon. Gentleman proposed an alternative agreement? It seemed to him that the right hon. Gentleman must have felt, in the first place, that the provisions of the Bill were, as he (Sir Michael Hicks-Beach) had already stated, so vague that landlords and tenants, in very many instances, would, in order to insure some certainty in the future, seek to make an agreement; and, in the second place, that the provisions of an Act of Parliament on this subject, whatever they might be, could not be universally applicable to every part of the country. He believed many landlords and tenants would desire, by a *bonâ fide* agreement, to relieve themselves from the vagueness of the Bill, and he proposed to enable them to know when they had succeeded in doing so. The Act of 1875 laid down, clearly and distinctly, what the improvements were for which the tenant was to be compensated.

Mr. DODSON said, he had spoken of restrictions in the case of the use of artificial manures.

Sir MICHAEL HICKS-BEACH said, the right hon. Gentleman had described those as petty restrictions; but he did not believe that there were any petty restrictions in the Act of 1875 at all. If, however, the Government considered that they were unfair restrictions, would the right hon. Gentleman the Chancellor of the Duchy suggest in what particulars they were unfair; and would he go further than that, and amend his Bill, in order to make provision for them? Let the Committee turn to the rules relating to artificial manures and feeding stuffs. The Act of 1875 provided that, in awarding compensation, consideration should be given to the expenditure incurred in this way for a period of two years preceding, provided that the outlay during the last year of tenancy was not more than the average annual outlay for the three years preceding. That proposal it was intended, in a subsequent Amendment, he believed, to engraft upon the Bill; but what he (Sir Michael Hicks-Beach) desired was, that such an agreement as was contained in that provision should, if made, be held to be a valid agreement between the landlord and tenant. He certainly failed to see anything wrong in such a proposition, and it practically endorsed the proposal made by the Select Committee last year, of which the right hon. Gentleman the Chief Commissioner of Works (Mr. Shaw Lefevre) was Chairman. He believed that Committee unanimously agreed that the provisions of the Agricultural Holdings Act of 1875 should be adopted as one of the alternative methods of granting fair and reasonable compensation to a tenant. Why were the Committee to depart from that basis now? All he wanted was that there should be some possibility of landlords and tenants meeting each other on fair and suitable grounds. If they adopted the proposal of his hon. Friend the Member for Mid Lincolnshire (Mr. Chaplin), embodied in the Bill which his hon. Friend had introduced last year, and agreed that the landlord and tenant, having made rules by which compensation should be assessed, should submit those rules to arbitration in the manner provided by the Bill on the commencement of the tenancy; and if an agreement so sanctioned by the arbitrator were held to be valid at the termination of the tenancy, then he should be quite content. All he desired was, that there should be some possibility, on the part of the landlord and tenant, who desired to act fairly by each other, to relieve themselves and their representatives from the future litigation which this Bill certainly seemed to open out for them. All he wanted was, that there should be some opportunity of making a *bonâ fide* agreement, and that the landlord and tenant should be placed upon such a footing that they should be able to adopt that course. But, by the speech of the right hon. Gentleman, the Government absolutely declined, as far as he (Sir Michael Hicks-Beach) could see, to accept any Amendment; it declined to put any interpretation upon the words "fair and reasonable;" and it refused to insert words in the clause which should have the effect of enabling the parties to escape from litigation. He had no alternative left but to support the Amendment. The right hon. Gentleman the Chancellor of the Duchy of Lancaster said that he objected to the Amendment which he (Sir Michael Hicks-Beach) had placed upon the Paper, because it would have the effect of establishing the Lincolnshire custom—which the right hon. Gentleman admitted to be a good custom—throughout the whole of England. Now, his Amendment proposed nothing of the kind. It simply allowed a reference to that custom, and if anything different was required, it could be adopted; but he sincerely hoped that there would be, before the debate closed, a much more favourable expression of opinion from the Government than that which had yet fallen from the right hon. Gentleman, and that the Government would not persist in their refusal to consider an Amendment on the subject.

MR. DODSON said, he thought he ought to apologize for discussing two Amendments at once; but he was afraid he had been encouraged in doing so by the action of the Committee itself. The right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach), however, proposed to go a step further, and ask the Committee to consider three Amendments, with a view to carrying out the object of the Bill of the hon. Member for Mid Lincolnshire (Mr. Chaplin). As the Amendment now before the Committee was the Amendment which the hon. Member for Mid Lincolnshire had himself moved—namely, to insert certain words in the clause, and as he (Mr. Dodson) had already expressed his opinion that the words proposed to be inserted could not be accepted, it was not necessary that he should carry the discussion further.

Mr. JAMES HOWARD said, that an allusion had been made by the hon. Member for Mid Lincolnshire (Mr. Chaplin) to the fact that it was proposed to add a clause, on the recommendation of the Farmers' Alliance, in order to prevent the Bill from leaving anything to be determined by a Court of Law. The proposal of the Farmers' Alliance contained an Arbitration Clause, and that clause was so clear in respect of compensation, that there could be no difficulty as to the interpretation of its terms. He (Mr. James Howard) objected not only to the words "fair and reasonable," but to the whole section; but on totally different grounds from those which had been urged. He objected to it, because it was an unnecessary interference with the form of contract; and he objected further to the present section, because it proposed to allow the provisions of the Act to be set aside. If the Act were just and reasonable, and its conditions were suitable, why should they allow any parties to set it aside? He would ask the Committee seriously to consider whether a Bill which provided for compensation to tenant farmers should involve the necessity of an appeal to a Court of Law? How could such a course inspire that confidence in the breasts of tenant farmers, necessary to induce them to make the outlay which it was the very object of the Bill to stimulate? He entirely agreed with what had fallen from his hon. Friend the Member for Forfarshire (Mr. J. W. Barclay) in believing that the proposal of the hon. and learned Member for West Staffordshire (Mr. Staveley Hill) afforded a solution of the difficulty. The Bill introduced by that hon. and learned Member gave the tenant the option of claiming compensation under the provisions of the Act; but it did not involve the necessity of resorting to a Court of Law. He could not agree with the right hon. Gentleman the Member for East Gloucestershire that the Act of 1875 left nothing to be desired. He objected to the whole section as being a most one-sided one, and he believed that the entire object of the Bill would be defeated, unless the tenant and the landlord were precluded from the necessity of resorting to a Court of Law.

Mr. GREGORY said, that, as far as he could understand the matter, the words of the clause as they stood were the best. What the Committee had to consider were the improvements referred to in the Schedule of the Bill; and the question was whether any agreement between the landlord and the tenant for compensation, in respect of such improvements, should prevent the operation of the Bill? His opinion was that the only way to prevent the operation of the Bill was to provide for the payment of proper compensation. It was only fair that such provision should be made as far as the landlord and tenant were concerned; and he failed to see how they could better provide for it than by inserting the words "fair and reasonable," which were words well known and recognized by law, and ought not to give rise to much difficulty as far as he knew. Of course, either party might apply to a Court to decide what were fair and reasonable terms; and it was desirable, therefore, to provide, as far as possible, by the Bill, that the umpire or arbitrator should be a competent person. The working of all the clauses of the Bill would depend, to a great extent, upon the competency of the persons who were appointed to carry out the provisions of the measure. He, therefore, trusted that the provisions of the Bill would secure the nomination of properly-qualified and competent persons. If that were done, he certainly failed to see that there would be any difficulty in the matter.

Mr. ALBERT GREY said, he hoped that the hon. Member for Mid Lincolnshire (Mr. Chaplin) would withdraw his Amendment, and allow the Bill to proceed. He could not see the slightest difference between the words in the Bill and the Amendment proposed by the hon. Member. He certainly failed to see any possible safeguard in the Amendment. If an impartial person were asked to read an agreement, and to decide whether it was fair and reasonable on the one hand, or whether such an agreement was contrary to or an evasion of the Act, he would be bound to express the same opinion. He therefore thought that the Committee were at present engaged on a most unprofitable discussion; and he hoped the hon. Member for Mid Lincolnshire, by withdrawing the Amendment, would allow the matter to drop, and enable the Committee to proceed to something which was of real importance.

Question put.

The Committee *divided*:—Ayes 84; Noes 221: Majority 137.—(Div. List, No. 219.)

SIR MICHAEL HICKS-BEACH said, he now proposed to move, as an Amendment, in page 3, line 7, after the word "Act," to insert "the specific compensation provided by 'The Agricultural Holdings (England) Act, 1875,' or other."

Amendment proposed, in page 3, line 7, after the word "Act," to insert the words "the specific compensation provided by 'The Agricultural Holdings (England) Act, 1875,' or other."—(*Sir Michael Hicks-Beach.*)

Question proposed, "That those words be there inserted."

MR. DODSON said, he hoped the right hon. Baronet opposite (Sir Michael Hicks-Beach) would not consider that he was wanting in respect to the Amendment if he declined to discuss the questions which had been raised further.

SIR MICHAEL HICKS-BEACH said, there was only one question he wished to ask—namely, that if the Government would not accept the Amendment, would they agree to the insertion of a clause in the Bill, which would define more accurately than at present the rules under which the arbitrators were to assess compensation under the Act? If that were done, the object he had in view would be entirely accomplished.

MR. DODSON said, he could not undertake to insert in the Bill rules for the guidance of the valuers. He was bound to say that he thought the valuers were much more likely to know their own business than the House of Commons was able to teach them.

SIR BALDWYN LEIGHTON asked if the right hon. Gentleman the Chancellor of the Duchy of Lancaster would accept a provision which he proposed to insert at the end of the Bill, in order to attach more certainty to the terms upon which the compensation was to be given?

MR. DODSON said, the question before the Committee was the Amendment of the right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach); and, no doubt, when the proper time arrived, the Committee would be prepared to give the proposition of the hon. Baronet (Sir Baldwyn Leighton) every consideration it deserved.

MR. R. H. PAGET said, the decision at which the Committee had arrived by a large majority in no way interfered with the Amendment they were now discussing, although, no doubt, the question had been discussed, to a great extent, in considering the last Amendment before the Committee. At the same time, the decision of the Committee had been taken upon that Amendment, and upon that Amendment alone, and in no way had the Committee arrived at a decision in regard to the present proposition. Therefore, he hoped the Committee would see its way to the acceptance of the Amendment now before it; and, with the indulgence of the Committee, he would give one or two instances why, in his opinion, that course ought to be taken. Since the Act of 1875 it was notorious that thousands of agreements had been entered into, embodying, more or less, the provisions of that Act, in respect of the different districts to which those agreements applied. Every one of those agreements had now the force of law. The present Bill would destroy the validity of every one of them, and in future they would be left in a state of absolute uncertainty, because the Bill set up no standard which was to give the valuer anything whatever to go upon. Nay, even more than that—and he would ask the particular attention of the right hon. Gentleman the Chancellor of the Duchy of Lancaster to this — by the Bill they virtually repealed the Act of 1875. Might not the valuer be likely to say—"Parliament has repealed that Statute, because it was a bad Act, and because its provisions were not applicable; and, therefore, I decline to consider that the sections of that Act afford any information to guide me in making my award in regard to the valuations." He did not think there could be any difference upon that point, and the effect of the present Bill would be to set aside every one of the agreements made under the Act of 1875, no matter how well weighed, or how well considered they might have been. It would be a matter of the greatest possible advantage to a valuer that he should, at least, have before him one standard to go upon. He would say—"Here is an agreement made absolutely in accordance with the Act of 1875; it is a perfectly valid agreement; but here is another agreement which does not follow that Act word for word, or line by line, but it makes some minute alteration applicable to the peculiar circumstances of the case. Now, he (Mr. R. H. Paget) contended that that, nevertheless, ought to be considered to be a valid agreement. If they took away the Act of 1875, let them see what it was that the Bill proposed to set up instead. It provided no standard whatever, and it was as clear as possible that everything would be landed in confusion. There would be a doubt thrown upon the validity of every one of these agreements, no matter how *bonâ fide* they might have been entered into with the tenants; and he was bound to say that, in a great majority of cases, they would have been entered into after full discussion and consideration with the tenants. The consequence would be that, although they were fully prepared to recognize the spirit and justice of the Act of 1875, every agreement entered into under it would not be worth the paper upon which it was written; because at any moment it might be said that the agreement was not fair and reasonable. It was in the interests of the farmers of England that he strongly urged Her Majesty's Government to accept the Amendment now before them. If they did not, the consequence would be that both landlords and tenants in the future would be landed in a world of difficult litigation, the end of which it was impossible at present to foresee. He, therefore, made the strongest appeal in his power to Her Majesty's Government to accept the Amendment; and if he wanted to adduce any argument in favour of the proposition it was this — that there had been no meeting of farmers, either in connection with the Central Chamber of Agriculture or any other Chamber or place throughout the whole of England, where distinct exception had not been taken to this very clause, owing to its vagueness and uncertainty, and to a strong feeling that it must eventually give rise to an enormous amount of litigation. He knew it was contended that, if these words were inserted, a Court of Law would be bound to interpret the Act of 1875 as being of universal application. He was of opinion that it would be impossible, in the face of the words themselves, to maintain that view. How would the words run as the right hon. Baronet the Member for East Gloucestershire proposed to introduce them?—not that the Act of 1875 should be the one and the only thing; but there were to come in afterwards the words "or other fair and reasonable compensation." The point the Committee had to consider was this. Wherever the Act of 1875 was applicable, that Act having been accepted *ipso facto*, an agreement entered into under it should be a legal and valid one; but if the Act had not been accepted, then it should not be applicable, if any other fair and reasonable arrangement could come in. He asked the right hon. Gentleman the Chancellor of the Duchy of Lancaster and the Government to give the farmers of England the credit of understanding their own business. He knew what they wanted, and he was bound to say that what they did want was that they should be able to bring in the Act of 1875 as a standard, and as something to help them in preventing future litigation.

Mr. SHAW LEFEVRE said, he hoped that, after the lengthy discussion which had taken place upon the subject, the Committee would consent to arrive at a decision upon it. He fully recognized the fact that his right hon. Friend the Member for East Gloucestershire (Sir Michael Hicks-Beach) had not approached the subject with any hostility to the Bill, but with a desire to assist the Government in framing the clause. But if Her Majesty's Government were prepared to stand by their proposal, it must be considered that it was not only on the ground that they had no hostility to the proposal because it came from the other side of the House, but from a firm belief that the proposition now made in the Bill in its present shape was the best for the House and the country to accept. His great objection to the Amendment of his right hon. Friend was that it set up a second standard in opposition to that which was already contained in the Bill. The proposal of the Bill was that—

> "In the case of a tenancy under a contract of tenancy beginning after the commencement of this Act, any particular agreement in writing secures to the tenant for any improvement mentioned in the third part of the Schedule hereto, and executed after the commencement of this Act, fair and reasonable compensation, then in such case the compensation in respect of such improvement shall be payable in pursuance of the particular agreement, and shall be deemed to be substituted for compensation under this Act."

But the right hon. Gentleman proposed to set up a second standard—namely, to provide that fair and reasonable compensation should be the specific compensation provided by the Agricultural Holdings Act, 1875. Now, for his (Mr. Shaw Lefevre's) part, he had been under the impression that the Agricultural Holdings Act, 1875, had not been so universally accepted as to afford any indication that the tenant farmers or landlords were satisfied with it. Personally, he had never been one of those who had condemned the Act, or who had entertained any great objection to the compensation provided under it; but he was certainly under the impression that the great bulk of the persons interested in the Act declined to adopt it, and that many of the landlords had given notice of their intention not to be bound by it, or to accept its provisions as a satisfactory standard of compensation. No doubt, in many parts of the country the standard of compensation had been accepted as a suitable one; but, in other parts, that had not been the case. For instance, in the county of Lincoln, although the standard laid down by the Act very nearly approached the Lincolnshire custom, it was not considered to be as satisfactory as that custom itself. Now, the Government had no desire to set up a second standard in the present Bill, and there were other objections to such a course—namely, the confusion which would occur in a Bill which virtually repealed the Agricultural Holdings Act, 1875, by incorporating in it certain clauses of that kind in a very inconvenient form. If the principle of the Amendment were adopted by the Committee, it would be necessary to specify the particular scale of compensation under the Agricultural Holdings Act, 1875, in a new Schedule; and any reference in such a manner would, he thought, be a most inconvenient mode of dealing with the question.

SIR MICHAEL HICKS-BEACH said, his right hon. Friend the First Commissioner of Works (Mr. Shaw Lefevre) had admitted that the difficulty of form might be overcome by inserting a new Schedule in the Bill. He must confess that he was very much surprised to hear from the right hon. Gentleman that, in his opinion, the Agricultural Holdings Act of 1875 had failed, because it was not acceptable to the country at large. He had certainly heard, over and over again, from the right hon. Gentleman and others who sat on that side of the House, that the failure of the Agricultural Holdings Act of 1875—and it was a point in regard to which hon. Members on that (the Opposition) side of the House had always been twitted—was due to the fact that it was not compulsory, and that wicked landlords prevented their tenants from coming under it. It was now objected to upon entirely different grounds, although the right hon. Gentleman the First Commissioner of Works admitted that it was suitable to the relations between landlords and tenants in many parts of England. All that he asked was, that in those parts of the country where Her Majesty's Government deemed that it was suitable, the landlords and tenants should be at liberty to adopt it, and that if they did adopt it, Parliament should sanction their action, and not exclude them from the benefits of these definite provisions, which had already received the assent of the Legislature.

MR. BULWER said, he thought the right hon. Gentleman the First Commissioner of Works was labouring under an entire misapprehension when he told the Committee that the Amendment of the right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach) would introduce a new standard of compensation. It would do nothing of the kind. All that it did was to ask the Committee that agreements made in accordance with the provisions of the Agricultural Holdings Act of 1875 should be considered to be fair and reasonable. The Amendment of his right hon. Friend did not add anything to the Act of Parliament; but it simply made that clear which otherwise would be obscure. It was simply a direction to the valuer or to the Court to justify them in holding that an agreement entered into under the terms of the Agricultural Holdings Act of 1875 was a valid agreement. The only object was to make that which was considered a fair and reasonable agreement compulsory. Therefore, the Amendment could only have a good effect. It was introducing nothing new, and certainly not establishing a second standard.

Question put.

The Committee *divided*:—Ayes 111; Noes 167: Majority 56.—(Div. List, No. 220.)

Mr. BIDDELL rose to move the Amendment standing in his name upon the Paper, when——

Mr. JAMES HOWARD rose, and said, he had a similar Amendment upon the Paper, which preceded that of the hon. Member.

The CHAIRMAN said, the Amendment which appeared on the Paper in the name of the hon. Member for Bedfordshire (Mr. James Howard) had already been disposed of by the previous Division.

Mr. BIDDELL said, he was of opinion that the circumstances of the case were not sufficient to warrant Parliament in upsetting the freedom of contract; and he should therefore propose to leave out the words "fair and reasonable." Perhaps his position would be better understood if he were to put a suppositious case. Suppose that a man made an agreement allowing his tenant 70 per cent for the oil cake consumed upon the farm. Now, that would not be reasonable; it would be a most excessive amount of compensation. At the same time, if a contract of that nature had been entered into, he did not see why it should be upset. On the other hand, if the contract was to allow 10 per cent for the use of oil cake, that would be excessively low and unreasonable; but, nevertheless, he did not think that the contract ought to be upset on that ground. His great object in proposing that Amendment was to uphold freedom of contract. At the same time, as he saw no chance whatever of carrying his Amendment, he thought the best thing he could do was to withdraw it, and not submit it to the decision of the Committee.

Amendment, by leave, *withdrawn*.

Mr. Bulwer

Mr. J. W. BARCLAY moved, as an Amendment, to leave out "fair and reasonable compensation," and to insert—

"Such compensation as, in the opinion of the Referees, is not less than is provided by this Act."

His object was to provide that the reasonableness of the compensation should be determined by reference to the provisions of the Act. One great objection to the use of the word "reasonable" was that it required a lawsuit in order to determine what was reasonable; and he thought it would be better, therefore, to guide the arbitrator in his determination of what was fair and reasonable by referring him to the terms of the Act itself. He did not happen to know what was the policy of the Government in regard to this question. He did not know whether they intended to propose one general clause dealing with questions arising between the landlord and tenant under agreements. If they did, it would not be necessary to persist in this Amendment; because the object he had in view would be fully covered by a general clause in the Bill relating to disputes between the landlord and tenant. In submitting the Amendment, he was simply anxious to give the Government an opportunity of stating their views.

Amendment proposed,

In page 3, line 8, leave out "fair and reasonable compensation," and insert "such compensation as, in the opinion of the Referees, is not less than is provided by this Act."—(*Mr. J. W. Barclay.*)

Question proposed, "That those words be there inserted."

Mr. DODSON said, he thought he had stated the other night that these matters, under the Bill as it stood, might be questions of the construction of the agreement, and would have to be determined by a Court of Law. He doubted very much whether the determination of matters of that kind should be left to a referee or valuer. It might be a question altogether of the construction of the agreement; and he thought the effect of incorporating Clause 36 of the Agricultural Holdings Act of 1875 would be to take all such questions to a Court of Law. He was inclined to think, from what passed the other night, that that would be the best course to follow. Perhaps there might be a question whether minor disputes might not be settled by arbitrators — for instance, where the sum at issue was less than £100, and that questions of a higher amount should be subject to an appeal to a higher Court. But, as at present advised, he should prefer to leave the clause in the form in which it stood.

SIR WALTER B. BARTTELOT said, that, as he understood the Bill, the only resort, in nearly every one of these cases, would be to a Court of Law. There should be something in the Act to enable an ordinary valuer to decide the position in which an agreement might place the contracting parties; and he still hoped the Government would do something in that direction.

MR. DODSON said, he apprehended that if any difference as to amount arose between the parties, it would be submitted, in the first instance, to arbitration.

SIR THOMAS ACLAND said, in his opinion, if matters had to be decided, he should prefer their being decided in open Court. The objection to references was that they were secret, and no one ever knew how they were settled. If a high class umpire could be secured, possibly some kind of arbitration might be arrangeable; but he believed it would be far better for the parties to go into open Court and be examined as witnesses.

SIR BALDWYN LEIGHTON said, he had been to may meetings where this matter had been discussed, and the farmers all put their finger upon this clause, and asked what was the meaning of "fair and reasonable compensation." It was not a term which conveyed anything definite to the agricultural mind, and he doubted whether it did to the legal mind. Farmers were entirely opposed to having this matter hung up in this manner; and, therefore, he hoped the right hon. Gentleman would be ready to accept an Amendment. The right hon. Gentleman said these matters would be settled by valuation; but a valuation was one thing, and the point whether an agreement was fair and reasonable was another thing. "Fair and reasonable" was simply a legal opinion; it was a matter simply of judgment and custom, and therefore the two things were not the same.

MR. HENEAGE said, everybody seemed to treat an agreement as if it were a matter of about two lines. Until an agreement was in the hands of the valuators they could not tell whether it was fair as a whole, or in part, or what part they objected to; and therefore he did not see that, as a matter of necessity, the matter would go a Court of Law. He hoped such a matter would not go to a Court of Law at all, and he thought the obvious way of dealing with the question was for the valuator to take the agreement into his own hands; and if he, on the part of the tenant or the landlord, took exception to any portion of it, an umpire could be called in to decide whether it was fair or not. There was a very good class of men—Inspectors under the Land Commissioners — and either landlords or tenants would rather have their decision on a practical point than that of a County Court Judge, who knew nothing about agriculture, and nothing about agreements. Therefore, he thought there was a great deal in the Amendment of the hon. Member for Forfarshire (Mr. J. W. Barclay), for anything that would keep landlords and tenants out of a Court of Law would be a great advantage.

MR. CARTWRIGHT said, he hoped the Government would not give way upon this point. It appeared to him that the Amendment involved this—that not only when a dispute rose, but in every case if compensation was secured by private agreement, it must be made a matter of reference. That, he thought, would be most objectionable; because, although he had great respect for valuers, very nice questions might arise; and, while he was as unwilling as the hon. Baronet the Member for North Devonshire (Sir Thomas Acland) to go into Courts of Law, yet, if difficult and delicate questions arose, it would be far better that they should be settled in Courts of Law than by valuers, who had very little experience in reference to such matters.

MR. JAMES HOWARD said, he hoped the hon. Member for Forfarshire (Mr. J. W. Barclay) would go to a Division, unless the Government gave a promise to introduce some words to the same effect as the Amendment. He was satisfied that the Bill would be a failure, for there was no class of people in the country more afraid of law than tenant farmers. As to valuers, they were constantly called upon to settle difficulties arising from agreements, and to determine what they meant.

Mr. J. W. BARCLAY said, the valuer had only to determine what was fair and reasonable; but if the matter went to a Court of Law, he would not express any opinion, for it was a question of practice, and he would refer it to someone of skill to determine.

Mr. RAMSAY said, he hoped the Government would do everything in their power to avoid the necessity of a tenant having to go to a Court of Law. He knew of nothing that was a greater detriment to the community than that landlords and tenants should go to law; and if the words of this section in any way encouraged litigation, they would be very prejudicial. As the hon. Member for Forfarshire (Mr. J. W. Barclay) had said, there was no class in the community who regarded with distrust and suspicion the action of Courts of Law and deprecated litigation so much as tenant farmers. He hoped, therefore, that when the right hon. Gentleman (Mr. Dodson) considered this clause, he would be able to introduce some specific provision which should render any appeal to Courts of Law unlikely.

Viscount EBRINGTON said, he hoped the Government would not give way. The Committee had spent several hours last night on this matter, and he thought the argument which had had most weight was, that the words were well known in legal documents, and, so to speak, were capable of legal interpretation. Now, however, it was proposed to refer this delicate question to hap-hazard valuers, who, whatever their other merits, were not very well informed on such matters as this.

Mr. CHAPLIN said, that another objection to throwing this matter into the hands of valuers—namely, the question of whether the compensation was fair and reasonable — would arise on every occasion; but if it was left to a Court of Law the question would only arise in extreme cases.

Question put, and *negatived.*

Sir BALDWYN LEIGHTON, in moving to insert at the end of the clause—

> "Provided always, That where such agreement in writing secures specific compensation prescribed under 'The Agricultural Holdings Act, 1875,' or such other compensation as is generally equivalent to the same, according to the custom of the locality, such compensation shall be deemed fair and reasonable within the meaning of this Act,"

said, that when this question was discussed last night at the instance of the right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach), he raised the point whether, in the case of a farm or an estate under the Act of 1875, compensation upon these terms would be held to be fair and reasonable; and the right hon. Gentleman opposite (Mr. Dodson) expressed the opinion that it would be so held, in most cases, except in such cases where the cultivation or custom of the district made it unreasonable or insufficient. Then the right hon. Gentleman the Member for Ripon (Mr. Goschen) suggested that some Proviso, embodying the opinions which had been put forward by the right hon. Baronet, the Chancellor of the Duchy of Lancaster, and himself should be proposed. He (Sir Baldwyn Leighton) believed that would be the easiest and simplest way of getting some standard of compensation, and doing away with constant references to Courts of Law. The hon. Member for Falkirk (Mr. Ramsay) had just told the Committee that what tenant farmers dreaded most was litigation. He quite agreed in that. They were afraid of uncertainty, and would rather trust to the evils they had than fly to others they knew not of; and nothing would more weaken the effect of this Bill than matters being left over. Tenant farmers had pointed out this element of uncertainty at many meetings. The words "fair and reasonable" conveyed nothing to them, and what a landlord might consider "fair and reasonable" a tenant might not; and a definition or standard incorporated in the Bill would greatly simplify matters. There was also an element of elasticity desirable, for it was impossible to draw any agreement which would suit every county.

Amendment proposed,

In page 3, at end of Clause, to add these words—"Provided always, That where such agreement in writing secures specific compensation prescribed under the Agricultural Holdings Act, 1875, or such other compensation as is generally equivalent to the same, according to the cultivation or custom of the locality, such compensation shall be deemed fair and reasonable within the meaning of this Act."—(*Sir Baldwyn Leighton.*)

Question proposed, "That those words be there added."

MR. DODSON said, he could not assent to the Amendment, and hoped it would not be pressed.

SIR MICHAEL HICKS-BEACH appealed to the hon. Baronet to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 3, to add at the end of the Clause—"Where, under a tenancy commencing before the passing of this Act, either no rent or a merely nominal rent was made payable at the commencement of the tenancy, and thenceforth during either the whole or a portion only of the term of the tenancy, in consideration, either expressed or implied, of the tenant making any reclamation or other improvement, then the tenant shall be deemed, by means of abatement of his rent, to have received compensation for such reclamation or other improvement, and the compensation so received by him shall be deemed substituted for compensation under this Act."—(*Mr. A. F. Egerton.*)

Question proposed, "That those words be there added."

MR. DODSON thought the case dealt with by this Amendment was met by Sub-section A of Clause 6.

MR. A. F. EGERTON said, that, if that was the case, he would withdraw his Amendment.

Amendment, by leave, *withdrawu.*

SIR MICHAEL HICKS-BEACH said, he desired to raise a very important point, upon which he had spoken on a previous Amendment. He proposed to add at the end of the clause—

"Provided, That a landlord and tenant may, before executing any such particular agreement, concur in referring the terms thereof to an umpire, to be appointed in manner provided by section twenty-three of 'The Agricultural Holdings (England) Act, 1875;' and an agreement which has been found by such umpire to secure such fair and reasonable compensation as aforesaid, and has been signed by the landlord and tenant and countersigned by the umpire, shall be deemed to secure fair and reasonable compensation to the tenant."

All that he desired, by this Amendment, was to enable the landlord and tenant, if they chose, to do at the commencement of a tenancy what the Bill would enable them to do at its termination. The compensation under this Bill must, of course, be settled by the valuers at a certain amount, but according to certain rules. He did not interfere with the amount at which the compensation was to be fixed; but it would be necessary that an agreement should contain certain rules as to the mode in which it should be computed, and he wished that the two persons who desired to make an agreement of this kind should be permitted to refer it to an impartial umpire of the independence contemplated by the Act of 1875, who should decide whether or not the agreement provided the fair and reasonable compensation intended by the Bill.

Amendment proposed,

At the end of the Clause, to add the words—"Provided, That a landlord and tenant may, before executing any such particular agreement, concur in referring the terms thereof to an umpire, to be appointed in manner provided by section twenty-three of 'The Agricultural Holdings (England) Act, 1875;' and an agreement which has been found by such umpire to secure such fair and reasonable compensation as aforesaid, and has been signed by the landlord and tenant, and countersigned by the umpire, shall be deemed to secure fair and reasonable compensation to the tenant."—(*Sir Michael Hicks-Beach.*)

Question proposed, "That those words be there added."

SIR BALDWYN LEIGHTON said, that, in his opinion, if the right hon. Gentleman opposite (Mr. Dodson) was going to oppose every one of these Amendments, it was time to report Progress, and let this question stand over till the Amendment could appear on the Paper and the right hon. Gentleman had had an opportunity of judging whether he could accept it or not.

It being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again *this day.*

QUESTIONS.

PARLIAMENT—BUSINESS OF THE HOUSE—AGRICULTURAL HOLDINGS (ENGLAND) BILL.

SIR MICHAEL HICKS-BEACH asked, Whether it was intended to proceed with the Bill at the Evening Sitting?

MR. GLADSTONE, in reply, said, that the Government had good hopes of being able to proceed with it; but they were not entirely masters of the situation. It would entirely depend upon the hour at which it might be reached. Unless it was reached by 11 o'clock, it would not be proceeded with.

Sir STAFFORD NORTHCOTE said, he thought there ought to be a definite understanding as to whether or not the Bill would be taken at the Evening Sitting, as it was rather unreasonable that hon. Gentlemen should be kept in doubt upon the subject till so late an hour.

Mr. GLADSTONE said, it would, to some extent, depend upon hon. Gentlemen who had Motions on the Paper for that evening. He had done the very best he could in the matter, and believed the feeling of the House was generally in favour of proceeding with the Bill, and that it would not be satisfactory to waste a night.

Mr. JAMES HOWARD said, he thought that great dissatisfaction would be felt if the Bill were proceeded with to-night.

Sir MICHAEL HICKS-BEACH said, he would point out that many hon. Gentlemen had gone away under the impression that the discussion would not be renewed till Monday.

Mr. CHAPLIN said, he would ask the Government not to place the Order on the Paper for the Evening Sitting.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDER OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

TENURE OF LAND—PEASANT PROPRIETARY.—RESOLUTION.

Mr. JESSE COLLINGS, in rising to move, as an Amendment—

> "That, in the opinion of this House, it is desirable, in order to increase the productiveness of the land, to arrest the decline of the rural population, and to promote the interests of the commercial industries of the Country, that provision should be made by Parliament to facilitate the acquirement by agricultural labourers, tenant farmers, and others, of proprietary rights in agricultural land,"

said, that in the direction which he indicated by his Resolution would be found an important means of arriving at a permanent settlement of the Land Question. The present land system which obtained in this country, and whose tendency was to place land in the hands of an ever-decreasing number of proprietors, had been abolished in every other part of the world, and had entirely broken down as far as England was concerned. Its effect had been such that at the present time one fourth of the land in England and Wales was in the hands of less than 1,000 persons; while, owing to the existence of that system, the farmers of this country were unable to compete either with the American farmers, or with the small land proprietors on the Continent, the result of which was that the farmers in England had fallen into a very bad condition, and labourers, notwithstanding their increased wages, were relatively little better off than they were before. In 1880, out of 1,366 bankruptcies, 9 per cent of the whole were farmers. Then, taking a lower class, that of the agricultural labourers, they were still in a starvation circle, and practically cut off from the land, for the poor farm labourer had no possibility of becoming proprietor of the land he tilled. The effect of all this was to reduce the productiveness of the land. It was said that the produce of all our farms and homesteads was £300,000,000 per annum, and public authorities on that question confirmed the statement that the productiveness of the country could be enormously increased under another land system. For instance, Sir John Laws, in a speech at Berwick, said there was no doubt the

> "Soil of this country could produce far more wheat and meat for the support of the population than it did—if not, indeed, all that is required to support the population."

Countries like Friesland and Belgium, supporting a dense population, sent us large quantities of produce, and the supplies derived from other foreign lands were largely increasing. Political economists said—"Why not buy food in the cheapest market?" That question, he thought, ought not to be asked with regard to commodities for the production of which our soil was suitable, when there were in this country tens of thousands of unemployed and insufficiently-employed people, and, at the same time, tens of thousands of untilled acres, and when the demand for food was always ahead of the supply. During the past 10 years labour on farms had diminished in the majority of cases to only a quarter, or half the number of men, the production having decreased in like proportion. How was it that the productiveness of the soil had diminished? Many farmers talked of bad weather and want of sunshine; but, in many cases, the foul condition of the land was largely the cause of the unproductiveness of the soil. With regard to the rural population, the last Census showed that it had extensively decreased in almost every parish throughout the country. The number of paupers, however, had not decreased. That showed that a spasmodic increase of prosperity in trade was no true index of the general welfare of the country. What had become of these labourers, who had been "squeezed off the land." Some, and a considerable number, had emigrated, and political enonomists said they had become our customers, because they were cultivating the waste lands in Queensland and Canada. But they would surely have been as good customers, if allowed to remain here and cultivate the waste lands of Devonshire and Warwickshire. What would our wealth do for us, if we got rid of the very backbone of our country, which these men were, by emigration? Then, large numbers of those who were reared in agricultural districts sought their fortunes in towns, where the competition for the means of sustaining life became proportionately keener, and where they were obliged to herd together in dense masses, and ultimately swelled, by the displacement of others who had grown older and less able to labour, the list of paupers. That was a workman's question; and, though they might have their trades unions, strikes, and regulation of out-put, so long as there was this perpetual influx into the great towns they would never have anything but competition in wages. The result to the towns very few knew; but he feared the people of this country would find it out before long if they did not mind what they were about. The condition of the large towns of this country was such as would astonish many men. During the severe winter of 1878-9 he happened to be Mayor of Birmingham; and he found that there were empty cupboards and starvation in the homes, not of chronic paupers, but of very respectable men of the industrial class. That showed him that a few weeks of illness, or of frost, sent them down to pauper condition. If we had an English Zola to put before us a picture of our great towns, people would be very much surprised, especially considering that we were the wealthiest nation in the world. And now he came to the remedy, which was that—

> "Provision should be made by Parliament to facilitate the acquirement by agricultural labourers, tenant farmers, and others, of proprietary rights in agricultural land;"

and he claimed for it that it would, to a large extent, remove these evils. His proposal generally meant occupying-ownership. According to an eminent writer, peasant proprietary was an art—as far as England was concerned, it was a lost art. It was the art of living and saving on a small farm, and making the land produce more by the superior industry and care of the man who was proprietor of it. No doubt an easy system of land transfer would do a great deal; but they were not likely to have that for a long time, seeing how difficult it was to get the little that was now asked for. There was plenty of land in the market. A writer in *The Times* of July 5 said that there were 50,000 acres advertised in one day, and he had no doubt that there was five times that amount in the market; but who were the buyers? They were landowners, capitalists, almost anybody but the cultivator. The fact was, as a rule, he had not the money; and while land was bought, not for the primary object of cultivation and production, but as an element of social distinction and importance, there would always be higher prices given for it. And that brought him to the last proposal in his Resolution—that the State should assist certain classes in the purchase of it. In other words, his remedy for the ills of the country was to create a peasant proprietary by State aid. That principle was not new. It had been successfully carried out in the Church Act of 1869. It was carried out by Stein in Prussia, the burden of whose argument was, that he had a duty towards the people of the country; and that was an argument which he (Mr. Jesse Collings) too, in his feeble manner, would wish to place before the House. The principle had been lately advocated by the noble Lord the Member for Middlesex (Lord George Hamilton) with reference to Ireland. The noble Lord proposed that the entire purchase money should be advanced to any suitable buyer at 3½ per cent, to be paid back, both interest and capital, at 5 per cent in 35 years. For his own part, he would not go so far as the noble Lord. He thought one-fourth would be sufficient for the State to advance. If his proposal were accepted, it would be necessary for the State to advance money; and he would insist that one-fourth, or, at any rate, a substantial sum, should be found by the purchaser, in order to secure that they had the right man—a man who had an interest in seeing that the price at which ground was bought was not too high, and to secure the public against loss by the transaction. Again, he did not agree with the noble Lord as to the machinery. The noble Lord would have central authorities. But a central authority would require a large Staff, and would not be as economical as a local authority. Everything that concerned the social well-being of the people must be better done by local authorities than by Imperial authorities; and the more important the duties of local authorities were made, the higher would be the qualifications of the men who would undertake them. They were promised County Boards, and he would let them raise money for this purpose on the security of the rates. The credit of some Municipal Corporations was so good that they could borrow money almost as cheaply as the State. In the first place, he would allot a piece of ground to each village school, where the children might learn the art of raising their own vegetables, and acquire a love for the soil, which would keep them in the rural districts, and so check the overflowing of the rural populations into the great towns. He would limit the farms so bought to 120 acres. There were, however, a smaller class, the best of the labourers and villagers, who had saved a little money, small tradesmen, and others, whom it was desirable to reach. In order to go down lower, and meet the wants of these classes, he would allow the local authorities to buy estates, and on them do nothing but make roads and drain the land, and then let it out in perpetual tenancies to suitable persons in plots from five to 20 or 30 acres. The local authorities could charge 1 per cent over the interest they paid on the money they borrowed. This difference of 1 per cent, invested at 3 per cent per annum, would, in 47 years, recoup the whole amount; and the local authority would be the owners of the ground rents in perpetuity. He should forbid mortgages altogether on these national farms, or limit them to a small extent; but he would allow proprietors to borrow on their stock, furniture, or personal security. The holders would be virtual owners, subject to a ground rent, which would be collected with the rates. It would be said this was a system of land nationalization, and so it was. The remarkable book of Mr. Henry George was being studied so much, and the opinions contained in it were going so far and wide into the minds of the working classes of the country, that it must be answered by some system of Land Reform, which, while just to all parties, would restore, in some shape or another, the land to the people. Unless that was done, in a few years land nationalization on Mr. Henry George's lines would be found to be a formidable power, and the landlords were too few to protect themselves from such an agitation. It was objected that there would be sub-letting; but that he would prohibit; if a man could not cultivate the land let to him, he must sell. It was objected that, in France and Belgium, land hunger and acquisition drove the occupier to the money lender, and that mortgages reduced productiveness; and he would, as he had already said, forbid mortgages altogether in these cases; the holder might borrow on any other security, but the land should be free from debt. It was questioned whether men would pay 3½ or 4 per cent if there were landowners who would be content with 2½. Owners who had held any length of time were getting more than 2½ per cent; but the advantages of ownership to the cultivator more than compensated for the difference. The soil would, in fact, become the savings bank of the cultivator. On that point he could produce several instances, in which farms cultivated by their owners had been greatly improved in value through increased productiveness, while there was no such advance in the surrounding farms occupied by tenants. One small owner wrote to him that some people thought Lord Derby was drawing the long bow when he said the production of the soil could be doubled; but experience showed that this could be done easily. He had a mass of evidence on every point, and he believed that evidence would fully justify his claim, that this system would cause a larger amount of capital to be invested in the purchase of the land and in its cultivation; that it would increase the productiveness of the soil, both by improved cultivation and by the return of the farmers' savings to the land; that it would give new life to villages and market towns; that it would check the influx into the towns; that it would benefit industry by increasing the demand for manufactured goods; that it would diminish pauperism, and promote the comfort and well-being of the whole population. The existing evils, he maintained, were tending to a war of classes, which he, for one, wished to avoid. He would ask men who read of Social and Communistic doings in Lyons and Marseilles why those doings never went further in France than the large towns? It was because they were met by 5,000,000 owners of the soil. In England, there were a few landed proprietors, and a vast proletariat, larger than any that existed in Europe. These asked for a fair share of the comforts, enjoyments, and material benefits of life. Parliament had to find out how that could be brought about; and he believed the proposal he had introduced, if accepted, would go a long way towards solving these social questions, and which, if it did not solve them altogether, would, he believed, add to the comfort of the people, and to the safety of the nation generally. The hon. Member concluded by moving the Resolution of which he had given Notice.

VISCOUNT LYMINGTON, in rising to second the Motion, said, that in doing so he did not wish it to be understood that he was at one with his hon. Friend the Member for Ipswich (Mr. Jesse Collings) as regarded all the details of his scheme, but rather that he fully agreed with the broad principle he had laid down in his Resolution. He sincerely regretted the necessity under which they had been obliged to bring so important a subject forward at so late a period of the Session. He should not attempt, therefore, to detain the attention of the House for other than a short time. In the few remarks he should make he would address himself to those who had no objection to peasant proprietary on principle, but doubted whether the State could properly aid in bringing it about. It was, of course, obvious that the first step in the matter was to cheapen the legal transfer of land. That, he was aware, was a matter about which there was no difficulty in agreeing; but as it would have to be preceded by the simplification of title, it must take a considerable time before it could be generally adopted. There was one argument against the Resolution—namely, with regard to the extent to which it would compromise the State; but that, he thought, should be met by a very strict limit as to the size of the holding above which the State should not render assistance in the process of purchase; and for these reasons—first, the vicissitudes of agriculture accompanying holdings of a certain size, where the agriculturist looked to his land for corn and produce to sell, rather than for his own consumption. Small holdings cultivated by the personal labour of the owner, and looking to small items for profit, were not affected by foreign competition, but by the increasing home market, and the increase of population. It was reasonable to suppose that what was called agricultural depression would not affect them. Secondly, the man who could afford to buy a small farm had no claim to State assistance. As to the risk of the State, he thought they might consider it would ensue in two ways—namely, through the insolvency of the purchaser, and the fact that a political agitation might ensue. As regarded the insolvency, that might be considered from two points of view — first, how individual character stood in that respect; and, secondly, the results of experience from the working of the "Bright Clauses" in Ireland. In evidence of the first, he would take the amount standing to the credit of the working classes in the savings banks, which amounted to no less than

£35,000,000; and, in regard to the second, those who studied the Returns would see that the "Bright Clauses" had, so far as the security of the State was concerned, proved a success, and were a proof of the practicability of the scheme, and of its ultimately beneficial effects. Another objection raised to the proposition of his hon. Friend was that, after all, the markets at the present moment were flooded with land, that there was any amount of land to be bought; and why should not the principle be carried out through the agency of private Companies, through bankers, and in other ways, and that the State should not interfere in the matter? As regarded that point, it must be borne in mind that the labourer was, of necessity, never in a position to make any large contribution of money until, probably, he attained an age when the desire to become a freeholder had entirely passed. It must be borne in mind, too, that the security of the money invested in these Joint Stock Companies was, as was proved by a recent Parliamentary Return, not of a very high order; that those which were already in existence had not proved generally successful; for while he did not wish to infer that there were not many sound ones, still there were a sufficient number of rotten ones to dissuade the working man from investing, and also to seriously damage, in the case of those who had lost their savings, the general cause of thrift. Besides, no private Company could carry on its business as the State could in the scattered parts of England. He quite agreed with what had fallen from his hon. Friend that the agricultural question was both a political and economic one.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

VISCOUNT LYMINGTON, in continuation, said, that it was not only the insecurity of prices and of seasons that had brought the agricultural question into acute relief; it was from the foundation of our landed system that the troubles and anxieties of the agricultural question arose. He believed it was for political and social reasons that the agitation of the present moment was raised in regard to the land; and he entirely endorsed the view of his hon. Friend that it was not wise for them to shut their eyes to the cry, indistinct as to its practical methods, and unreasoning as it was, of the nationalization of the land. That was a great fact, and would be a great political force in the future; and the only way we should be able to meet it would be to satisfy just and equitable demands by legislation. Bearing all this in mind, he would ask—Was it in the interests of those who wished to retain the rights of landed property to suppose that this great movement was to be diverted from dangerous and turned into safe channels by any mere tinkering of the relations between landlord and tenant, or by any attempt to establish in this country the plausible but conflicting principle of dual ownership. On the other hand, what they saw of the agitation proceeding among the labouring class must convince them that the change proposed by the hon. Member for Ipswich was what they wished. He believed that the popular forces of this country were not more united upon any question than that of the enfranchisement of the labourers. That was a legacy which could not be long deferred from the Reform Bill of 1867. But, while he looked on the county franchise as a necessary consequence of that Reform Bill, it was a leap of increased uncertainty and far greater boldness. If the late Lord Derby considered the Reform Bill of 1867 a leap in the dark, would not the enfranchisement of the agricultural labourer be an infinitely greater one? In the case of the Bill of 1867, the class that were enfranchised were attached to diverse interests and occupations, identical only in their belonging to the same standard of living and of social conditions. The objections which were raised against the Reform Bill of 1867 were simply the commonplaces against a popular and democratic suffrage; but the enfranchisement of the labourer, he confessed, involved a grave political risk. We were about to transfer—and the fact was inevitable—potentially, even it were not at once realized, the political power of the agricultural constituencies into the hands of a class who were not affected by any association or any interest of a substantial character towards the prosperity of the permanent rights of landed property, and this at a time when the Land Question occupied a most prominent place in the public mind, and lent itself to all kinds of ill-considered and revolutionary schemes. Whatever might be thought of the nationalization of the land, or of the proposals of Mr. George, it was impossible to be oblivious to the Socialistic ideas in regard to land which were permeating the minds of the people and the literature of intellectual rather than practical reformers, both in journalism and magazines. In conclusion, he would say that meetings had been held in support of the Resolution of his hon. Friend in various parts of the country. The Agricultural Labourers' Union had held a large meeting at which they passed an unanimous decision in its favour; and it was because he believed it would confer an immense boon upon the country, and one that was desired, that he should give it his hearty support.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable, in order to increase the productiveness of the land, to arrest the decline of the rural population, and to promote the interests of the commercial industries of the Country, that provision should be made by Parliament to facilitate the acquirement by agricultural labourers, tenant farmers, and others, of proprietary rights in agricultural land,"—(*Mr. Jesse Collings,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. CHAPLIN said, he was actuated by no feeling of hostility to the view that, in many respects, it was desirable to increase the number of landed proprietors in this country. If he consulted his own feelings and interests, he should lend whatever influence he could bring to bear to the support of the Motion of the hon. Member opposite (Mr. Jesse Collings), because he (Mr. Chaplin) did not scruple to say that it was in that direction that he, as a landed proprietor, looked in a large degree for safeguards against what might be called the predatory instincts of men like the hon. Member and many of his Friends. In spite of that inclination, however, he could not vote for the Resolution. The Motion of the hon. Member desired an increase of the productiveness of the soil, the arrest of the decline of rural populations, and the promotion of the interests of the commercial industries of the Kingdom. This was to be done by what the hon. Member spoke of as the establishment of a peasant proprietary; but the whole object the hon. Member had in view was included in the first of the three portions into which he divided it; for if the productiveness of the soil were increased the rest would follow. The Earl of Derby, he (Mr. Chaplin) knew, had made a speech a long time ago in which he declared that the productiveness of the soil might be doubled; but he denied that the noble Earl had ever said it might be doubled with profit. How did the hon. Member establish his proposition that the creation of a peasant proprietary would increase the productiveness of the soil? The hon. Member attributed the decline of the rural population to the present system of land tenure; when that decline was due to a variety of circumstances, prominent among which was the period of agricultural depression through which we had passed. The hon. Member produced a formidable indictment, if it were true, against the English land system; but he offered nothing in support of that indictment, but certain statistics of foreign imports. For that purpose they were absolutely worthless, unless they could be compared with the whole home produce of the country. The hon. Member would lead the House to believe that agriculture was far more flourishing abroad than in England. He (Mr. Chaplin) denied that that was the case; but supposing it were so, and that the favourable view which the hon. Member took of peasant proprietors in other countries were sustained by facts, it would not prove that the system would prosper in this country. The hon. Member ought to have told the House that agriculture abroad flourished under a system of protection, which was denied to this country. The hon. Member complained that on the Royal Agricultural Commission there were no representatives of labour. To that he (Mr. Chaplin) would reply, that no man was more anxious than Lord Beaconsfield that the labourers should be represented directly on that Commission; but, though several persons were suggested, it was found that not one of them commanded the confidence of the labourers. The evidence given before the Commission dealt largely with the question of peasant proprietors abroad, and the latest information on the subject was undoubtedly to be found in the Reports of Mr. Jenkins and Mr. Sutherland, Sub-Commissioners. In Mr. Sutherland's Report, which referred specially to Western and Central France, he said that in France there were 2,826,388 properties which were worked directly by their owners, the average area of each property being 15 acres. He then went on to describe the condition of the owners in the following words:—

> "The peasant proprietor exists rather than lives. He has no pride in keeping himself or his cottage clean and presentable. His food chiefly consists of bread made from buckwheat or rye, although wheaten bread is gradually coming into more general use. He very rarely tastes meat, except in the form of pork. His drink, if in a wine country, is made from water poured over the already pressed grapes, from which the juice has been extracted and sold. . . . The peasant owners, examples of industry and thrift carried to excess, slave to get as much out of the land as it can be made to yield, starving themselves and their family to add something to their hoard; their wives becoming prematurely old from field labour, and bent from carrying heavy loads of fodder to the cow at home, content if at the year's end the tale of silver pieces be increased . . . . at a sacrifice of all that makes life worth living for."

Mr. Jenkins in his Report compared the produce of France, Belgium, the Netherlands, and Denmark. He said he agreed with Mr. Littlehurst's opinion, and especially with the statement that the peasants of France were indebted to the extent of £480,000,000 sterling. Mr. Jenkins, in his evidence before the Royal Commission on Production Abroad as compared with Production at Home, in answer to Question 68,106, said that the compulsory division of land in France he found diminished the produce considerably. And, in answer to Question 67,899, he said—

> "If you go to a foreign farmer, and say that you have gone to him to learn something of the agriculture of the country (he will know at once you are an Englishman), he will laugh at you and say—'All the world goes to England to learn farming; you must be making fun of me.'"

Question 67,900 was—

> "Speaking generally, there is more food produced in England upon the same acreage than there is in the foreign countries which you have visited?"

His answer was, "Quite so." That was a conclusive reply to the statement of the hon. Gentleman, that the land system in England had broken down. With regard to the serfs who were made landlords and peasant proprietors in Russia, a writer in *The Quarterly Review* of April, 1881 (p. 446), said—

> "From one end of the country to the other, the so-called peasant proprietors—that Radical idea of the agrarian *status*—are in a state of semi-starvation; while in several of the Volga Provinces, once the richest in agricultural produce, the starvation has assumed the form of a widespread famine, which the Government is engaged in alleviating by considerable grants of money . . ."

But the hon. Member for Ipswich appeared not to know that they had peasant proprietors at home; but the fact was, that in Lincolnshire and other counties there were a large number of small freeholders, and another Sub-Commissioner, Mr. Druce, was appointed to report upon their condition in a large number of counties. Mr. Druce was well known in the agricultural world, and at one time had, he believed, been Secretary to the Farmers' Alliance. In his Report of the 1st of January, 1881, on the acquisition and tenure of small holdings, especially in Lincolnshire, and the Island of Axholme, he said—

> "I came across one case, and I think it was the only one, where the owner of a six-acre plot, with a house and buildings upon it, had been able to buy his land without borrowing any money; he had been a farm servant. . . . Under the influence of good times, he had added to his little farm some 18 acres, which he rented; but he had done no good with them, he said, and he wished he was back again at farm work."

Dealing with the condition of the small freeholders and the character of their cultivation, Mr. Druce said—

> "The small freeholders are poor, and now especially so. . . . Vast numbers of them are in arrear with the interest on their mortages. . . . Everybody of whom I inquired, in fact, told me the same thing. The small proprietors were in a very bad way."

Again, he said—

> "It was universally agreed that the harvest of the last few years, including 1880, had been very deficient, and that the prices had been so low as to be ruinous. . . . From all quarters I heard the same account. The small freeholders themselves told me so. Persons who live among them and know them well all said the same thing. Times were very bad with them. . . . Many led me to infer that their land was mortgaged, without actually saying so, by such answers as the following to my question:—'Does the land belong to you?' 'Well, it belongs to me and the monkey.' Monkey means mortgagee."

As to individual instances, Mr. Druce gave the following, of course suppressing names. This was the case of one man, who said—

> "He could not make both ends meet; he was much better off as labourer, but bought his land, because he considered that his master was getting 3*d.* a-day out of him, which, he thought, he ought to get himself."

Here was another—

> "B., at Foxhill, was an occupier of 13 acres at a rent of £40 a-year. His place was kept very neat and tidy, and his land looked well farmed and managed. With the exception of occasional help, he did all his farm work himself, and 'worked,' he said, 'harder than any labourer,' and working so was just able to make both ends meet. He thought he would have been better off had he remained a farm labourer. He would have been able to save money, and would have worked less."

Now, with regard to their cultivation, as compared with the cultivation carried on under the old system, which the hon. Member despised. There was a great deal of evidence on the question, which the hon. Member would have done well to study before introducing the subject. [Mr. JESSE COLLINGS: I have studied it.] Then, why did not the hon. Member bring it forward? That showed a want of candour on the part of the hon. Member, who had deliberately suppressed it, and made it the more necessary for himself to submit that evidence to the House. Mr. Druce, speaking of the absence of live stock on small holdings, said—

> "The absence of live stock on the small holdings is very striking. A sheep is rarely seen. I myself saw none, nor do there appear to be many cows or other horned stock on them; there are, indeed, some, but neither dairying or cattle breeding or feeding is carried on to any extent in the Isle."

And in answer to questions proposed, as to which class grows the most produce, and which cultivates the land to the greater advantage, Mr. Druce said—

> "In my opinion these questions must be answered in favour of the large farmers. From my observations, I cannot give any other answer. . . . On no large farm, on no moderate-sized farm did I see land so foul and so poorly cultivated as are some of the small occupations. As a rule, the lands in the occupation of the large farmers were well drained and well cared for; but, on the lands of the small owners, I saw the water standing in the furrows, no trenches cut to let it off, the ditches full of weeds, choking up the outfalls, and reeds and other plants in many places growing in the furrows among the corn."

A vast number of circulars were sent out by Mr. Druce asking for information with regard to the condition of these men; and of the answers he said—

> "These answers were, with one exception only, to the effect that in the districts where peasant proprietors existed they were less prosperous than tenant farmers."

Although it was most desirable that this important subject should be discussed in the House of Commons, yet he (Mr. Chaplin) must say he could not conceive what there was in the condition of peasant proprietors in this country to give satisfaction, or to produce the desire to make peasant farming general. He had conversed with many of them and inspected their farms; and, as the result of a long and intimate personal acquaintance with them, he was reluctantly obliged to confess that he was convinced that their position was one of hardship, toil, trial, and trouble, which he very much regretted to see, and which he could not conscientiously endeavour to impose upon a larger part of the population. His opinion was that the proposition of the hon. Member was radically unsound, as well as economically mischievous, and founded upon information which he believed to be entirely erroneous.

MR. D. DAVIES said, that he agreed so far with the hon. Member for Ipswich (Mr. Jesse Collings), that he considered it to be the true interest of every landlord to make the land as free as possible, to place no impediments in the way of its division, or else the people would divide it for themselves. However, as to tenants buying their holdings, and paying interest to the Government or local authority on the purchase money at the rate of 5 per cent, when land at present only yielded 2½ per cent, it was simply nonsense; the agricultural community would be bankrupt in a few years. If his tenants were to pay him 5 per cent, what would become of them? He (Mr. D. Davies) knew something of the matter, and he could say that the men who lived on their own farms in Wales were not fit to be in the same parish with those who were tenants; the owners were the worst farmers in the country. A discouraging element in the case was the eagerness there was to sell farms, either on the part of widows, or on that of elderly people, who wished to divide their property among their children. He was pestered with letters from people who were anxious to sell, for those reasons. If the hon. Member for Ipswich would spend a week with him, he would take him to scores of such farms. He should like to see some such scheme as that of the hon. Member carried out; but it seemed to him to be a hopeless one, for he could not see that it was of any use spending 30*s*. on the land in order to realize 20*s*., and yet that was all it amounted to. He had in his employ 4,000 men, most of whom had left the land, and they would not go back to it for the wages they could earn upon it. Millions of money could be spent by landlords in building proper houses for their men; but it was useless to try and tempt them from the towns unless you offered them a greater inducement than 8*s*. a-week. There was another remark of the hon. Member which was most absurd. He wanted good buildings erected on farms of £50 a-year. If he would try it himself for two years or so, and spend £50,000 or £60,000 of his own money on them, on land which would not pay for the expense, it would soon cure him. If he would only try it, he would very soon change his story. All these statements about the grand crops turned out were all theory. The poor lands were going out of cultivation, because labourers could not be got at a low enough rate of wages to work them at a profit. These poor lands might be drained and made to grow a little grass; but that was all they were good for. On the other hand, good land was worth as much now as ever it was. Then, again, speaking from his own experience, when people had their farms, they wanted to sell them, and that was the most discouraging thing of all. In short, the hon. Member's Motion was simply ridiculous, and he (Mr. D. Davies) hoped he would trouble his brains with something better than what he was doing by this Resolution. He regarded the remarks of the hon. Member as mere theory, the result of a want of practical acquaintanceship with the subject, and he looked upon the whole scheme as rubbish and nonsense, ridiculous and absurd.

MR. BROADHURST said, he thought the task of enticing men receiving good wages in town to work in the country on clay land was hopeless enough; but it was not the well-employed artizan class whom the hon. Member for Ipswich (Mr. Jesse Collings) referred to. He referred to those poor creatures who were perpetually flocking into the towns from the country, and who lived in a chronic state of poverty, and were a constant source of danger to the State. With regard to the farms mentioned, he not only desired to see an increase in the number of small farms, but there was also room in this country for a great number of small holdings with large gardens, from a quarter of an acre to those of four or five acres; and he would rather see an increase in the number of these holdings than an increase in the number of farms of 160 acres. Upwards of £11,000,000 or £12,000,000 worth of fruit and vegetables was imported every year into this country from abroad; and it was in order that a portion, or the whole, of that enormous quantity of daily food might be supplied in England, which he maintained could be very easily done, that he wished to see small holdings created in the country. He was not a landowner, and, therefore, could not speak on the subject with the authority of the hon. Members for Mid Lincolnshire (Mr. Chaplin) and Cardiganshire (Mr. D. Davies); but he had had some experience of small allotment holdings, and with the care and labour that, as a rule, were devoted to them they were made remarkably productive and successful. He was himself the youngest of a family of 13 or 14 children; and, when a boy, the yearly averaging wages of his father never exceeded 18*s*. a-week. But adjoining their house, and attached to it, was a quarter of an acre of garden land, the produce of which was of material importance in the maintenance of so large a family. There was no week in the year in which something could not be gathered from that garden that could be turned into money, in addition to supplying the whole wants of the family. What he wanted to point out was that, having himself derived the benefit of that small holding, he was anxious that equal benefits should be extended to his fellow-countrymen. They would never get the same proportion of production out of a 50 or 100 acre holding as from a small holding, cultivated by the man who owned it, simply because it was not in the nature of things that a man would give the same care and attention to the work of cultivation that he would do if he was immediately interested in the results of it as owner. It was on those grounds that he supported the Motion of the hon. Member for Ipswich, which was a very reasonable and highly Conservative proposal, affecting, to a large extent, the welfare of the whole community. He fully concurred in the opinion of his hon. Friend that, unless something was done in the direction of this very modest proposal, there would be set on foot a movement in favour of the adoption of far more radical measures than any now submitted to the consideration of Parliament. There was no denying the fact that Mr. Henry George's book had made a great and lasting impression upon the minds of English working-men readers, who were anxious to secure a larger share in the wealth which their labour created, and they desired to accomplish their object not by force or robbery, but by fair and just means. There was no more true or more lasting Conservative proposal than that those who were possessed of vast landed estates should seek to create as many small holdings as they could; because then, when the great storm reached this country, if ever it did come, the upper classes would find themselves backed by a great army of sturdy, honest, well-to-do, and well-disposed citizens, who would be equally interested with themselves in the defence of that which was called property, and law, and order. He asked the Government to give their earnest attention to this subject, and, at some early date, to do their utmost to give effect to the views which had been so ably put forward by the hon. Member for Ipswich. Where the allotment system had been fully tried and carried out, it had been invariably attended with a successful result, and with the greatest benefit to those participating; and if the Labourers' Friend Society, which came into existence about 50 years ago, and adopted that system, had continued to exist, the labouring classes would be the most contented to be found in England; but, notwithstanding its great success, it fell to pieces because its management was in the hands of members of a particular religious Body in whom the agricultural labourers had no confidence. He saw no reason why what was done 50 years ago should not be done now. Had that system been continued, the country would have been more prosperous and contented that it was at the present time.

MR. BIDDELL said, he regarded with great satisfaction the fact that the hon. Member for Ipswich (Mr. Jesse Collings) had brought this subject under the notice of the House. The reason why the inhabitants of the rural districts flowed into the towns was, because their labour was no longer profitable to those who employed them. He denied they were in that starving condition described by the hon. Gentleman opposite. On the contrary, their condition had greatly improved. They were now better housed; indeed, there were many indications that they were better off than they were. They were certainly better clothed than they used to be; and, from his own experience, he knew that the cost of agricultural labour had risen 40 per cent. The persons who wanted the sympathy of the House were the corn growers, whose market had been ruined by a policy, the effects of which were now being felt in Birmingham itself. When he walked through that town and saw shop after shop closed, and those very articles which Birmingham once shone in coming from America, he thought that there they must feel there was something in affording Protection to native industry. It was absurd to suggest that there was any monopoly in land; there was plenty of land in the public market, and far more in the private market, for anyone who would buy it. The hon. Member might extend his charity to those who were nearer home. Thousands of families in London and other large towns lived each in one room. Labourers in the country were far better off than in the towns, and many in his (Mr. Biddell's) own employment, after going to a town, had returned and asked to be taken back into their old positions. He should be glad, although he had very little confidence in the matter, to see a larger number of peasant proprietors; but with regard to advancing State money for the purchase of the land, he doubted whether any of it would come back, or whether it would very much benefit those for whose benefit it was intended.

MR. ARTHUR ARNOLD said, he thought the Motion was one which ought to be supported.

Mr. STORER rose to address the House, when——

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, 23rd *July*, 1883.

MINUTES.]—Public Bills—*Second Reading* — Summary Jurisdiction (Repeal, &c.)* (153).

Committee — *Report* — Poor Relief (Ireland)* (140).

Third Reading — Factories and Workshops Amendment * (113), and *passed*.

SUEZ (SECOND) CANAL—THE PROVISIONAL AGREEMENT WITH M. DE LESSEPS.

QUESTION.

The Marquess of SALISBURY: My Lords, seeing the noble Earl the Secretary of State for Foreign Affairs in his place, I wish to ask him, Whether the Government have come to any decision as to the course which they intend to adopt in respect to the Suez Canal; and, if so, whether it will be convenient to the noble Earl to state it to the House?

Earl GRANVILLE: My Lords, in reply to this Question, which I am not at all surprised the noble Marquess has put to me, I may say that I had an opportunity last week of making a short statement in answer to a Question in reference to the proposed arrangement. On reflection, I am not aware that there is anything that I said then, or which was said by my noble and learned Friend on the Woolsack, which, on my own behalf or on behalf of my Colleagues, I should wish to retract or withdraw from. Indeed, I think I could say a good deal to strengthen some of the arguments I used then, and more especially with regard to the obligation which, it appears to me, falls upon this country to consider, from reasons of justice, policy, and feeling, any claims possessed by the Suez Canal Company, and by the great nation which it represents, and which is a neighbour to ourselves. I believe this is the feeling of all your Lordships; and I think it is better that I should merely state the course Her Majesty's Government mean to pursue, instead of going into any unnecessary discussion. Your Lordships will readily understand that Her Majesty's Government were placed in a position of considerable difficulty last week. They proposed and announced a plan, after very long negotiation, which appeared to them the best, under the circumstances, that could be arrived at. That plan was received, I need scarcely tell your Lordships, with very general disapprobation. I think we have somewhat to blame ourselves for not having presented Papers and given fuller explanation at the time the plan was proposed, for it is quite evident to me that very considerable change of opinion has taken place. There is, however, opposition on the part of nearly, but not exclusively, all the great Bodies who represent commerce and navigation; and, besides that, the position has been further complicated by the opposition, not only of the Home Rule and the Fourth Party, but also of the great Conservative Party. Under these circumstances, Her Majesty's Government thought it was only courteous to send over one of the English Directors to communicate with M. de Lesseps—not with any view of proposing any fresh negotiations, but to ascertain his views on the subject. The result of this negotiation, as received from Sir C. Rivers Wilson, is to the following effect:—

"London, July 21, 1883.

"My Lord,—Upon communication to the MM. de Lesseps of the object of my coming to Paris, they stated in the most friendly terms that they thoroughly understood the situation, and that, so far as they were concerned, they regarded us as in no way bound under the existing circumstances to press the Agreement on Parliament.

"There were, however, two parts of it, the spontaneous adoption of which, notwithstanding the abandonment of the Agreement (if such should be decided upon), they announced their determination to propose to their shareholders.

"In the first place, immediate measures would be taken so that the second Canal during the greater part of its length might be rapidly constructed within the limits of the land already conceded, although they might at the proper time have to apply to the Egyptian Government for additional ground where the present width was insufficient.

"Secondly, the proposed reduction of dues *pari passu* with the increased profits would be maintained.

"As to all the other arrangements contemplated in the Agreement, both sides would be free.

"Her Majesty's Government would be thus under no obligation to use their good offices to obtain for the Company the extension of the Concession beyond 1968, or any other privileges.

"The capital required for the second Canal would be raised as the Company might determine, either by the issue *pro rata* of more shares, in which operation England would have the option of subscribing in respect of her 176,602 shares, or by way of debentures, with the like option.

"It is my duty to observe that the former course would have the obvious effect of retarding the fall in the rate of dues.

"The conversations with the MM. de Lesseps, like those which we had on former occasions, were of a confidential character, and I am, therefore, only able in this despatch to report their result.

"I conveyed to M. de Lesseps the appreciation by Her Majesty's Government of his straightforward and friendly spirit during the negotiations, an assurance which he cordially reciprocated.

"I have, &c.,

(Signed) "C. RIVERS WILSON."

Now, my Lords, this was the position in which we found ourselves. We considered that, although MM. de Lesseps would have had no right whatever to complain if Parliament had rejected the Agreement we have made, yet that they had claims upon Her Majesty's Government to take Parliamentary opinion before abandoning it; and we would not have consented to waive that application to Parliament if M. de Lesseps had chosen to hold us to our bargain. But your Lordships will see that the position is very different when we are left to take free action. Your Lordships will remember the time of the year in which we find ourselves. You are aware that there are a large number of orthodox Notices on the Paper, and you are aware of the difficulty that would exist in passing this scheme if it were seriously opposed. Your Lordships have also to remember the very great probability, in the long debates on such a question as this, of other irritating topics being introduced and other questions being raised, which I think might be very offensive, not only to France, but to other nations. I think it also clear that on a matter of this sort—a commercial matter of great difficulty, complicated with political elements, as it has been in the manner that I have described—it is very desirable that it should not be attempted to be forced through Parliament unless there were a more or less general approval of it. Under these circumstances, I hope your Lordships will admit that the Government have not been ill-advised in coming to this decision, and in stating that it is not their intention to ask Parliament to assent to the Agreement.

THE MARQUESS OF SALISBURY: My Lords, I cannot but congratulate the noble Earl on the wisdom of the course he invites us to pursue. I am sure the news will be received with a feeling of relief, in all centres where the commercial and shipping interest is strong, that this disastrous scheme has been abandoned, and that England has abstained from raising up a barrier to her own commercial progress, which might, under the proposed Agreement, have extended to the term of a century. My Lords, I presume the noble Earl will lay on the Table some Papers with reference to this scheme—[Earl GRANVILLE: Hear, hear!]—and its abandonment. No doubt those Papers, when laid before us, will throw light on many dark places in the negotiations which have passed. Still, there are some things with respect to which I confess I should like to have heard a fuller explanation from the noble Earl. He says that M. de Lesseps proposes to cut a new Canal without the assistance, or, as I understand it, the sanction and countenance of the English Government; but to do that he must take Egyptian soil. He must take some land which has been conceded to him for other purposes, and which, if I mistake not, he is precluded by the tenour of the existing Instruments from using, except for the purposes named in it. For that object he must obtain the consent of the Egyptian Government, and the consent of the Egyptian Government, in the view of most persons, under existing circumstances, will be held to pre-suppose the consent of the English Government. I shall be glad to know if the noble Earl has formed any conception in his own mind of the terms upon which that consent will be given? Shall we be prepared to give M. de Lesseps another Canal without taking any security that the passage of British commerce will be more free, the administration more impartial, and the facilities offered more complete than they are now? Shall we accept such bad terms as those which have driven the shipping interest to so marked a demonstration of dissatisfaction at the present time? Again, I feel it will be necessary for us, after this strange history, to press the noble Earl rather more earnestly to be frank with us as to the intentions of Her Majesty's Government with respect to Egypt. Now that such doctrines have been advanced with respect to the power of piercing the Canal, such difficulties have been raised up to the future development of British commerce in that direction that the power which England holds on the Isthmus at this moment becomes to us an object of greater interest and significance. And the precise intentions of Her Majesty's Government with respect to the occupation of Egypt will become a matter on which, I think, Parliament will require to be informed before it separates. Those six months which Lord Hartington said would see the end of the British occupation are now nearly expired—we are in the sixth month. I presume that by this time the Government have come to some resolution as to the course they intend to pursue. Again, I should like to know precisely how all this history leaves the alleged and assumed right of monopoly of M. de Lesseps and his Company? I quite agree with the noble Earl that we ought to treat the Company with all good feeling and equity; but I do not agree with him in the reason he gave for that opinion. He spoke as if the Company was in some sort a representative of France. I cannot admit that doctrine for a single moment. It is a private Company, and nothing more—a private Company in which England is nearly as large a shareholder as France. But, of course, it is entitled, like every other Company, to just, equitable, and considerate treatment. But, hitherto, Her Majesty's Government have entertained what has seemed to me a strange idea—namely, that that considerate treatment involved the necessity of a recognition of monopoly, not justified certainly on the surface of the Instruments we possess, not assigned by any unanimity of legal opinion, refused to them by many distinguished authorities, and obviously inconsistent with the first interests of this country. I hope, now that this scheme has been abandoned, all that has happened in connection with the scheme is abandoned too; that we are to take the whole incident as not having occurred; that all those gravely imprudent admissions which were made in the House of Commons are to be banished from our recollection as if they were a dream; that nothing which has been said, either here or elsewhere, implies an admission of a monopoly which this country, by the authorized channels for the expression of its will, has never yet sanctioned; and that the admission of that monopoly shall not be held to have been established by the unfortunate expressions of certain Ministers of the Crown, especially as they themselves have said that those expressions were only drawn from them by the exigencies of debate. My Lords, these are important questions. I do not know whether the noble Earl will spontaneously give us any further information as to the intentions of Her Majesty's Government in this respect. At all events, when we see the Papers, and have fuller means of considering the history and incidents of this almost unexampled diplomatic transaction, we shall be able to judge how far it is our duty to take further measures for ascertaining, it may be, the views of Parliament, or of Her Majesty's Government, in respect to the interests of England, which appear, in this instance, to have been so severely compromised.

SUMMARY JURISDICTION REPEAL BILL.—(No. 153.)

(*The Lord Chancellor.*)

SECOND READING.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

The Earl of MILLTOWN complained of the rapidity with which this Bill was being hurried through the House. It was only introduced a few days since, and appeared to be a most important measure, as it proposed to repeal no less than 137 modern Acts of Parliament. He hoped the Motion for the second reading would not be persevered with.

The LORD CHANCELLOR said, inasmuch as the Bill dealt with such a number of Acts of Parliament, and as the noble Earl desired to look into details, he would not ask their Lordships to go into Committee on it for a week or 10 days. With regard to the principle, the Bill was one of a series, some of which had already been passed, which had for their object the repeal of obsolete Acts of Parliament. The Acts it was now proposed to repeal had been carefully considered by the gentlemen who had drawn the Bill, and the questions raised by them during its preparation had been considered by himself, either alone or with the assistance of other Judges. He hoped their Lordships would assent to the second reading.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the *2nd of August* next.

FACTORIES AND WORKSHOPS AMENDMENT BILL.—(No. 113.)

(*The Earl Granville.*)

THIRD READING.

Bill read 3ª (according to Order).

On Question, "That the Bill do pass?"

THE EARL OF WEMYSS proposed to add to Sub-section 3 of Clause 7, as an Amendment, the following Proviso :—

> "Provided always, that this sub-section shall not apply to adult males employed in white-lead factories."

The noble Earl remarked, that this Amendment raised a question which caused considerable discussion when the Bill was in Committee—namely, whether the provisions of the Bill should extend to adult labour—and on that occasion an attack was made upon an Association with which he was connected —the Property and Liberty Defence Association. That Association was not of a Party character, and it had been formed because the legislation of the last few years had given rise to the notion that it was necessary that something should be done to safeguard individual liberty, and protect property from confiscation. This Bill was promoted for a sanitary purpose to render a very noxious trade less hurtful to those who engaged in it. Nothing could be further from the intention of the Association to which he had referred than to countenance the doctrine that the public health was not a proper subject for the State to legislate upon. There were many cases in which the State ought to interfere, such as where a person was carrying on a trade which was a nuisance to the whole neighbourhood. In such cases the State proceeded upon the principle that no man was entitled, in his pursuit of gain, to endanger the lives of his fellows. These were legitimate cases for the interference of the State, provided the State could interfere effectively. The recent Mines Regulation Act and Mr. Plimsoll's Merchant Shipping Act were instances in which the State had interfered, though those Acts had not met with the success that had been anticipated. So much for the general question. He would now address himself to the particular point to which he wished to call the attention of their Lordships, and which was altogether an individual matter, involving, not the general subject of the public health, but the conduct of each particular workman. Looking at it in that point of view, he should say it was the first Bill ever introduced into Parliament which prescribed how a man should be dressed, what kind of boots he should wear, how he was to wash and brush himself, and what beverage he should drink. All that was perfectly novel and lay outside the scope of legislation. The noble and learned Lord sitting on the third Bench opposite (Lord Bramwell) justified the proposal, not on the ground of the workman's health, but in order to prevent his coming upon the rates, when the rateyayers would have to pay for his care and nursing. If that argument were to be followed, it would be necessary to have an Inspector to look after the workman night and day to see that he did not do anything which might lead to his being thrown upon the rates. In fact, if the Bill passed in its present shape the state of things would be this— that a full-grown English workman would be subject to be examined as to his dress, his habits, and his drink. Nay, more; the Bill provided that the Secretary of State might make special rules, which were to be complied with with the same amount of obedience as were the requirements of the Schedule. Whoever did not act up to these requirements and special rules would at once become a criminal, liable to be called upon to pay a fine of £2, or else be sent to prison. It should be noted that by a disregard of the rules in the Bill a workman could only jeopardize his own health, and could in no way harm that of the community. If the programme shadowed forth by a Cabinet Minister, who hailed from Birmingham, and who appeared to ride roughshod over his Colleagues and everybody else—if that programme were realized, and the working men had complete control over the situation, they would certainly never assent to such provisions as were contained in the present measure; and on those grounds he submitted his Amendment for the acceptance of the House.

Amendment *moved,*

At end of Clause 7 to add ("Provided always, that Sub-section (3) shall not apply to adult males employed in white-lead factories.")—(*The Earl of Wemyss.*)

Earl GRANVILLE said, he did not wish, in the slightest degree, to wring the noble Earl's withers, and he wished him every possible success in establishing on a firmer basis than they had managed to do in this country the principles of liberty and the rights of property. At the same time, there were noble Lords in whose efforts in the cause of liberty he had more confidence than in those of his noble Friend on the Cross Benches. There were clearly cases in which it was within the province of the State to prevent a man from becoming, not only a burden to himself, but a burden to others; and, in his opinion, the case with which the Bill dealt was one of them. That the proposed regulations were necessary was proved in many ways. He had received a copy of the finding of a Coroner's Jury in the case of a woman whose death was ascribed to the result of a neglect of such regulations as the Bill would enforce. The regulations to which the noble Earl objected were observed in all the best white lead factories already; and the Home Office authorities had sent a copy of the Bill to every employer engaged in the particular trade to which it referred, and not one objection had been made to it. It would be a great evil to encourage the burden to the poor rates caused by the persons disabled in white lead factories, owing to the absence of these essential yet simple precautions. The noble Earl's Amendment, he might remark, did not extend to women, who, if they were convicted of failing to observe the provisions of the Act, would still be liable to a penalty. He trusted their Lordships would not sanction the Amendment.

On Question? Their Lordships *divided:*—Contents 11; Non-Contents 36: Majority 25.

Resolved in the *negative.*

The Earl of Wemyss

The Earl of CAMPERDOWN moved an Amendment which, he said, would be of some importance in its bearing upon Scotland as regarded the employment of children. Under the Act of 1878 children were employed in the morning or the afternoon set, and the time was regulated by the dinner hour, which in England practically came to 1 o'clock. Now, in Scotland, there were certain factories where the dinner hour was 2 or 3 o'clock; therefore, the compulsory division of the day in the manner now prescribed had been found to be attended with some inconvenience. He proposed that the division in the cases he had alluded to should be made at 1 o'clock.

Moved, in page 4, after Clause 14, to insert as a new clause—

(Amendment as to period of employment of children in certain cases.)

"Notwithstanding anything in section twelve or section fourteen of The Factory and Workshop Act, 1878, the period of employment for a child in an afternoon set in a factory or workshop, where the dinner-time does not begin before two o'clock in the afternoon, may begin at noon; provided that in such case the period of employment in the morning set shall end at noon."—(*The Earl of Camperdown.*)

Clause *agreed to.*

The Earl of PEMBROKE moved, in Clause 15, to insert words which would enable the local authorities or an Inspector, by express permission, to license a workshop underground. He said that a well-ventilated place underground might be better than a stuffy little shop above ground. The Amendment was perfectly harmless, because there was nothing in the Bill to compel either the local authorities or the Inspector to grant a licence.

Amendment *moved,* Clause 15, page 4, line 21, after ("lawful") insert ("without the express permission of the local authority of the district or an inspector.")—(*The Earl of Pembroke.*)

Earl GRANVILLE said, the Government could not agree to the Amendment. He thought that the matter ought to be decided in one way. It was not desirable to leave it to the local authorities, who might give different decisions.

The Earl of WEMYSS supported the Amendment.

Earl FORTESCUE observed, that when they found so much inconsistency in high quarters on the subject of the Contagious Diseases Acts, they need not be very much alarmed at the notion of a few local authorities coming to different decisions as to the exact description of places to be sanctioned.

The Earl of MILLTOWN said, that no answer had been given to the argument of his noble Friend that a well-ventilated place below ground might be better than a stuffy little shop above ground.

The Earl of PEMBROKE said, that he was willing to strike out "the local authority" from his Amendment, and to confine the power of sanctioning the places in question to the Inspector.

On Question? Their Lordships *divided:*—Contents 18; Not-Contents 28: Majority 10.

CONTENTS.

Cowper, E.
Devon, E.
Fortescue, E.
Milltown, E.
Pembroke and Montgomery, E. [*Teller.*]
Radnor, E.
Redesdale, E.
Sandwich, E.

Lifford, V.

Bramwell, L.
Forester, L.
Hopetoun, L. (*E. Hopetoun.*) [*Teller.*]
Leconfield, L.
Lyveden, L.
Somerton, L. (*E. Normanton.*)
Stanley of Alderley, L.
Tredegar, L.
Wemyss, L. (*E. Wemyss.*)

NOT-CONTENTS.

Selborne, E. (*L. Chancellor.*)

Bedford, D.
Grafton, D.
Westminster, D.

Derby, E.
Ducie, E.
Granville, E.
Kimberley, E.
Morley, E.
Northbrook, E.
Saint Germans, E.
Shaftesbury, E.

Sherbrooke, V.

Aberdare, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Breadalbane, L. (*E. Breadalbane.*)
Carlingford, L.
Carrington, L.
Hatherton, L.
Hothfield, L.
Howth, L. (*E. Howth.*)
Leigh, L.
Monson, L. [*Teller.*]
Mostyn, L.
Ribblesdale, L.
Robartes, L.
Thurlow, L.
Wrottesley, L.

Resolved in the *negative.*

POOR RELIEF (IRELAND) BILL.

(*The Lord President.*)

(no. 140.) committee.

House in Committee (according to Order).

The Earl of MILLTOWN asked what the objects of the Bill were? He could not understand it.

Lord CARLINGFORD (Lord President of the Council) explained that some Unions in the West of Ireland, for the purpose of relieving distress, exceeded their legal borrowing powers with the permission of the Government; and the clauses to which the noble Earl referred were for the purpose of giving them a legal indemnity.

Bill *reported,* without Amendment; and to be read 3ª *To-morrow.*

House adjourned at half-past Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 23rd July, 1883.

MINUTES.]—Public Bills—*Resolution in Committee—Ordered—First Reading*—Revenue and Friendly Societies * [269].

Ordered—First Reading—Isle of Wight Highways * [268].

First Reading—Supreme Court of Judicature (Funds, &c.) * [270]; Pawnbrokers * [271].

Second Reading—Consolidated Fund (No. 4) *; Post Office (Protection) [266].

Committee—Agricultural Holdings (England) * [186] [*Fifth Night*]—r.p.; Greenwich Hospital [253]—r.p.

Considered as amended—Statute of Frauds Amendment * [204].

Considered as amended—Third Reading—Irish Reproductive Loan Fund Act (1874) Amendment [39], and *passed.*

QUESTIONS.

COMMISSIONERS OF IRISH LIGHTS—TORY ISLAND LIGHTHOUSE.

Mr. BERESFORD (for Colonel King-Harman) asked the President of the Board of Trade, Whether the improvements of Tory Island Lighthouse, for which the Commissioners of Irish Lights obtained the statutory sanction of the Board of Trade, and which were postponed pending the result of the investigations of the Illuminants Committee, may now be proceeded with, inasmuch as the Illuminants Committee has been dissolved?

Mr. CHAMBERLAIN: The Board of Trade have not yet given their statutory sanction to the proposed alterations at Tory Island Lighthouse, the consideration of the subject having been postponed at the beginning of the year pending the result of the then projected inquiry. On January 25 last the Commissioners of Irish Lights were asked for a Report on certain points connected with their proposed alterations. This Report has not yet been received; but as soon as I receive it I will take care that it shall have prompt and careful consideration.

TRAMWAYS (IRELAND)—INTEREST ON LOANS—THE TREASURY MINUTE.

Mr. GIBSON asked the Financial Secretary to the Treasury, Whether the recent Treasury Minute changing the rate of interest for loans to Railway Companies in Ireland applies to loans for steam tramways or electric tramways in that country; and, if not, whether steps will be taken to extend it to those cases?

Mr. COURTNEY: I have already informed the House that the two tramway loans already made will be treated in the same way as existing tramway loans.

INCOME AND EXPENDITURE—FINANCE ACCOUNTS FOR 1882-3.

Mr. J. G. HUBBARD asked the Financial Secretary to the Treasury, When the Finance Accounts for 1882-3 will be published; when the three Returns of Public Income Expenditure Analyzed, of the National Debt on 31st March last, and of National Debt Reduction in 1882-3, ordered on 4th May, will be published; and, whether the Analyzed Account of Public Revenue and Expenditure, now to be issued for the seventh time, could not advantageously appear in the annual volume of Finance Accounts?

Mr. COURTNEY: The Finance Accounts are complete in type, and are undergoing the final revision. They will be ready for issue in a few days. The two Returns relating to the National Debt will be ready early in the week. That relating to Income and Expenditure depends upon the Finance Accounts, and will be completed as soon as the revision of them is finished. The "Analyzed Account of Income and Expenditure" is a Return for the form of which the Government is not responsible, and I see no sufficient reason for adding it to the Government Accounts.

PRISONS (IRELAND)—EXTRA ALLOWANCES TO PRISON SURGEONS.

Mr. GIBSON asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has yet inquired into the particulars of the interview between Dr. Carte, and the Right honourable member for Bradford (when Chief Secretary), and the late T. H. Burke, relative to compensating the Irish prison surgeons for extra duties actually cast upon them under the Protection of Person and Property Act (Ireland); and, if so, what has been the result?

Mr. TREVELYAN: I have made inquiry of my right hon. Friend the Member for Bradford (Mr. W. E. Forster), who informs me that he does not recollect any special interview with Dr. Carte in the presence of the late Mr. Burke. He states, however, that he thinks it likely that he said that if any such claim were sent to him he would press it upon the favourable consideration of the Treasury.

Mr. GIBSON asked whether Dr. Carte's account of the interview would be accepted if the right hon. Member for Bradford had doubts upon the subject?

Mr. TREVELYAN said, that the admission of any special claim by Dr. Carte would be made upon a principle which would open up a very large number of cases; and he should require a very specific assurance from his right hon. Friend the Member for Bradford before he could assent to such a claim.

THE SUEZ CANAL.

Mr. SPEAKER having called upon Mr. Carbutt, who had given Notice to ask Mr. Chancellor of the Exchequer, Whether he can state the number of British ships or British tonnage going through the Suez Canal in ballast; and, whether the reduction of 2½ francs per ton on ships in ballast will apply to ships carrying coal, that is to say, will the Suez Canal Company allow ships, under the new arrangement, to ballast with coal?

Mr. GLADSTONE said: I would suggest to hon. Members who have Questions on the Paper relating to the details of the Suez Canal arrangements that it would probably be to their convenience, and to the convenience of the House, if they postponed all these Questions until I have had an opportunity of making the statement which I wish to make to the House.

EMIGRATION—EMIGRANTS AT QUEENSTOWN.

MR. MOORE asked the President of the Board of Trade, Whether his attention has been called to the absence of proper shelter or accommodation for emigrants at Queenstown whilst undergoing medical inspection, and the hardships to which they are exposed from the severity of the weather, being sometimes compelled to stand the whole time exposed to rain and cold, and being often wet through, particularly in the winter months, before embarking; and, whether he can take any steps to remedy this state of things?

MR. CHAMBERLAIN: I have communicated with the Board of Trade officials at Queenstown, and have received the following particulars with respect to the accommodation provided by the Shipping Companies at Queenstown for the convenience of emigrants. I am told that the representatives of the White Star, Guion, and Allan lines have well-sheltered accommodation for over 1,000 persons, with good sanitary arrangements, the distance from the place where the emigrants are medically inspected to the tender being but a few yards. The Inman Company's premises are also commodious, sheltered, and provided with all necessary sanitary appliances; and I am further told that the same remarks apply in all respects to the accommodation provided by the other Shipping Companies at Queenstown.

CONTAGIOUS DISEASES (ANIMALS) ACT, 1878—VETERINARY INSPECTION (IRELAND).

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, What qualification does Commander Stratford Turtle, R.N., possess entitling him to act as travelling veterinary inspector for the Irish Privy Council, under "The Contagious Diseases (Animals) Act, 1878?"

MR. TREVELYAN: I presume the hon. Member intends his Question to refer to Captain Tuke, R.N., as there is no officer named Turtle employed under the Irish Privy Council. Captain Tuke is not a Veterinary Inspector, but a Travelling Inspector, whose principal duties are to visit cattle-exporting ports and railway stations and inspect cattle-carrying ships, trucks, &c., for the purpose of seeing that the requirements of the Act and Orders in Council as to cleansing and disinfection are carried out. These duties do not require special veterinary knowledge, and they are performed very satisfactorily by Captain Tuke. Similar appointments are held in England by naval officers.

THE MAGISTRACY (IRELAND)—COLONEL CONNELLY, V.C., A RESIDENT MAGISTRATE.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If the Colonel Connelly, V.C. who has been appointed resident magistrate for Derryborough, is the same official who was recently retired from the Dublin Metropolitan Police; if so, what his salary will be as resident magistrate; whether he will still be paid the full amount of his Police pension; if so, will he state whether there is a Civil Service rule prohibiting such an arrangement; and, can he give the entire emoluments which Colonel Connelly will now draw?

MR. TREVELYAN: Colonel Connelly lately held the office of Assistant Commissioner of the Dublin Metropolitan Police, which office has been abolished. He has now been appointed a Resident Magistrate, and stationed at Derry. His salary as such will be that provided by Parliament for a newly-appointed magistrate—namely, £425, with allowances amounting to £108 per annum. He will be paid a pension for his police service. There is no Civil Service rule prohibiting such an arrangement, provided that the pension and the salary of the new office do not together exceed the salary of the old office. Colonel Connelly's present emoluments are his salary, as above stated, and his police pension of £175 per annum.

MR. HEALY: Can the right hon. Gentleman say why Colonel Connelly was obliged to retire; whether it was not because he was considered unfit for the post; and, if so, why it is thought necessary to give this gentleman further employment when he was unfitted for his former office?

Mr. TREVELYAN: The office was abolished.

Mr. HEALY: Will the right hon. Gentleman say whether it was abolished in order to get rid of Colonel Connelly?

Mr. TREVELYAN: Such things have been done; but it certainly was not done in this case. The number of Dublin Police is such that they can be quite adequately commanded by one Commissioner.

IRELAND—DESTITUTION IN DONEGAL.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a communication from Mr. Patrick Ward, of Burtonport, in the "Derry Journal" of July 13th, describing the destitution in the parish of Lower Templecrona, county Donegal, as so widespread that, in the distribution of 325 dollars of American charity confided to him, he was obliged to give orders for meal secretly to those nearest to starvation in order not to rouse the hunger of hundreds of other destitute persons to whom he had nothing to give; whether his attention has been called to Mr. Ward's statement that—

> "Notwithstanding every precaution I took to prevent the destitute, for whom there was nothing, from disappointment and fatigue in running after me looking for relief, my house was literally besieged the next morning by four o'clock, principally by widows and wives whose husbands had gone to Scotland a few days before" (in search of employment);

whether he is aware that the "Derry Journal" adds—

> "We have within our own knowledge one well-authenticated case of a poor woman feeding her starvelings for two days on boiled nettles, other food not being procurable;"

what amount of outdoor relief (if any) has been administered by the poor law authorities to the 400 families in this parish, whom the "Derry Journal" describes as—

> "Eking out a miserable subsistence by the aid of charity since Christmas last;"

and, whether, in view of the repeated impeachments of the official representations with respect to the distress in Donegal, he will direct an independent inquiry to be held into the character and treatment of the distress?

Mr. Healy

Mr. TREVELYAN: I have received Reports which leave no doubt that, although the parish referred to is a very poor one, these statements are greatly exaggerated. Most of the men of the parish have sought work elsewhere, and are earning wages. Some charitable relief was given by the priest; but there never was any appeal to the public, except for seed. Mr. Ward obtained some money from America, and distributed it in meal, and the Inspector of the Local Government Board states that he is quite sure that any distribution would bring applicants. He has heard of no authentic case of nettle-eating. Within the last three or four days he has been in conversation with those most likely to be well informed—the Medical and Relieving Officers, Poor Law Guardians resident in, or having business premises in, the parish, and the parish priest—and none of them now feel uneasy about the people. The out-door relief given in the parish is at about the rate of £2 5*s*. a-week. I see no sufficient reason to order any special inquiry.

ARMY (AUXILIARY FORCES)—MILITIA SURGEON E. R. CORBIN.

Mr. TOTTENHAM asked the Secretary of State for War, If he will state under what circumstances Surgeon E. R. Corbin was removed from the Militia force in the island of Guernsey on the 24th May last; whether his resignation, dated 21st May, was received by the Lieutenant Governor previous to the order being made for his removal; and, whether it is competent for the Lieutenant Governor of Guernsey to dismiss an officer summarily from the Militia without a Court Martial or the previous approval of the Secretary of State?

The Marquess of HARTINGTON: Surgeon Corbin was removed from the Guernsey Militia by the Lieutenant Governor for an act of insubordination committed on the 18th of May. The Lieutenant Governor did not receive Mr. Corbin's resignation, and he appears to have acted within his powers.

TREASURY—THE "CROWN'S NOMINEE ACCOUNT."

Sir HERBERT MAXWELL asked the Financial Secretary to the Treasury, Whether he will direct that in future the Parliamentary Paper styled the "Crown's Nominee Account," shall give, in an Appendix, the names, the addresses, and descriptions of the intestates; the amount of each estate; the particulars of estates finally disposed of since the passing of "The Treasury Solicitor Act, 1876;" and a list of estates awaiting distribution, with the amount in each case awaiting an unknown next of kin?

MR. COURTNEY: The hon. and gallant Baronet put a similar Question to my noble Predecessor (Lord Frederick Cavendish) in the spring of last year. I have looked into the subject again; and I entirely agree in the answer then given him, that it is unnecessary and inexpedient to publish the details which he seeks.

FOREIGN OFFICE—ACTION OF WITH REGARD TO PARCELS FROM THE UNITED STATES FOR MR. JAMES LINDSAY, GLASGOW.

MR. BIGGAR asked the Under Secretary of State for Foreign Affairs, Is it the case that the representatives of the British Foreign Office in America influenced the Express Company to refuse to forward parcels to Mr. James Lindsay, newsagent, Glasgow; and, if so, what was their reason for doing so?

LORD EDMOND FITZMAURICE: No, Sir; I am not aware that such is the case, and the Foreign Office has neither received any information nor issued any instructions upon the subject.

INDIA—THE MAHARAJAH DHULEEP SINGH.

GENERAL SIR GEORGE BALFOUR asked the Under Secretary of State for India, Whether it is true that Maharajah Dhuleep Singh is selling jewels for the purpose of raising £20,000 for the expenses of a proposed visit to India; and, whether the Government intend to interfere, or will leave the Maharajah to act on his own responsibility?

MR. MITCHELL HENRY: I should like to ask a Question on this subject. It is, Whether the Maharajah and his family have ever received the £45,000 a-year guaranteed to them by the Treaty of Lahore of 1849; or, whether the income of the Maharajah has been so diminished by the action of the British Government for many years past that he has not had a larger sum than £13,000 available, rendering it impossible for him to live in this country in a manner to which his position entitles him; and, whether the Government will give a debtor and creditor account of their financial dealings with the Maharajah under the Treaty of 1849?

MR. ONSLOW: I would also ask, Whether the Maharajah has given us any reasons for his visiting India at all; and under what stipulations the Government of India have placed him in regard to his journey?

MR. J. K. CROSS: Perhaps the two hon. Members will give the usual Notice of their Questions. In reply to my hon. and gallant Friend whose Question is on the Paper, I may say that I understand that the Maharajah is selling his jewels with the intention of proceeding to India. The matter is not one in which the Government can interfere; but it was intimated to the Maharajah last October by the Secretary of State that, in the event of his proceeding to India, it would be necessary for him to regulate his movements in conformity with the instructions he might receive from the Viceroy.

AFRICA (WEST COAST)—THE GABOON COLONY.

MR. WHITLEY asked the Under Secretary of State for Foreign Affairs, Whether it is true that Mr. Cohen, the British Consul for Angola and the South-West Coast of Africa, has not visited the Gaboon Colony for several years; if any report of the treatment which British commerce and British subjects are experiencing in the Colony has been rendered by that officer; and, whether Her Majesty's Government, in the present critical state of British interests on the Congo and in the Gaboon Colony, will provide the means and instruct Consul Cohen to periodically visit and report upon the condition of British interests and trade within the limits of his Consulate, in a manner similar to that adopted by Consul Hewett in the Bights of Benin and Biafra?

LORD EDMOND FITZMAURICE: The French Settlement of Gaboon is not within Mr. Cohen's district, and he has sent no Report on it. Mr. Cohen is Consul for Angola, and receives his *exequatur* from the Portuguese Government. The Native territory up to and comprising the mouths of the Congo, for which no *exequatur* is required, are in his district. A man-of-war is regularly stationed at Loanda, and is at Mr. Cohen's disposal to convey him periodically to places on the coast which he may wish to visit. He visited the Congo in April last.

POST OFFICE (CONTRACTS)—POSTAL SERVICE TO THE WEST INDIES.

LORD CLAUD HAMILTON asked the Postmaster General, When he intended calling for a continuance of the Postal Service to the West Indies, &c. at present conducted by the Royal Mail Steam Packet Company, whose contract expires on the 1st January 1885; and, whether ample time would be given to enable the Steamship Companies desirous of undertaking the service to make the necessary arrangements?

MR. FAWCETT: I can assure the noble Lord that the importance of giving time to tender for the West India Mail Service is fully recognized by the Government, and we hope to be in a position almost immediately to advertise for fresh tenders.

THE ROYAL IRISH CONSTABULARY—THE ARMY RESERVE MEN.

MR. BERESFORD (for Colonel KING-HARMAN) asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that an order has been issued stating that, although men belonging to the Army Reserve, who have been serving in the Auxiliary Constabulary Force, are eligible for re-engagement in the Royal Irish Constabulary, such men are not to be re-engaged as long as there are other candidates for vacancies in the Force; and, whether, as there are now a large number of candidates for admission into the Constabulary, this order is not tantamount to a dismissal of the men who joined the Force and rendered good service in difficult and dangerous times?

MR. TREVELYAN: The Inspector General is of opinion that, so long as there are plenty of other candidates, it is for the interest of the Constabulary Force as a general rule not to accept Army Reserve men for permanent service in it; but that in individual cases circumstances may justify exceptions being made. The officer who is responsible for recruiting has been so informed, and he is allowed to exercise his discretion in the cases which come before him. As to the latter part of the Question, it is certainly neither tantamount to dismissal nor the least injustice to discharge any of the temporary Auxiliary Force who are not further required. They were engaged upon the distinct understanding that they might at any time be discharged upon six months' notice. The limit of age for Constabulary recruits is 18 to 27 years.

IRELAND—INFLAMMATORY SPEECHES—MR. WILLIAM JOHNSTON, INSPECTOR OF FISHERIES.

MR. LABOUCHERE asked the Chief Secretary to the Lord Lieutenant of Irelend, Whether his attention has been called to the speech of Mr. William Johnston, on July 12th, at Lambeg, in which he is reported to have said—

> "Rather than see Home Rule and a Parnellite Parliament, we would line with our rifles every ditch from the Boyne to Belfast, and dare them to come on;"

whether this Mr. Johnston is an Inspector of Fisheries; and, in this position, drawing a salary from the Government; and, whether, if so, it is intended to call upon him to abstain from using such language, on pain of a dismissal from the Public Service?

MR. TREVELYAN: My attention has been called to the speech. I am quite clear that Mr. Johnston, who is an Inspector of Fisheries, and does receive a salary from the Government, ought not to have attended the demonstration. I have communicated with him on the subject, and have told him the view of the Government.

ARMY—THE ARMY HOSPITAL CORPS.

BARON HENRY DE WORMS asked the Secretary of State for War, Whether it is the fact that when a man of the Army Hospital Corps contracts an infectious or contagious disease, in consequence of his nursing patients suffering from such disease, he is deprived of his extra pay, and is made subject to hospital stoppages while he is being treated in hospital, though the disease has been contracted in the execution of his duty?

THE MARQUESS OF HARTINGTON: Men of the Army Hospital Corps are liable to stoppages under the circumstances named, on the general principles that special pay for duty cannot be issued except for the performance of the duty, and that all soldiers are liable to hospital stoppages unless in hospital on account of wounds received in action, or of illness contracted on a service with an Army in the field. The question of relieving men of the Army Hospital Corps from these stoppages in the case of illness contracted in the discharge of their duty has frequently been considered; but a difficulty has hitherto been felt in treating them differently from other corps in receipt of Departmental pay. I will undertake, however, to look further into the matter.

THE MERCANTILE MARINE FUND—ACCOUNTS FOR 1881-2.

MR. JAMES STEWART asked the President of the Board of Trade, Whether he is aware that the account of the Mercantile Marine Fund has not been laid before Parliament of a later date than 31st March 1881; and, whether it is not practicable to have this account rendered within three or four months of the end of each financial year?

MR. CHAMBERLAIN: The accounts for the year ending March 31, 1882, are in print, and will be laid before Parliament at once. Some questions were raised by the Controller and Auditor General, to whom these accounts have to be submitted, and these questions had to be settled before the accounts could be presented. I will make inquiry, and see whether steps cannot be taken to insure these accounts in future being laid upon the Table at an earlier date.

ARREARS OF RENT (IRELAND) ACT, 1882—APPEALS.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the appeals of three tenants (Patrick Hodnett, John Driscoll, and William Hodnett), which were heard by the County Court Judge at Bantry, county Cork, on the 9th of July, whose applications for the benefit of the Arrears' Act had been dismissed by the Investigator; whether this dismissal was because of the non-payment of the required year's rent before 30th November; whether, notwithstanding this, the tenants produced in the Appeal Court three receipts for the statutory year's rent, which made it appear under the hand of the landlord that such rent had been paid on the 30th November; whether, on being questioned by the judge as to the real date of such payment, the tenants declared that it had in fact been made within the past two months; whether the judge thereupon ordered the receipts to be impounded with a view to the landlord being prosecuted; whether the landlord in question is the collecter of general rates for the city of Dublin; whether the offence of antedating receipts to defraud the State under the Arrears' Act subjects the landlord to imprisonment and fine; whether the Government will cause a prosecution to be instituted against the landlord; and, whether, if the offender be a Government official, he will any longer be continued in the service of the Crown?

MR. TREVELYAN: I believe that the facts in reference to this matter are stated with substantial accuracy in the Question, except as to the fifth paragraph. The Judge did not refer to a prosecution; but he directed the Clerk of the Peace to send the receipts to the Land Commissioners, which he has done. The Land Commission is at present engaged in investigating the case, and the Government await the result of their inquiry. Meanwhile, it would be obviously improper to prejudge a matter which possibly may become the subject of legal investigation hereafter.

MR. HEALY asked whether the right hon. Gentleman's attention had been drawn to a letter of a somewhat peculiar character in *The Freeman's Journal* apparently impugning the accuracy of his statement?

MR. TREVELYAN: Yes. I saw the letter. It was rather difficult to understand; but, undoubtedly, in so far as it impugned the accuracy of the hon. Member's Question, it was inaccurate.

CRIME AND OUTRAGE (IRELAND)—ALLEGED OUTRAGE AT LONDONDERRY.

MR. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether within the past few weeks in Londonderry, at the eviction by the Irish Society of a tenant named Davis, the latter, in the presence of a member of the Constabulary force then on duty, and of a number of the citizens then assembled, charged an official of the Irish Society who was present with complicity in the outrage which took place on 17th March 1879, namely, the throwing through a glass roof into a crowded room an infernal machine which exploded, injuring seriously one girl, and less seriously several other persons; if he will state what steps, if any, the police have taken in reference to this accusation; whether any one has been arrested; and, whether inquiry under the Prevention of Crime Act, or otherwise, has been entered upon by the authorities; and, if not, whether, in consideration of the local excitement occasioned, an investigation will be directed?

Mr. TREVELYAN: I am informed that while a man named John Davis was being evicted from a house in Londonderry, the property of the Irish Society, he said to a man present, clerk to the Society's agent, that he was "the cause of the affair at Davis's Rooms and ought to be transported." When making these statements he was drunk and very much excited. On the following day he was visited by the police and questioned, when he stated that he had no recollection of what he had said, that he was sorry for it, and was ready to go before a magistrate and swear that he knew nothing whatever of the affair. An exhaustive inquiry was held shortly after the outrage occurred. Every witness who could throw light on the circumstances was examined; and it is not considered that any good would result from holding a further inquiry now.

INDIA (MYSORE)—GOLD MINING COMPANIES—CONCESSIONS TO BRITISH OFFICIALS, &c.

Mr. JUSTIN M'CARTHY asked the First Lord of the Treasury, Whether the Report of the Government of India on the connection of Madras officials with the promotion of Gold Mining Companies, promised by the Secretary of State for India early in April last, has yet been received; and, if not, whether he can state when the Report may be expected?

Mr. J. K. CROSS: On the 9th of April last I informed the hon. Gentleman that the Government of India would be directed to furnish a Report on the

"Whole question of the concessions granted in Mysore during the minority of the Maharajah, and of the connection of British officials therewith."

A despatch on the subject was sent on April 19; but no reply has yet been received, nor can I say when it may be expected.

SUPREME COURT OF JUDICATURE (NEW RULES).

Mr. WARTON asked the First Lord of the Treasury, Whether he will appoint a day for the discussion of the Rules of the Supreme Court, which were laid upon the Table of this House on the 10th instant, and which will come into force on the 24th of October next, unless within forty days from their being laid upon the Table they are disapproved of by either House of Parliament?

Mr. GLADSTONE: I think I have already answered a similar Question, put to me by the hon. and learned Member for Bridport. What I have to say is this. I have no intention of proposing any particular day for the discussion of these Rules; but we are quite aware of the position in which they stand—namely, that they will become law within a certain time unless they are annulled by an Address from one or both Houses of Parliament. If Notice of a Motion to that effect be given we shall think it our duty to afford facilities for its discussion.

Mr. HEALY: Is it not a fact that on an exactly similar occasion in this very Session, not many months ago, the Chief Secretary refused in the case of the Prison Rules to give even the smallest facilities for discussion?

Mr. GLADSTONE: I am not at once struck with the resemblance between the two cases, nor am I perfectly aware of the circumstances to which the hon. Member alludes.

Mr. HEALY: Then I will ask the Chief Secretary whether it is not a fact that the Prison Rules laid on the Table by the Lord Lieutenant involving most important principles as to visits to prisoners became law in the same way, and that the Chief Secretary refused to give any facilities for discussion?

Mr. TREVELYAN: Without entering into the question of the relative importance of the two subjects, as to which there may be a difference of opinion, I may say that the proceedings to which the hon. Member alludes took place at a time of the year when private Members had a great many opportunities of bringing matters before the House. I am not certain as to the exact number of days; but certainly the time during which they were to remain before the House had very nearly expired when the Question was put to me, and no Members had attempted to call the Rules in question.

PARLIAMENT—BUSINESS OF THE HOUSE.

Mr. GLADSTONE: With regard to the course of Business I think that it will be expedient and, indeed, necessary, that we should devote Thursday next to the further consideration of the Civil Service Estimates, and probably the Irish Votes will be taken. Of course, due Notice will be given on the point before Thursday arrives. It may also be necessary to take Supply again on Monday, when the Education Vote may be discussed. With regard to the engagement of the Government to give a day for the discussion of the Indian contribution to the War Expenses in Egypt, I hope that the discussion may take place on Friday next at 2 o'clock.

SUEZ (SECOND) CANAL—THE PROVISIONAL AGREEMENT WITH M. DE LESSEPS.

MINISTERIAL STATEMENT.

Mr. GLADSTONE: Sir, on the subject of the Suez Canal the House will expect from me more than a dry statement of intentions on the present occasion, particularly as there has been nothing, down to the present time, said by the Government in this House, except—I believe I am strictly accurate in saying — within the scope and limits of Questions which have been addressed to us. I have now to state the course which the Government intend to take with regard to the Suez Canal Provisional Agreement; and it will be expected from me, almost as a matter of course, that I should state the main considerations which have guided the Government in arriving at their conclusion. In the first place, I should wish to remind the House of the origin of this transaction. The great success of the Suez Canal had naturally brought about a state of things in which, for a very considerable time, there has been pressure for an increase of accommodation and of facilities for traffic; and the Government, being regularly represented in the body of the Directors of the Suez Canal, have been in the habit, from time to time, of instructing their Directors on the subject of points which were to be raised in the meetings which took place in Paris. But these instructions for a considerable time, although they touched upon matters of importance, were instructions given to our Directors. It was in the course of the present spring that the matter took a larger form; and, upon what I may call urgent and pressing applications from bodies of very great importance in this country, the Government was led to take into consideration the question of associating itself more directly in these proceedings, and, in fact, of entering upon negotiations with a view to a distinct Agreement between themselves and M. de Lesseps. The turning point in this matter may be said to have been upon the 26th of April. Reported in the newspapers on the 27th are the proceedings of two deputations, or at least of a double deputation, which had an interview with Lord Granville at the Foreign Office. One of the deputations was headed by my hon. Friend the Member for Gloucester (Mr. Monk), on the part of the Associated Chambers of Commerce of the country. The other deputation represented the Chambers of Shipping, and was headed by Mr. Laing. The deputation headed by my hon. Friend the Member for Gloucester summed up the form of its requests in an application for negotiations between Her Majesty's Government and the present Suez Canal Company. After describing the other movements which were of a more extensive character, my hon. Friend is reported to have said—

> "The Chambers of Commerce do not go so far as that; but they urge that endeavours should be made to see whether something could not be done through the Canal Company, who at present almost ignore the position which British influence should hold."

The other deputation did go beyond the scope of the deputation from the Chambers of Commerce, and Mr. Laing did two things on the part of the shipping interest. In the first place, he repeated what my hon. Friend had said in urging the Government to consider the necessity of taking measures to increase the facilities of transit through Egypt; and then he separately and distinctly called the attention of the Government to the advantages attending an alternative route from the Mediterranean to the Red Sea, not speaking of the Isthmus of Suez in particular, but of the necessity of communication between the two seas. Now, Sir, that deputation consisted a serious event, and gave a remarked expression to the wishes of the commercial community in this country. In fact, the account of its proceedings was no sooner published than it attracted the attention of the heads of the administration of the Canal in Paris. This report appeared on the 27th of April, and so early as the 30th of April overtures from M. de Lesseps were made known to the Government, tending to open those negotiations which had been suggested by my hon. Friend. It was not long after receiving those overtures — I am not sure whether we know of the exact date, but on the 10th or 12th of May, about 10 days afterwards—that the Government came distinctly into the field, and contemplated those negotiations which terminated in the present Agreement. Sir, it was not without a sense that we were undertaking a serious matter, and I may say a matter lying, perhaps, outside the ordinary attributions of a Government. It is obvious that various objections may be taken at the outset to the conducting of transactions of this kind through the hands of a Government. The immediate commercial considerations belonging to a very complicated and difficult question are apt, when they come into the hands of a Government—necessarily apt, and from no blame to anyone, but almost as a matter of course—to become mixed up with considerations of political Party, and these considerations may increase considerably and materially the difficulties of handling such subjects in a satisfactory manner. Further than this, in many instances—and in the present instance in a very peculiar degree—undoubtedly the handling of subjects of this kind in association with the political character which attaches to an Administration, was a matter of great importance, and requiring the utmost delicacy in the forms of proceeding, on account of international interests, and, possibly, even the international irritation which any miscarriage in such proceedings might tend to bring about. However, Sir, looking at the matter as carefully as we could, we thought it our duty to become, as far as we could, the organs and agents of what we felt to be a legitimate desire and demand on the part of the commercial community of this country; but satisfying them, and, I may likewise say, covering ourselves with the condition under which we prosecuted this business—namely, the condition that we should not attempt to close any question on our own authority, or to commit either Parliament or the country to more than receiving an account of what we might propose and might be inclined to recommend after our communications with the Suez Canal Company had been brought to a completion. Under these circumstances, and with that intention to take counsel of Parliament and of the country—an intention which was declared, I think by myself, at a very early date, in answer to Questions put to me from this (the Ministerial) side of the House—we felt that we could take no other course than to frame a Provisional Agreement, embodying our views in that Agreement, and thereupon inviting the judgment which Parliament and the country might be disposed to pronounce. So an Agreement was framed. It was, of course, an Agreement in which on the one side we gave and on the other side we obtained. I think that both what was given and what was obtained were very considerable; and in endeavouring to state briefly and roughly what was done both on the one side and on the other, I shall speak, as far as my intention is to speak, with an absolue impartiality, and with an entire absence on the present occasion of any expression which could give to the statement I am now making anything of a polemical character. What was obtained by the Agreement was, on the one hand, a very large increase of accommodation through a double Canal—presuming the proper assents to the plan to be obtained; and that to be brought about in the shortest possible period. On the other hand, a great reduction of rates, coincident with a corresponding and large increase in the dividends of the Company. Both these events—the augmentation of tonnage, so as to produce, in the first place, an augmentation of dividend; and, in the second place, the diminution of rates—being events which—such has been the prosperity of the Canal—were really, though not within the immediate prospect, to be contemplated as separated from us by no great distance of time. The House will not understand that I can pretend to give them anything more than a rough estimate on this subject. But what we compute is that, in a limited number of years, the tonnage of the Canal, which is now about 6,000,000, will reach 12,000,000; and when it has reached 12,000,000 tons, then the dividends of the Company will have been raised by that amount of traffic to such a point that the reduction of rates will amount to a removal of the burden on the shipping passing through the Canal exceeding £1,000,000 annually; and evidently that is a very considerable matter. I should say, also, that although we have not made it a capital object in our negotiations to attempt to give a great numerical force on the Board of Direction to English Directors, yet we think arrangements were made which would have led to a very considerable increase in the practical influence of Englishmen over the government and the administration of the Canal. Now, Sir, these are the three points, of which the first two are great ones, and the third is secondary. On the other hand, what was given by us is tolerably well known to the House. It consists, in our view, mainly of two points—first, that a large sum of money was to be lent at the lowest rate at which we could give it, so as to be in a position of covering ourselves, and a loan such as that was to be considered as a great pecuniary gift to the Canal Company. It was nothing else. It was not a case of dealing with a Company which could not borrow for itself. We had a Company with its Shares at several hundreds per cent premium, and which does not require absolutely the assistance of anybody in order to enable it to borrow money; but, on the other hand, it would not be in the power of the Company to borrow at the low rate of interest at which we offer the money. Besides that which we have given to the Company—and I am bound to say I am cognizant of the fact that there has been a feeling in some quarters in the country and in the House that objection to some extent lies to this large extension of pecuniary relations with the Canal Company, and I put that down, wishing to state fairly as far as I can what lies for and what against the Agreement now before the House—the other very important consideration, which I do not at all disguise the weight of, is the prolongation of whatever exclusive right was conferred upon M. de Lesseps by the original Concession. That is certainly a considerable portion of the price, and is in itself a considerable price for the large advantages, both in accommodation and in rates of passage, which this Agreement would have secured to this country. Well, Sir, of course, the question which the House and the country had to consider, and which the country had to consider before the House, upon the bare skeleton form of that Agreement, was whether the equivalents obtained for what we gave were sufficient. It was a case of *quid pro quo*, and the question was, whether the *quo* was worth the *quid*, and fairly balanced the case. I do not pretend to argue the matter as if it were a thing capable of demonstration. In the view of every candid man it is a question of probable opinion. It does not admit of high, and bold, and sweeping statements; or, at least, if it does, that is not the way in which we think ourselves at all justified in dealing with it. We have admitted, and felt these to be questions fairly arguable from the first. We have done the best we could. We think that the advantages which we have gained by the Agreement are large advantages. On the other hand, it is for the House to consider whether they are themselves worth what we propose should be paid for them. Well, then, Sir, comes the question, which I must now briefly describe, of the actual position in which we stand towards M. de Lesseps and the Company, and I may almost say towards the French nation; because the House is well aware — bearing in mind the previous history of this question, on which it is needless for me to go back in detail—how much this is not merely a question between certain trading interests on the one side, and a Company in possession of certain privileges on the other; it is likewise a grave question between the English nation and the French nation. These two great nations have, happily, been allied for long time, and I trust we shall never do anything to weaken or endanger that alliance. It has been our duty to ascertain on what ground we stood in Paris with respect to this Agreement. There has been no bond to submit between the parties, but the Agreement was drawn in contemplation of its being submitted to Parliament; and in order that there might be no misapprehension on the one side or the other we instructed Sir Rivers Wilson, on Thursday, to go over to Paris, not for the purpose, as has been supposed—not unnaturally—of re-opening this and that point of the negotiations, but in order to ascertain whether the field was perfectly clear and free before us—the Government—there was no question at all about the freedom of Parliament and the country—so that we might give an entirely unbiassed consideration to the grave question now presented to us. I hold in my hand a letter from Sir Rivers Wilson, in which he recounts to us the experience that he had in Paris, and the nature of his communications with the Canal Company. I should say, besides the letter addressed to us, there is also an important letter from M. de Lesseps, addressed to myself, He has done me the honour of writing me a letter, conceived, as might be expected from him, with very great sagacity, and, at the same time, in terms of the utmost frankness and friendliness as regards the present negotiations, and, in effect, coming, I think, to the same purpose as the letter of Sir Rivers Wilson, which I am now about to quote. Both the letter of Sir Rivers Wilson and the letter of M. de Lesseps will at once be laid on the Table of the House, together with some other Papers, which will give the House a full, and, I hope, a satisfactory and sufficient view of this case. I do not think I can describe the present situation more accurately than by reading to the House the substance of Sir Rivers Wilson's letter. It is dated the 21st of July—

> "Upon communication to the MM. de Lesseps of the object of my coming to Paris, they stated in the most friendly terms that they thoroughly understood the situation, and that, so far as they were concerned, they regarded us as in no way bound, under the existing circumstances, to press the Agreement on Parliament. There were, however, two parts of it."

This introduces a new but interesting question, to which I invite the particular attention of the House—

> "The spontaneous adoption of which, notwithstanding the abandonment of the Agreement—if such should be decided upon—they announced their determination to propose to their shareholders. In the first place, immediate measures would be taken so that a second Canal during the greater part of its length might be rapidly constructed within the limits of the land already conceded, although they might at the proper time have to apply to the Egyptian Government for additional ground where the present width was insufficient. Secondly, the proposed reduction of dues *pari passu* with the increased profits would be maintained."

But I must tell the House that, although this is perfectly accurate, yet too broad a conclusion might be drawn from it—

> "As to all the other arrangements contemplated in the Agreement, both sides would be free. Her Majesty's Government would be thus under no obligation to use their good offices to obtain for the Company the extension of the Concession beyond 1968, or any other privileges. The capital required for the Second Canal would be raised as the Company might determine, either by the issue *pro ratâ* of more shares, in which operation England would have the option of subscribing in respect of her 176,602 shares, or by way of debentures, with the like option."

Then comes the qualification to which I referred—

> "It is my duty to observe that the former course,"—that is, the issue of shares—"would have the obvious effect of retarding the fall in the rate of dues."

Well, Sir, I think that exactly explains to the House, first, the position in which the Government are placed—the position of undoubted freedom in which they are placed—to consider the question without prejudice; and, secondly, the intentions of the heads of the Canal Company, which, according to all experience, we may safely say means the Canal Company itself, for every practical purpose, in case the Agreement is not persevered with. Well, Sir, that being so, we have to consider what our position is with regard to this Agreement. It is obviously an Agreement which, in order to be satisfactory, must meet with general acceptance. I do not mean unanimous acceptance — that could hardly be expected—but it must meet with general acceptance. To force an Agreement of that kind, and to make an appeal to the confidence of a generous Parliament, and, on political grounds, to obtain the acceptance of a commercial arrangement, not in itself wholly satisfactory to those who were adopting it, would have been, I think, a course in which we should have abused the patience and indulgence of the House, and would have departed from our public duty. Now, the first reception of this Agreement by the trading interests of the country—short as the time is since it was produced, it has already gone through two distinct stages—was undoubtedly of a very condemnatory kind. I may say the language held was that of vehement condemnation on the part of a very large portion of those organs of opinion which at once expressed themselves. There has been a material change, as everyone will see, within the second stage. ["No, no!"] I will keep my word to hon. Gentleman and the House, and I will not intentionally make any partial or one-sided statement. But nobody can deny that there has been a change when it is found that within the last week a large number of representations have reached us from very important centres indeed—from London, Newcastle, Hartlepool—I think—and from Liverpool, and from a variety of other quarters; and I think my hon. Friend (Mr. Monk), who represents the Associated Chambers of Commerce, has himself substantially joined on their part in similar representations, which do not hold the language of condemnation, but in which they think that probably something better might be done, and which, therefore, recommend that more time be taken in order to see what may be done. Now that is the only distinction I mean to draw; and I entirely feel that both those who condemn and those who ask for time are alike in the position of one requiring and the other advising us not to persevere with this Agreement under the circumstances now existing. We intend, then, not to ask Parliament to give its sanction to this Agreement; and for the reasons at some of which I have already glanced. The first of them is, undoubtedly, that there is not that general and harmonious concurrence which, as we think, in a case of this kind—international as well as commercial—was requisite in order to justify its acceptance. The second is the demand for time, to which I have already referred, and with respect to which I may as well explain that there has been a general demand for time, with a general view that more time might lead to an improved arrangement. Sometimes a general demand for time is accompanied with a specific recommendation, and in many cases with a recommendation that a Royal Commission should be issued to examine into the question; a proposition upon which, although I might, perhaps, quote some precedents, I do not intend to give any opinion at all at the present moment; I merely mention it as an indication of the present state of things. A still bolder suggestion is made by some—yet not a novel suggestion, though undoubtedly one of a very wide scope, involving a great variety of points for consideration—that is, that the proper and ultimate arrangement of this great sea passage between the Mediterranean and the Red Sea can only be found when the Canal, instead of being the property of any private Company whatever, or belonging to any nation whatever, shall be placed under the management of an International Commission. ["Oh, oh!"] I shall not enter into that. I do not presume to give any opinion. There is a great deal that has to be said upon it, both in regard to its difficulties and importance. These are the topics which have been brought before us by that portion of the expressions of commercial opinion which have, in general terms, or in more specific terms, pleaded for more time. There is another consideration which I think has weighed with us more conclusively, if possible, even than those to which I have already referred. Viewing the actual state of things—viewing the language which has been held, the claims which have been made, the arguments put forward, and, in fact, those views to which the case naturally of itself must incline on the one side and the other, we are advisedly of opinion that upon interests and grounds much higher than those which relate to matters decided within these walls—much higher than the interests of any Party or any Government—a hostile issue, founded upon an Agreement of this kind, standing in the relation to international policy which it occupies, could not possibly take place without the production of very serious mischief. I hope I am not partial in this statement, for my opinion is, that the contentions on both sides might probably be found mischievous to the interests of this country. I think that, on the one side, claims would be made which unquestionably would be thought to be, and felt to be—whether right or not—of an irritating character; and which would tend to the raising of questions in foreign countries —not only in one foreign country, although in one foreign country especially —that would not be conducive to the maintenance of those cordial relations of goodwill and amity which it is one of our main duties to uphold. Those claims have been made on the part of those who are the opponents of the Agreement; but when I ask what contentions the supporters of the Agreement would make in answer to these claims, I feel that the tendency of our arguments on a hostile issue thus raised would rather weaken than strengthen the position of this country in any future communications on the subject—and that not with reference to this or that argument in particular, but on the broad consideration of the nature of the issue. Without going further into the details—I will not attempt to go into details—I could easily explain more fully to the House what I mean. They know what has been said and what has been contended for in this country within the last fortnight. They know, perhaps, the effect that has been produced elsewhere. I need not touch upon any of the particulars of the case. I only refer to them to lead the House to believe that we are very serious in our conviction that the probable effect of a discussion taken in connection with a hostile issue raised on the present Agreement would not be favourable to good international relations. I think I have stated to the House in outline the general grounds upon which we have acted; but I should not have fulfilled my duty without saying a few more words with respect to the position of the Government itself. They bind nobody but the Government; but I do not think that the Government, after the frank and cordial treatment which all along it has experienced in these negotiations, would be warranted in dismissing this subject without a few words on the point I am about to mention. We think it our duty to do justice, as far as lies in our power, to this great Canal Company, and to its eminent, sagacious, and energetic projectors. We do not conceal from ourselves, and we will endeavour, if we can, to make it known and felt in the English world, that they have claims upon us—not claims to the sacrifice of a valuable interest, but claims to respect and honour; that they have conferred a vast benefit upon mankind; that they have conferred it by immense labours, in the midst of great dangers, amid unparalleled difficulties—and these unparalleled difficulties, unhappily, in some respects, due to the unfortunate action of this country in former times. We must also disclaim, on our own part, all community of sentiment with those who seem to us virtually to assert a sort of English dominion over the waterway of the Isthmus; and we must make it known that we, at least, will not be parties to employing influence which may attach, and justly attach, to our temporary and exceptional position in Egypt, for the purpose of procuring any invasion or any abatement of any right lawfully enjoyed. And lastly, Sir, still recollecting, still taking it to be borne in mind that I am speaking for ourselves, and not presuming to bind any but ourselves, I wish to announce that we cannot undertake to do any act inconsistent with the acknowledgment, indubitable and sacred in our eyes, that the Canal has been made for the benefit of all nations at large, and that the rights connected with it are matters of common European interest. I will not trouble the House with any further statement. I will only say this—that, as I have already stated, Papers will be at once presented. I close this statement, although it has been of some length, without making any Motion. I have no idea whether there will be a disposition to raise at the present moment any discussion or not. I can conceive it possible; but, on the other hand, I can conceive that, as important matters which are new have been laid before the House in some portions of my explanation, there may be a desire to take time, and to see the documents to which I have referred, and I have only to add in that case that if and when the disposition to discuss this matter or to discuss the conduct of the Government arises, we shall give every facility in our power for such a discussion.

SIR STAFFORD NORTHCOTE: Mr. Speaker, Sir, I cannot help taking notice, in the first instance, of the words with which the Prime Minister has closed his observations. He said that if it should be the desire of the House to bring about a more formal discussion of this proposal, the Government will consider themselves bound to provide a proper and convenient day for the purpose. I think it absolutely essential that, in some form or other, the House should have an opportunity of expressing its opinion on this very important question. We had it brought before us not very long ago, but in a form which appeared to render it certain that the proposal and the Provisional Agreement to which the Government have become parties would be laid before this House for its consideration, and that the verdict of the House would be taken upon it. When Notice of the proposal was given to the House, and when we had a day or two to think about it, I gave Notice of my own intention to move the rejection of the proposal; and I should have been prepared, if it had been submitted to us in the regular way, upon several grounds, to contend that the proposal was one which it was not the duty of this House to accept. That, of course, has become unnecessary now; because the Government, exercising, as I think, a very wise discretion, have determined, at all events for the present, to withdraw that Agreement from the action and supervision of Parliament, and, as I understand, for the present, have no intention of taking any further steps with respect to the matter to which it relates. At the same time, there have been several indications in passages of the right hon. Gentleman's speech which make me feel somewhat uneasy as to what the action of the Government may hereafter be in this matter; and I am decidedly of opinion that we ought not to allow an opportunity which might be taken now in an informal manner, or in a more formal manner when we have the Papers before us, and when a formulated Motion can be submitted, to escape from discussing the very grave questions which have been raised by the Agreement to which we are referring. I cannot myself, even now, thoroughly understand what are those very grave circumstances to which reference has been rather mysteriously made this evening. We have heard much from time to time of matters in the background of an alarming national character, which, undoubtedly, are very serious if they mean anything. But if we look at this Agreement, and the circumstances before us, and the course of proceedings, I confess I cannot understand how, unless by some extraordinary mismanagement, the matter can have been brought into such a shape as to raise consequences and issues of any serious moment. It seems to me that the matter, though of a large and important character, was of an exceeding simple character. Representations have been made to Her Majesty's Government to use their influence to see what could be done towards the improvement of our communications with the East and the Suez Canal; and the Government, as the right hon. Gentleman tells us, were dealing as Directors, so to speak, with their co-Directors, the Directors of the Canal Company. They were dealing with them to see if they could arrive at any arrangement by which those facilities could be given. So far as I can understand, there is nothing of an international character about it—nothing between one Government and another. It has been an arrangement—an attempted arrangement—between the various parties interested in the direction of the Canal. We ourselves have an interest in the Canal as large shareholders, and these transactions may be considered as a sort of arrangement or discussion taking place *in camerâ*, as it were a sort of Board meeting. The arrangement was made, and when submitted to the public here it was certainly not received as an entirely satisfactory arrangement. On the other hand, we were told by the Chancellor of the Exchequer, when speaking to a deputation, that this was a matter on which there was no pressure on the other side, and that we were prejudging M. de Lesseps; and, therefore, if the arrangement was one such as that, it does not appear to me that there is anything which need raise these monstrous consequences. I certainly should be extremely sorry if anything should occur which could possibly give umbrage or cause any ill-feeling—and at present I cannot understand how it could be—between the two countries. I should be extremely sorry if any offence is unnecessarily given to M. de Lesseps and the promoters of that great undertaking. No one can go beyond myself in admiration of the character and energy and work of M. de Lesseps. He is a gentleman whose friendship I have enjoyed for many years, for whom I have the highest respect, and to whom, I am satisfied, every respect is due. But that is no reason why we should give in to exorbitant demands. There is one point which was not very prominent in the speech of the Prime Minister, but which was the real core of the whole matter, on which it is essential we should have a complete understanding, at some period by-and-bye—I mean, of course, the question of the limit of the Concession to M. de Lesseps. I do not wish, at the present moment, to enter into that question. It is one of a very delicate character, which requires careful discussion, and which I do not think could be discussed upon a question like the adjournment of the debate or anything of that kind. I only note it as being a particular point to which attention must be given. All the other advantages, either given on the one side or the other, are advantages that may be discussed, and weighed, and considered; but I do hold that it is our duty to take care that we do not, and that the Government, acting for us, don ot, commit the country to any admission which the country is not prepared to commend. If the argument is conducted properly, temperately, and in a manner which will show that we have no desire, except that of securing our own just rights, and not only our own rights, but the rights of all nations who are interested, I think if the discussion is conducted in the spirit in which it ought to be discussed, it cannot be productive of harm, it ought not to be productive of offence, and it can and may be productive of great good. I wish to point out that though England has an enormous stake and interest in the Canal, because of her large shipping and great use of the Canal, yet that the question is one which affects all other nations also, and that we have no right, by any action of ours, to give colour to any claim which claim we might not be prepared to admit, but which might have our support against other nations. I glance at that in order to show that the privileges of M. de Lesseps and the Company are a question between England and the Company, and a question that ought to be considered, and a question affecting the commerce of all maritime nations. Just on the same principle as that on which Lord Granville, in 1872, when we had disputes with the Company on another matter, laid down the principle that we could not agree that the Company should be the judges or interpreters of their own Concession; so we say here the Company ought not to be the sole judges. And we should be extremely careful not to give colour to those claims beyond what the claims can be proved to be. I throw out those matters for consideration. My own impression is, that the proper time for a fair discussion will be when we have the Papers before us, and when we are in a position to formulate some Motion or to raise a question which could be raised upon them. I hope we will not be led into an irregular discussion at this moment. But I, myself, am of opinion that the matter cannot rest here; that there must be a discussion; and I am most anxious that, for the convenience of all parties, it should be of a most formal and regular character.

Mr. CHARLES PALMER: I do not wish to prolong the discussion; I merely wish to ask—["Order!"]

Mr. SPEAKER: If the hon. Member confines himself to the Question he is in Order.

Mr. CHARLES PALMER: I merely wish to ask the First Lord of the Treasury, Whether we are to understand, now that this proposal is being withdrawn from the consideration of the House, that Her Majesty's Government propose to continue negotiations with the President of the Canal Company, and to take into consideration the various questions of international interests?

Mr. GLADSTONE: We certainly do not contemplate any immediate action of any kind upon the instant when we are retiring from this Agreement. It would be our duty, and I think my hon. Friend will feel with me, to inform ourselves as fully as we can of the views entertained by those who are mainly interested, and who are competent to judge the matter, before we go further into the question.

Mr. MAGNIAC: I shall confine myself to a Question to the Prime Minister. I wish to ask the right hon. Gentleman, whether he will call the attention of Sir Rivers Wilson and of the Directors nominated by the British Government to the Agreement of 1866, by which the Canal Company is precluded, on physical grounds, from making a second Canal; and, that being the case, whether it is not necessary at once to enter into the discussion proposed in this House, so that the English Directors may be at once directed as to what course they are to take?

Mr. ONSLOW: The tone of public feeling having now subsided with regard to the Agreement made by the Government, I would ask the Prime Minister this Question—Whether he has received communication from nay Chamber of Commerce in India, or in the Colonies, expressing satisfaction with that Agreement?

Mr. GLADSTONE: I think I may say that Sir Rivers Wilson and the English Directors are perfectly cognizant of all the matters on which my hon. Friend wishes us to communicate to them. But, of course, it will be the duty of the English Government, when such questions as have been referred to are brought by the Governors of the Canal Company before that Company for consideration, to instruct our Directors as to the course they are to take. In regard to the Question of the hon. Member for Guildford (Mr. Onslow), I cannot recollect the contents of all the communications I have received on the subject. Some of them have been favourable, and many of them have been unfavourable; and I think Notice should be given of such a Question.

Mr. J. LOWTHER: I wish to ask the Prime Minister, Whether his attention has been called to the fact that very grave complaints have for a long time past been made by those engaged in the use of the Canal as to the difficulties alleged to be placed in the way of British commerce by the action of the Company; and, whether demands have not been made for a more effectual representation of British interests upon the Board of Directors, which it is contended as at present constituted does not afford adequate protection to the interests of British commerce?

Mr. GLADSTONE: Yes, Sir; I am perfectly aware that there has been complaints as to the management of the Canal and as to difficulties experienced in the transaction of business; but not, so far as I know, has any one-sided partiality been exhibited against British commerce. I know nothing of that; but the methods of management, we think, should be improved. I may say I think that is probably quite true, and that it is by no means confined to the Suez Canal, because our methods of managing business are not quite the same as on the Continent; and wherever we go we are apt to think that we can just a little improve the arrangements. Undoubtedly it is quite true that an important part of the desires of the shipping interest of this country has been the increase of the British weight or numbers on the Directorate.

Mr. J. LOWTHER: I ought to explain that I did not refer to any suggestion respecting an increase in the number of British Directors, but to the demand for a more efficient representation of British interests upon the part of those intrusted with that duty.

Mr. W. H. SMITH: May I ask when the Papers to which the right hon. Gentleman referred will be circulated? What is the earliest possible day that they will be put in the possession of this House?

Mr. GLADSTONE: The Papers will be pressed forward with the utmost possible expedition. The right hon. Gentleman will perhaps put a Question to my noble Friend (Lord Edmond Fitzmaurice); and I have no doubt he will make inquiry and put himself in a condition to answer.

Sir JOHN LUBBOCK: I would ask the right hon. Gentleman whether we may distinctly understand that no steps will be taken by the Canal Company with reference to the commencement of a second Canal until the English Directors have an opportunity of ascertaining the views of Her Majesty's Government upon the subject?

Mr. GLADSTONE: I apprehend, Sir, that that is absolutely involved in the nature of the constitution of the Canal Company.

Sir STAFFORD NORTHCOTE: I presume these Papers may be laid on the Table to-night.

Mr. GLADSTONE: The two Papers to which I have already referred are quite ready to be presented. I know Lord Granville desires to produce other Papers; but I will not pledge myself with regard to the latter.

Sir STAFFORD NORTHCOTE: It is material to the issue that we should have the Papers, and at this late period of the Session there should be no delay.

Lord EDMOND FITZMAURICE: I will make every effort to push the Papers on.

Mr. GIBSON: What are the Papers?

Mr. GLADSTONE: Due notice will be taken of the observations of the right hon. Gentleman (Sir Stafford Northcote), and of his desire that despatch should be considered. If he waives some portion of detailed information, despatch will be facilitated.

Mr. BOURKE: I hope the noble Lord the Under Secretary of State for Foreign Affairs will be able to tell the House now what are the Papers, in addition to those mentioned by the First Lord of the Treasury, that we are to expect. The noble Lord must know what these Papers are, and I think the House should know what they are, in order that we may see whether it is desirable to raise a discussion on this question, and that we should have it as soon as possible.

Lord EDMOND FITZMAURICE: The Papers consist of certain correspondence. I do not think it is at all usual to be asked to state beforehand the details of the Papers which are about to be immediately presented; and I think the House will see that I am showing proper respect to the House when I once more assure it that every effort will be made to lay these Papers and circulate them within the shortest possible time.

Mr. BOURKE: Can the noble Lord inform us whether these Papers have any relation whatever to negotiations that have been going on in Paris for the last three months?

Lord EDMOND FITZMAURICE: That question has already been answered by the Chancellor of the Exchequer, who stated that they were the material for those negotiations.

Mr. BOURKE: Has it not been stated by the Government, over and over again, that all the information that the House would require on this subject has already been put before it? And I would like to know in that case what use there can be in delaying these Papers now?

Lord EDMOND FITZMAURICE: I am not aware, Sir, that any such assertion has been made.

Sir STAFFORD NORTHCOTE: I hope the noble Lord does not share the saying of the Under Secretary of State for the Colonies as to being "all in the dark" with respect to the Suez Canal. We really want information, and if there is further information to come, I think it would be quite possible to state the general character of the Papers that are to be presented. Our object is to bring this matter as soon as possible to an issue; and I am sure the Prime Minister must feel that it cannot be desirable to keep the matter dragging on. The right hon. Gentleman told us the other day that he would not bring forward any Motion in regard to the matter later than the last day of this month, and I wish to ask whether that agreement holds with regard to the altered state of things?

Mr. GLADSTONE: I have given an indication of my desire to facilitate the bringing forward of any Motion that it might be desired to bring forward. It is very difficult for me now to bind the discretion of hon. Members of this House as to the time when they may desire to do it. If it is desired, there can be no difficulty in laying on the Table at once this Paper and the Paper of Sir Rivers Wilson, the main portion of which I read. I know that Lord Granville has a desire to add some Papers, and it is not for me in his absence to make a covenant that that should be done.

THE SUEZ CANAL—PRINTING OF THE STATUTES IN DIFFERENT LANGUAGES UNDER ARTICLE 12.

Sir H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether, in accordance with Article 12, the Statutes of the Suez Canal are drawn up in the Turkish, German, English, French, and Italian languages; and, whether, in accordance with Article 24, the Council is composed of members "representing the principal nationalities interested in the enterprise;" and, if so, what is the proportion in which such nationalities are represented on the Council?

Lord EDMOND FITZMAURICE: The hon. Member probably refers to Article 7, which lays down that the shares should be drawn up in the languages mentioned. This was done in the case of the original shares. It was not done in the case of the Loan of 1867, as there did not seem to be the same necessity for it. Article 24 was drafted under the impression that the various European nations would take part in the subscription, and that it would be right that they should be proportionately represented. The Council originally consisted of 32 members, of whom about six or seven were foreigners. England having refused to subscribe was not represented. At the time of the Franco-German War, the foreign members had dropped off, and the number of the Council was much reduced. There was a difficulty in filling up the vacancies, and it was decided that the

Council should be fixed at 21 members. The change was approved by the Khedive. When the Khedive's shares were purchased by Her Majesty's Government, M. de Lesseps at once proposed that the number of Directors should be increased to 24, giving Her Majesty's Government three places, and allowing the Directors to be nominees of the Government, instead of the Council. France and England are now the only nationalities represented.

THE SUEZ CANAL—TRAFFIC RETURNS.

MR. CARBUTT asked Mr. Chancellor of the Exchequer, Whether he can state the number of British ships or British tonnage going through the Suez Canal in ballast; and, whether the reduction of 2½ francs per ton on ships in ballast will apply to ships carrying coal, that is to say, will the Suez Canal Company allow ships, under the new arrangement, to ballast with coal?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): In answer to my hon. Friend, I have to say that in the Returns prepared by the Suez Canal Company of the number of ships in ballast passing each year through the Canal British ships are not separately shown. I am informed, however, that the English proportion of the total tonnage of ships in ballast may safely be taken as from 85 to 90 per cent. The number and tonnage of vessels of all nations passing in ballast through the Canal during the last three years were in 1880, 24 vessels, 27,055 tons; in 1881, 143 vessels, 186,639 tons; and in 1882, 124 vessels, 171,935 tons.

MR. W. H. SMITH: Are ships of war counted in the Return?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): I believe not. The Question, in the exact words as given, was sent to Paris, and I have given the reply as received.

EGYPT—THE CHOLERA.

MR. ONSLOW asked whether there was any truth in the report that a British soldier had died of cholera near Cairo; and what steps the Government were taking to send out more doctors to Egypt?

LORD EUSTACE CECIL: I beg to ask the Under Secretary of State for Foreign Affairs, Whether the alarming accounts in *The Times* as to the ignorance, apathy, neglect of sanitary precautions, and hostility of the Egyptian authorities are correct; whether the administrative anarchy reported from the interior is beyond credence; and, what further steps the Foreign Office are taking to force the Egyptian Government to take more active steps in putting a stop to a state of things at once dangerous and discreditable?

LORD EDMOND FITZMAURICE: With regard to the Question of the noble Lord, I answered a similar one put by another noble Lord (Lord Henry Lennox) on Friday. I informed the noble Lord that a telegram was sent stating the painful impression which had been produced in this country by accounts alluded to by the noble Lord. I also added that Sir Edward Malet had received, from the time the cholera broke out, instructions to lose no opportunity in pressing upon the Egyptian Government the necessity of taking proper precautions, especially proper sanitary precautions. I have now to state that Sir Edward Malet, in consequence of the gravity of the condition of affairs, especially in Cairo, has requested the Egyptian Ministers at Cairo to associate with the Board of Health General Stephenson, Sir Evelyn Wood, and Baker Pasha, to form together a Commission, with full power to order and execute measures to be taken against cholera. Twelve English medical officers are being selected for service in Egypt, and will proceed this week to Cairo. The Viceroy of India has also been asked to despatch, if the Egyptian Government require them, 40 experienced Mohammedan hospital assistants for general cholera duty. I may add that the deaths from cholera reported to have taken place at Cairo during the 24 hours ending at 8 a.m. yesterday amount to 381.

THE MARQUESS OF HARTINGTON: I have received a telegram, dated the 23rd instant, from the General Officer Commanding at Cairo, in which he states—

> "Black Watch moved to camp near Suez 20th. One fatal case cholera 18 hours after arrival; a second case just reported doing well. General health of troops as last telegram."

I may state that an additional number of doctors have been sent out, and that more are under orders to go.

MR. ONSLOW wished to know whether all the doctors who had been, and were going to be, sent to Egypt had practical experience of cholera in the East?

LORD EDMOND FITZMAURICE: The advice of Sir Joseph Fayrer has been taken in these appointments. No appointment has been made without his approval. Sir Joseph Fayrer has had the very greatest Indian experience; and I believe I am right in saying that nearly all the doctors engaged have had not only Indian experience, but extensive Indian experience.

PARLIAMENT—THE "COUNT-OUT" ON FRIDAY.

SIR GEORGE CAMPBELL asked the Patronage Secretary to the Treasury (Lord Richard Grosvenor) whether any effort was made to keep a House on Friday evening when the Local Government Board (Scotland) Bill was to come on—when there was, at all events, a chance of that Bill coming on; and whether, seeing that an Irish Bill was put on the Paper to-day before the Scotch Bill, it was intended to give the Irish Bill precedence?

MR. GLADSTONE: The hon. Member is under a great misapprehension. There was not the slightest chance of the Local Government Board (Scotland) Bill coming on on Friday night. The "Count-out" which took place was of a very innocent description. It took place at midnight—a time at which all rational men would wish to go home to bed.

SUEZ (SECOND) CANAL—THE PROVISIONAL AGREEMENT WITH M. DE LESSEPS.

MR. ERRINGTON asked the Under Secretary of State for Foreign Affairs, Whether, besides the regular Law Officers of the Crown, there are any departmental legal officials specially conversant with questions relating to international obligations and law, and whose competence on such subjects is generally recognised; whether such officials have been consulted as to the alleged exclusive privileges of the Suez Canal Company; and, if so, what opinion they have given; and, if he will ascertain whether this point was considered; and, if so, what opinion respecting it was formed by those officials at the time of the purchase by this country of the Khedive's shares in 1875?

LORD EDMOND FITZMAURICE: Yes, Sir; there are Departmental officials specially conversant with International Law; but the Parliamentary Advisers of the Crown are alone responsible.

ORDER OF THE DAY.

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AGRICULTURAL HOLDINGS (ENGLAND) BILL.—[BILL 186.]

(*Mr. Dodson, Mr. Shaw Lefevre, Mr. Solicitor General.*)

COMMITTEE. [*Progress 20th July.*]

[FIFTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART I.

IMPROVEMENTS.

As to Improvements executed before the Commencement of Act.

Clause 5 (Reservation as to existing and future contracts of tenancy).

Amendment proposed,

At the end of the Clause, to add the words—"Provided, That a landlord and tenant may, before executing any such particular agreement, concur in referring the terms thereof to an umpire, to be appointed in manner provided by section twenty-three of 'The Agricultural Holdings (England) Act, 1875;' and an agreement which has been found by such umpire to secure such fair and reasonable compensation as aforesaid, and has been signed by the landlord and tenant, and countersigned by the umpire, shall be deemed to secure fair and reasonable compensation to the tennnt."—(*Sir Michael Hicks-Beach.*)

Question proposed, "That those words be there added."

SIR MICHAEL HICKS-BEACH said, the Committee would remember that just before the close of the last Sitting he ventured to propose this Amendment; and he did so because, as the Bill now stood, it was open to the landlord and tenant, in any case in which they might desire to do so, to make between themselves an agreement for fair and reasonable compensation; and, on that agreement being made, they would be excluded from the Bill. But what might then happen under the Bill as it stood at present? Why, after having made such an agreement, no landlord or tenant would be able to tell whether, at the determination of the tenancy, the agreement would be held by those who would have to settle the matter to be an agreement which was valid between the parties; and they were thus reduced to this absurd position — that two persons would be permitted by law to make an agreement between themselves; but they would be left absolutely in the dark as to the effect of that agreement, and how far it would bind themselves, or their successors, when it came to be interpreted. He did not think that was a position which could be considered at all satisfactory by the right hon. Gentleman who was in charge of the Bill; and, therefore, he proposed that the machinery which the right hon. Gentleman sought to bring into operation at the determination of the tenancy should be brought into operation by the two parties, if they so desired it, at the commencement; or, in other words, that the section of the Agricultural Holdings Act of 1875 which dealt with the appointment of an umpire should, if the landlord and tenant so chose, apply at once, and that some impartial person of recognized standing and experience in the neighbourhood should be selected, to whom the agreement which it was desired to make should be submitted, and that person should pronounce whether, according to the light of his experience and knowledge, the agreement was in accordance with the agricultural requirements of the district, and provided fair and reasonable compensation as intended by the Bill. He believed that such a provision as this would relieve persons who desired to enter into these agreements from the apprehensions to which he had alluded as to the future validity of such documents; and he was convinced that it would save a very large amount of expensive and objectionable litigation between the parties. He had, therefore, proposed this Proviso; and if the right hon. Gentleman in charge of the Bill could not accept it precisely as it stood, he trusted that some change might be made in the Bill, which, at all events, would have the same general effect.

SIR ALEXANDER GORDON said, he hoped Her Majesty's Government would be able to see their way to accept either this Amendment, or something of the same kind, because it was framed as much in the interests of the tenant as of the landlord. No one could accuse him (Sir Alexander Gordon) of moving in any direction against the interests of the tenant, and the present agreement was so reasonable that he could not understand why the Government should oppose it. Its object was only to prevent such an absurdity as this—that an agreement might be made in 1880 which might be deemed a perfectly fair and reasonable agreement; but in 1890 or 1920 that same agreement might be held to be unreasonable. The present Amendment was more in favour of the tenant than of the landlord; because the landlord's wealth, and consequent ability to employ clever lawyers, would give him a great advantage over the tenant in endeavouring to establish the unreasonableness of a particular agreement; and the landlord, too, might be able to carry his point by the production of documents drawn up in former years, to which the tenant might not have access, and which he might be altogether unable to meet. Under these circumstances, he earnestly hoped that the Government would accept the principle of the Amendment.

MR. JAMES HOWARD ventured to express quite a different hope. What was the object of the Amendment? It was simply to set aside the provisions of the Bill. If the Bill was a just one, and adapted to the circumstances of the country, why should it not apply universally? The Amendment was objectionable, and its purpose was simply to keep the tenant in the grasp of the landlord. He hoped that the whole of the 2nd Schedule would be rejected. The Government had brought all this upon themselves by introducing this permissive, or semi-permissive, clause. The Bill ought to be passed without any such permissive provisions, for which there could be no necessity at all if the measure were framed on just lines.

COLONEL DAWNAY said, he hoped the Committee would accept the Amendment, which seemed to him to be the natural, and necessary, and logical consequence of the clause as it already stood. They had deliberately abandoned the old principle of the safe simplicity of contract—a good old-fashioned principle, as the hon. Member for Hertford (Mr. A. J. Balfour) had called it; but though they had rejected that principle in favour of an exceedingly doubtful theory, and had deprived the two interested parties, the owner and the occupier, of the opportunity of binding themselves according to their own free will, and of making any valid agreement, they had yet admitted that a valid agreement might be made, if it were subject to the assent of third parties—to the approval of some Court of Arbitration. But as the Bill stood, however generous might be the stipulations which the landlord might make with his tenant as to compensation, that landlord could never be entirely sure, until the determination of the tenancy, that those stipulations would not be protested against as unreasonable by some cantankerous and grasping tenant, and that the agreement might not have to be revised and settled according to the progressive views or Procrustean theories of some future agitator or some future Land League. They had not only abolished freedom of contract—they had emasculated the very meaning of contract. This Amendment, in a great measure, removed that blot, for it enabled the contracting parties to refer the matter to a properly-appointed arbitrator; and, if he approved, the agreement would become a binding legal document beyond the power of appeal. He hoped very much that the Committee would agree to the Amendment, and would thus make the Bill a beneficent measure, and by minimizing the opportunities of litigation, would help to make it a measure acceptable to the tenant farmers.

Mr. RYLANDS said, he hoped his right hon. Friend (Mr. Dodson) would not listen to the counsels which had been given to him, for he looked with great suspicion, indeed, upon any power given under this clause to allow landlords and tenants to contract themselves out of the Bill. The measure proposed to enact certain provisions; but the object of this Amendment was to give an opportunity to landlords and tenants to make agreements outside the Bill, and, in fact, to render the Bill, so far as those agreements were concerned, void. The hon. Gentleman who had just sat down had urged some arguments in favour of the right of individual contract; and, no doubt, the hon. Gentleman considered that freedom of contract was a matter between landlord and tenant which ought not to be interfered with. No doubt, that was the opinion of many hon. Gentlemen opposite; but it was not the intention of this Bill. There would have been no necessity for any such Bill if there had been any actual freedom of contract between landlord and tenant; and the reason why they were legislating at all in this matter was that it had been practically found that the tenants were not able to make free contracts, but were compelled to accept disadvantageous terms. That was the justification for this Bill—if they were not to get rid of what was wrongly called freedom of contract they might just as well tear the Bill up. They should try to make the Bill a strong Bill, or else they should waste no more time over it. The fact was that the Bill was a very weak one—so weak that it would give no satisfaction, and yet hon. Gentlemen were persistently trying to make it still weaker than it was at present. They had succeeded in watering it down to some extent; but, still, they were anxious to put in this Proviso. Under the arrangement contemplated by the Bill, when landlord and tenant came together they could only agree to terms under which a certain compensation should be paid for improvements; but it was expressly provided that the terms should be fair and reasonable terms. Now hon. Gentlemen wanted to get out of that. At the last Sitting of the Committee various expedients were suggested with that object, and this was another of them. It was proposed that the landlord, or the landlord's agent, and tenant should come to an agreement, under which the tenant was to do certain things for a certain compensation, and then they were to go before an umpire to get his seal to that arrangement. Was it to be supposed that the umpire would trouble himself in the matter? No. He would put his seal to the agreement as a matter of course, because the tenant would be a consenting party, for the tenant could not be other than a consenting party. Hon. Gentlemen might say—"Oh! but in the present state of agriculture the tenant can hold his own." He (Mr. Rylands) had known numbers of instances in his own neighbourhood where the tenant had been obliged to accept terms which, if he had had any independence of action, he would certainly have refused. The Amendment gave an opportunity for arrangements to be made which would entirely defeat the clause.

MR. CHAPLIN said, the hon. Gentleman who had just spoken had not paid much attention either to the Bill or to the Amendment, or he would not have made one statement, that an agent would probably be appointed as umpire.

MR. RYLANDS explained that he had said nothing of the sort. What he had said was that the agent and the tenant would come to terms, and then they would submit those terms for confirmation to the umpire.

MR. CHAPLIN: To an agent?

MR. RYLANDS: No; to an umpire.

MR. CHAPLIN said, he was quite ready to accept that explanation; but he had understood the hon. Gentleman to say that the umpire would probably be an agent.

MR. RYLANDS: No; I did not say so.

MR. CHAPLIN observed, that the hon. Member for Bedfordshire (Mr. J. Howard) had told them that the Amendment would set the Bill aside. He (Mr. Chaplin) entirely disputed that assertion. That was not the object of the Amendment. How could it set the Bill aside? It was merely an Amendment under which, at the beginning of the tenancy, when an agreement was entered upon, that agreement might be submitted to arbitration, so that, at the end of the tenancy, there should be no possible dispute about it. If agreements were to be permitted at all, it was desirable that they should be *bonâ fide* and valid agreements. What was the use of entering into an agreement if, at the end of 10 years, it was to be upset altogether as an unreasonable bargain? And how was the matter to be remedied except by some such provision as this? It was all very well for the hon. Member for Bedfordshire to talk about the Amendment upsetting the Bill; but he did not produce one word or shred of argument in support of that view. The Amendment proposed that any agreement that might be entered into should be submitted to an umpire under the procedure of the Act of 1875. Did the hon. Member recollect what that was; because if he would take the trouble to study the clauses relating to procedure in that Act he would not entertain the opinion he had now expressed. As to the agreements which were proposed under the present Bill, he (Mr. Chaplin) was bound to say that he hailed that part of the Bill with great satisfaction; and when they had gone so far as to bring landlord and tenant together, and had got them to sit down at a table in order to discuss the terms of an agreement, the tenant would only have himself to blame if he were unable to make terms which were satisfactory to himself, when it was remembered that the great difficulty of the present day was for a landlord to get a tenant, and not for a tenant to get a farm. It was ridiculous, under such circumstances, to say that tenants were forced into bargains which were unfair. The hon. Member for Burnley (Mr. Rylands) had said that this was an attempt to weaken the Bill. It was nothing of the kind, nor was any such attempt made at the last Sitting of the Committee. What occurred then was this—that an Amendment was moved by his hon. Friend and Colleague the Member for Mid Lincolnshire (Mr. Stanhope), with the view of positively strengthening the Bill in the interests of the tenant; and so much was that the case that the words which his hon. Friend moved to insert were positively words taken out of the draft of the Bill prepared by the Farmers' Alliance. What, then, became of the statements that they were attempting to weaken and set aside the Bill? There was not a shadow of justification for such language. All that was desired by this Amendment was that when agreements were entered into and were sanctioned under the Bill they should be valid agreements; that both parties should know exactly how they stood; and that the agreements should, under all circumstances, be binding.

MR. DODSON said, that if they were to accept the views of the hon. Gentleman who had just sat down there was no necessity for the Bill at all, for the tenants were entirely able to protect themselves in all contracts with their landlords. If that were so, there was no need for legislation at all. But he (Mr. Dodson) wished to call the hon. Gentleman's attention to one circumstance; and, no doubt, if he were wrong, the hon. Gentleman would correct him. He believed the hon. Member for Mid Lincolnshire (Mr. Chaplin) himself brought in a Bill on this subject last year—a Bill in which there was a provision similar to the one now before them—namely, that when landlord and tenant entered into an agreement they should be able to obtain an anticipatory decision as to its validity. But, unless he (Mr. Dodson) were much mistaken, the hon. Member omitted that Proviso from the Bill he had introduced this year, and he presumed that he had good reason for doing so; and, that being the case, he trusted that the hon. Gentleman would now support him in resisting the present Amendment. This was a Bill to provide that, for certain improvements, the tenant should be entitled to compensation; and there had been further introduced into it a provision which gave power to landlord and tenant to make an agreement, on fair and reasonable terms, for compensation; but the condition for admitting that substituted compensation was that the compensation was *bonâ fide* and adequate. It was to be reasonable, and its reasonableness was to be decided by an independent authority at the close of the tenancy. But if they put in this anticipatory decision before the contract of tenancy was entered into, what would be the effect of it? Why, it would simply be a transparent way of contracting out of the Act altogether. If the matter was to be settled by a third party, who would not necessarily have all the facts before him—for, of course, all the questions of fact would not be raised—and this third party's sanction was to be held to make it a good bargain, there would be no security whatever against a merely nominal or nugatory compensation being substituted for that contained in the Bill. He would say nothing of the fact that he believed there was no precedent whatever for taking an anticipatory decision of this kind upon a document; he would only observe that, however that might be, he could not accept this Amendment, which would merely have the effect of loosening that which it was the object of the Bill to bind.

Mr. A. J. BALFOUR said, the right hon. Gentleman had just observed that there was no precedent for this Amendment. The fact was that the Bill itself was without precedent—the whole measure introduced entirely novel principles into their English legislation; and it was not surprising, therefore, that some attempt should be made to add machinery to meet the new state of the case. But he wished to say a word or two in answer to an observation which had been made by his hon. Friend opposite (Mr. Rylands). His hon. Friend had said—"You must have one fixed contract of law in these transactions, or else you will defeat the object of the Bill." If his hon. Friend had been arguing against the 6th clause altogether, he (Mr. Balfour) would have understood the relevancy of the observation, because the 6th clause, whether passed in the form in which it was introduced by the Government, or in the form into which it was sought to be amended, was a clause which admitted agreements other than those contemplated by the rest of the Bill, so that the right hon. Gentleman should have restrained himself, and refrained from giving vent to those remarks which he had just made. The right hon. Gentleman who had charge of the Bill had said—"You cannot trust to the umpire for seeing that the contract would be made a fair contract." But the whole Bill depended for its operation upon umpires. The right hon. Gentleman said—"You cannot trust to an umpire giving a fair decision; you must leave it to the Courts of Law." But everything in the Bill was to be decided by an umpire—all the compensation which the tenant was to get from the landlord, and, in fact, everything in the Bill, rested with umpires; and he (Mr. Balfour) was quite unable to understand why an umpire should be competent to say exactly what was the value of an improvement, but should not be competent to say whether an agreement was fair or unfair. If that was the view of the Government, why did not the right hon. Gentleman cut out umpires altogether, and leave the independent Courts of Law to be the sole tribunal before which questions arising under the Bill were to be decided? If he did not do that, there was no force whatever in his contention. He (Mr. Balfour) hoped his right hon. Friend would press this Amendment to a Division, and he could not help thinking that it would obtain the support of many hon. Members.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, that the observations of the hon. Gentleman who had just spoken rested on a misapprehension. There was no discredit to an umpire in saying that it was unsafe to leave this matter to him, because other important matters were left to him; but it was one thing for a man to decide a question when two parties were before him having a difference to settle, and each was interested in putting before him all the facts, so that his view of the matter might be properly presented in all its strength; but it was quite a different thing for two parties who had no difference to put in an agreement made between them, and to give only imperfect information, or no information at all, in regard to it. In the latter case, it was quite beside the mark to say that the umpire would be a competent judge. That was one strong objection to the Amendment, which, if passed, would afford the simplest possible means to enable people to contract themselves out of the Bill.

MR. R. H. PAGET said, he was entirely unable to agree with the reasons which had been given against the Amendment. There was no reason for supposing for an instant that the Amendment was moved with the view of enabling people to contract themselves out of the Bill by entering into individual agreements. He did not believe there was any such intention. The real intention of the Amendment was to prevent landlord and tenant from living in a fool's paradise for 20 years or more, believing that an agreement between them was valid, when at the end of the time it might possibly be held by a Court of Law not to be a fair and reasonable one. But, despite that expression of his feeling, and the fact that he supported an Amendment of this nature in previous Sessions, he had come to the conclusion that he was unable to support the present Amendment, though for reasons of a very different and distinct nature from those which had been put forward on the Ministerial side of the House. His reason for being unable to concur in the Amendment was that, after due deliberation, he had come to the conclusion that it contained what was no slight element of danger which had not been entirely foreseen. What was it that it proposed? Why, that the terms of the agreement were to be referred for the decision of an umpire. As that umpire was to have clearly before him the whole of the agreement, it would be impossible to withdraw from him any one item which formed any part of it. Every clause must be before him; and, as one of the essential facts of the agreement, the question of rent must be before him. The question of rent could not be absolutely withdrawn. It was an integral portion of the agreement. The umpire might not be called on to say whether it was a fair rent or not; but it was not inconceivable that he might take the matter of rent into consideration; and though there might be no intention whatever on the part of either landlord or tenant to introduce that question, it might be brought in by a side wind. The umpire had it before him, and—if not in the first instance—it might gradually lead to decisions in matters of rent, as well as in other matters that were not now contemplated. It was for that reason that—while he was quite alive to the difficulty in which the Bill would land them, especially as leaving in doubt every written agreement entered into by mutual consent—he was unable to give his support to the Amendment.

MR. DUCKHAM said, he had certainly hoped that the second paragraph of this clause would have been eliminated from the Bill, and he yet trusted that it might be possible to get rid of it on Report. As to the Amendment which was before the Committee, he thought it would be wrong indeed if the Government yielded in their opposition to it, because the Bill provided for a fair and equitable arbitration, and that, he thought, was quite sufficient. It was well known by the farmers in England, and by hon. Members on both sides of the House, that the Bill was necessary to improve the relations between landlord and tenant, and to promote good husbandry; and now they were told practically that there was no necessity for the Bill, and that the farmers were able to make their own bargains. He said possibly they might in these times of severe depression; but let a change of seasons come, and then he maintained that there would be quite as much need for the measure as there had been before. The provision of the Act of 1875 which enabled landlords and tenants to contract themselves out of the Act had been the means of setting aside the object of that measure pretty generally throughout the Kingdom. Hon. Members were well aware of that fact; and he trusted that the experience gained from the manner in which the

Act of 1875 had operated would have the effect of producing a measure that would be universally adopted.

The CHAIRMAN pointed out that the hon. Member was addressing himself to the principle of the Bill.

Mr. DUCKHAM said, he was making these observations for the purpose of showing that the Amendment of the right hon. Baronet was subversive of the principle of the Bill, and it was upon that ground that he strongly opposed it.

Mr. BIDDELL repudiated altogether the assumption of the hon. Member for Burnley (Mr. Rylands) that the tenants could never make a fair agreement between the landlords and themselves. As he believed the Amendment of the right hon. Baronet would meet with the approval of the tenant farmers and their Representative Association, he should give it his support.

Mr. SHAW LEFEVRE pointed out that all the subjects of the agreement might not be of a non-contentious character; and it would be impossible, under those circumstances, that they could all be pronounced upon by the umpire. It appeared to him that an Amendment of this kind would render the position of the Bill on which they were engaged nugatory, inasmuch as it would restore freedom of contract, where the intention was that it should be compulsory. For these reasons, he felt it his duty to oppose the Amendment of the right hon. Baronet.

Mr. BULWER said, it appeared to him that Gentlemen on the Front Bench first put arguments into the mouths of their opponents which they had never used, and then proceeded to knock them down. The desire of those who supported the Amendment of the right hon. Baronet was to save both landlord and tenant from litigation. The clause, as it stood, allowed them to make agreements; but it required that those agreements should afford the tenant fair and reasonable compensation; but whether any agreement fulfilled that condition or not could only be determined at the end of the tenancy. But what was the object of the right hon. Baronet? It was that, in view of the expensive and objectionable litigation which might then arise, the landlord and tenant should be enabled to keep out of such matters by making an agreement beforehand that provided for fair and reasonable compensation within the meaning of the clause. The argument of the hon. Member for Bedfordshire (Mr. J. Howard), in which he spoke of the tenants being in the grip of the landlords, had it been uttered by any other person, and in any other place than that House, he should have characterized as rubbish. [*Laughter.*] The hon. Member for West Suffolk (Mr. Biddell) laughed at the idea; and he was quite sure his hon. Friend had never been in the grip of a landlord, and never would be. The hon. Member for Bedfordshire said that neither the landlord nor the tenant would have any interest in having these matters settled by independent authority; but to that he replied that they would have a very great interest in it, if they wanted to keep out of the Law Courts and avoid the litigation which the clause, in its unamended form, would be likely to give rise to. The hon. Gentleman then said the landlord would be able to go to the umpire with a cut-and-dried agreement, and ask him to give it his *imprimatur*, and so bind the tenant. But he would not be able to do anything of the kind; for the person most interested in placing all the facts before the umpire would be the tenant, who had to look not to the landlord's interest, but to his own; and it was not to be supposed that he would be desirous of limiting his claims for compensation at the expiration of his tenancy. The tenant, as well as the landlord, therefore, in order to be safe, would place before the umpire all the facts of the case, so as to enable him to say whether the agreement provided for fair and reasonable compensation at the expiration of the tenancy. It would be in the interest of both parties, *à fortiori* in the interest of the tenant, to do so. He was not altogether able to appreciate the objection of the hon. Member for Mid Somerset (Mr. R. H. Paget), because this clause already provided for agreements being made so long as they gave fair and reasonable compensation to the tenant; and agreements made in the way now proposed, with a reference to an umpire, would stand in the same position, only their fairness would be determined before the tenancy had commenced, instead of after it had come to an end. For his own part, he did not see how the amount of the rent would come in question more in the one case than in the other. For these reasons, he should give his support to the Proviso of the right hon. Baronet.

SIR EDWARD COLEBROOKE held that the Proviso was a necessary complement to the Bill, which could not work unless liberty was given to the landlord and tenant to come to an agreement that was fair and reasonable. He considered the Amendment to be much more in the interest of the tenant than the landlord, and he hoped the right hon. Gentleman would adopt it.

VISCOUNT FOLKESTONE wished to say a few words, not upon the merits of the question, but upon the view which the Solicitor General had taken of the Amendment. The hon. and learned Gentleman had first described the Amendment as a complete sham; secondly, he assumed that the umpire would not be impartial; and, thirdly, that the tenant must be a fool. The object of the Amendment was to prevent a sham, not to create it; it was to prevent a tenant making an agreement with the landlord, which, at the end of his tenancy, he would declare to be unfair and unreasonable, and for that reason he should give it his support.

MR. STORY-MASKELYNE said, the object of the Bill was that when the tenant went out of his farm he should have just compensation secured to him. The question they had to consider was, whether, by any agreement which the landlord and the tenant could make today, that just compensation would be insured hereafter to the tenant? He thought the right hon. Baronet, on reconsideration, would see that his Amendment would do nothing of the sort. The Amendment spoke simply of a friendly reference to an umpire. But there was nothing to prevent a landlord saying he would let a farm on such-and-such conditions; further, that the agreement should go before an umpire, because, unless that was done, it could not be made a permanent contract, and compensation might afterwards be claimed; and, finally, that if the tenant could get the umpire to agree to the landlord's conditions, the tenant should have the farm; but that if he could not, the landlord would have to look after someone else. He believed that this sort of thing would be the rule, and that the proposal of the right hon. Baronet, if adopted, would end in being a sort of form to be gone through, with a view to give validity to contracts entered into to-day, that 20 years hence might be inadequate, in the then state of the farm and of agriculture, to secure to the tenant the benefit of this Bill, even where such was the object of the contracting parties. For these reasons, he did not think it would be wise, on the part of the Committee, to accept the Proviso.

SIR WALTER B. BARTTELOT said, he would ask the hon. and learned Member for Plymouth (Mr. Edward Clarke), and the hon. and learned Gentleman the Solicitor General, whether the rent would be taken into account in a matter of this kind? They were all agreed that the tenant should have fair and reasonable compensation; but the great question was, how the tenant was to get it? He had lately been reading a treatise of Sir John Lawes, and if the hon. Gentleman opposite would refer to it, he would see that there would be the utmost difficulty in any valuer coming to an agreement with regard to this clause. It was one of the most difficult things for any person to arrive at a fair and just appraisement of the unexhausted value of improvements. The object was to have an agreement that would not have to go into a Court of Law. There should be something definite to guide the valuer in giving to the tenant that fair and reasonable compensation which they were all anxious he should have.

COLONEL KINGSCOTE said, there was one thing which, in his opinion, made this Proviso necessary to the tenant, and that was its bearing upon the question of leases. He should be sorry to take any farm without a lease, because he regarded a lease as a very valuable instrument for the tenant; but if the Proviso were not put into the Bill, he failed to see how any landlord could henceforward grant a lease, because at the end of the term some claim upon him might crop up on the part of the tenant. His hon. Friend below him (Mr. Rylands) said that the tenant, if the Proviso were adopted, would be at the mercy of the landlord, because the landlord would have an umpire of his own, so to speak; but he did not think that the tenants were so foolish as to make an agreement that was unfair to themselves. Again, he had known cases of tenants going to their landlords and saying that owing to the bad times they could not pay, where the landlord had given them not a reduction of rent, but so much feeding stuff, and other matters to help them along. But who would be likely to do that if the Bill passed in its present form, seeing that a man could afterwards come forward and claim compensation in the absence of a binding agreement? For these reasons, he should support the Amendment of the right hon. Baronet.

Mr. J. W. BARCLAY asked whether the umpire would have power to amend the terms of the agreement? because, if not, it would be a mere waste of time to submit it to him.

Sir MICHAEL HICKS-BEACH said, the intention was that the landlord and tenant should take the agreement to the umpire, who, if he saw nothing unfair in it, would give it his sanction. All he proposed was that the landlord and tenant should be able to do precisely what they might do at the present moment, in arranging any other matter between them by voluntary agreement. A compulsory reference to arbitration would be altogether a different mater; but there was nothing compulsory in his proposal. He could not understand the position taken up by the Government in this matter. The clause provided that a voluntary agreement between the landlord and tenant might be entered into, and yet they objected to anything which would enable that voluntary agreement to be carried out. If two people went to an umpire, who, after having considered the facts of the case, came to the conclusion that the proposed agreement between them was fair, he ventured to say that that agreement ought to stand. If not, did the Government really mean that when two men had agreed to an agreement which gave compensation, one of the men or his representative, some 25 or 30 years hence, might dishonestly seek to set aside the agreement, and get some better terms?

Mr. C. SEELY (*Nottingham*) said, he did not understand the arguments of the Treasury Bench. There were no conflicting facts in the case as he understood it, and he could not conceive what valid objection there could be to this proposal. The question was simply whether the scale of compensation was a fair and reasonable one or not; and the occupier, being a man acquainted with the agriculture of the district, knew perfectly whether the scale was reasonable or not. It was most desirable that they should endeavour, in every possible way, to avoid litigation; and in the belief that the Amendment would tend to decrease the possibilities of litigation he should support it.

Question put.

The Committee *divided*:—Ayes 97; Noes 139: Majority 42.—(Div. List, No. 221.)

Clause *agreed to.*

Regulations as to Estimates of Improvements.

Clause 6 (Set-off of benefit to tenant).

Mr. BORLASE, who had an Amendment on the Paper to leave out Subsection (*a*), said, he had no intention whatever of proposing this Amendment. It was originally his intention to propose to introduce a clause elsewhere; but he would not now do so. He considered the sub-section was fair as it stood; and he availed himself of the opportunity of saying that, as far as he was concerned, he meant to withdraw any opposition to the further progress of the Bill. He did so because the evident sense of the large majority of the Committee was against the views which he held, and he did not wish to take up the time of the Committee further by advocating his views.

Mr. JAMES HOWARD begged to move to insert, after "has," in line 16, the words "by any particular agreement in writing." The 2nd section of Clause 5 provided that the Act should be set aside if a particular agreement be entered into. The object of the clause under discussion was that an umpire should be bound to take into consideration, in ascertaining the amount of compensation—

> "Any benefit which the landlord has given or allowed to the tenant in consideration of the tenant executing the improvement."

To remedy the difficulties which the referees might have to encounter, he proposed to insert those words.

Amendment proposed, in page 3, line 16, after the word "has," to insert the words "by any particular agreement in writing."—(*Mr. James Howard.*)

Question proposed, "That those words be there inserted."

Mr. DODSON said, he hoped the hon. Gentleman would not press the Amendment. If the benefit which the landlord had given or allowed consisted of something done, the benefit would admit of being proved, and it would not be necessary that there should be an agreement in writing. This sub-section, moreover, was in the Agricultural Holdings Act, and he was not aware that any difficulty had arisen in consequence.

Mr. JAMES HOWARD said, that the benefit must be either conferred by word of mouth, or by agreement. If it was by word of mouth, the referees would have to hear both sides of the question. The insertion of his words would clear up all ambiguity which might exist. He could not consent to withdraw his Amendment, because he foresaw difficulties which would have to be encountered. If it were necessary to introduce similar words in a former clause, surely it was just as necessary they should be inserted here.

Question put, and *negatived.*

Sir JOSEPH PEASE proposed, in page 3, line 18, at end of Sub-section (*a*), to insert—

"Any improvement agreed upon between the landlord and tenant to be carried out during the tenancy by the tenant and."

His Amendment was not provided for in the Bill. It was to meet the case where a landlord had covenanted with his tenant that, in consideration of certain rent, he should lay on the ground a certain quantity of manure, or do a certain amount of work. One or two agreements had been sent to him which appeared to him very fair; and he had put this Amendment down on the Paper, because he did not think it was provided for by the words—

"In respect of any improvement there shall be taken into account in reduction thereof."

Amendment proposed,

In page 3, line 18, at end of Sub-section (*a*), insert "any improvement agreed upon between the landlord and tenant to be carried out during the tenancy by the tenant and."—(*Sir Joseph Pease.*)

Question proposed, "That those words be there inserted."

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he thought his hon. Friend would see that his words would hardly meet the object he had in view. A landlord had only to agree with the tenant to carry out the improvement without any consideration. If there was no consideration for it, the tenant was to be deprived of his compensation for improvements. If, by an arrangement between the landlord and tenant, the landlord had given or allowed the tenant any consideration in respect of his executing an improvement, then that was to be taken into account by the provision as it stood. What his hon. Friend proposed was that, though there was no benefit at all, the tenant was to get compensation.

Sir JOSEPH PEASE said, his hon. and learned Friend the Solicitor General had entirely misapprehended the Amendment. If a landlord said to a man—"You shall have the farm for £250, instead of £300, if you lay on a certain amount of manure," this was not provided for in the previous clauses.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he should say that this was distinctly met by Sub-section (*a*) of the clause.

Sir MICHAEL HICKS-BEACH said, he hoped that after the clear statement of the Solicitor General his hon. Friend would not press the Amendment.

Amendment, by leave, *withdrawn.*

Sir GABRIEL GOLDNEY said, his Amendment was a little different, but proceeded precisely upon the same principle. It was adapted, however, to the circumstances of particular localities. In the neighbourhood where he happened to reside, and in a great many other parts of the country, farming operations nowadays were materially different to what they were a few years back; and in many dairy farms the milk, instead of being converted into cheese, was sent to London and elsewhere. Unless a certain amount of artificial manure was brought on a farm, unless a certain quantity of feeding stuff was expended on the land, it was found land, where this sale of milk on, returned very quickly to its normal state. The consequence had been that in nearly every case an arrangement had been entered into between the landlord and the tenant, that in consideration of a certain quantity either of manure or feeding stuff, and generally of both, being brought on the farm in order to keep the land in a fit state to produce goods for the general benefit of the community, the tenant should receive the benefit of such permission, and be at liberty to sell off certain classes of produce usually consumed or converted on the farm. If a man entered into an agreement or contract to bring on the farm a certain amount of feeding stuff, and he did not carry it out, the landlord would have a right of action against him, and would be able to recover damages. He (Sir Gabriel Goldney) wanted it to be laid down that a valuer, in assessing the amount of compensation that a tenant was entitled to receive, should take into account any such agreement or covenant entered into between landlord and tenant. In justice and fairness that ought to be done, and he begged to move the Amendment which stood in his name.

Amendment proposed,

In page 3, line 18, at end, to add—"Any agreement or covenant by the tenant for application of artificial manure, or for consumption on the holding of cake or other artificial feeding stuff, in consideration of the sale or removal by the tenant of the milk produced on the holding, and."—(*Sir Gabriel Goldney.*)

Question proposed, "That those words be there added."

Mr. SHAW LEFEVRE considered that the Amendment would weaken the force of the sub-section. It was unwise to specially mention an agreement or covenant of the nature described in the Amendment, to the exclusion of other agreements or covenants.

Sir GABRIEL GOLDNEY asked leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. J. W. BARCLAY said, he had an Amendment on the Paper, to leave out, in page 3, line 21, "hay, straw, roots, or green." He thought there was a great risk of injustice being done to the tenant if the clause stood as it did at present. He would not move his Amendment now; but he intended to suggest a similar Amendment to the Scotch Bill.

Mr. JAMES HOWARD moved to leave out, in page 3, line 21, "sold off," and insert "removed from."

Amendment proposed, in page 3, line 21, to leave out the words "sold off," and insert the words "removed from."—(*Mr. James Howard.*)

Sir Gabriel Goldney

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. DODSON said, he saw no objection to the proposal; but he thought it would be better to leave in the words "sold off," and add the words "removed from."

Mr. JAMES HOWARD said, he did not think it was necessary to leave the words in the clause; but, still, he had no objection to their retention.

Sir ALEXANDER GORDON said, it appeared to him that the clause called upon the tenant to prove this against himself. How could evidence that any hay, straw, roots, or green crops were sold off the holding within the last two years of the tenancy, or other less time, for which the tenancy had endured, be obtained unless the farmer supplied the information himself? Such information would be used as a set-off against the farmer; therefore, he did not see how the clause would work in practice.

Mr. DODSON said, it worked every day on many farms in England.

Mr. STORER said, that the hon. Gentleman the Member for Bedfordshire (Mr. James Howard) had stolen his Amendment. He was, however, very glad to support the hon. Member in the proposition he had now made.

Question put, and *agreed to.*

Mr. DODSON moved to add, after the word "off," the words "or removed from."

Amendment *agreed to.*

Mr. JAMES HOWARD proposed to insert the same words in line 25. The clause would then read—

"Except as far as a proper return of manure to the holding has been made in respect of such produce sold or removed from."

Amendment proposed, in page 3, line 25, after the words "sold off," to insert the words "or removed from."—(*Mr. James Howard.*)

Amendment *agreed to.*

Mr. WARTON said, in the absence of the hon. Member for Shoreham (Mr. Loder), who had an Amendment on the Paper, he would move it. He wished to insert, after the word "off," in page 3, line 25—

"Provided always, That no claim for compensation in respect of artificial manure, as between the outgoing and incoming tenant, or as between the outgoing tenant and the landlord, shall be sustainable unless the outgoing tenant shall produce and show to the valuators vouchers relating thereto, and also a certificate of analysis of such artificial manure made by a competent analyst, indicating its composition and value."

He regretted the absence of the hon. Member for Shoreham, as he was very experienced in farming. The hon. Member had been a very successful farmer, and he would, no doubt, have been able to give them some very valuable information on the subject of manuring land if he had been present. No doubt, importance was attached to this Amendment, otherwise it would not have been put on the Paper. Its object was to protect the incoming tenant and the landlord from fraud; it would also protect sitting tenants, inasmuch as the necessity of submitting manure to the test of analysis would deter fraudulent vendors of manures from offering spurious articles for sale. He was sorry to say there were many manures sold at a high price which were hardly worth the cost of carriage. The Amendment would prevent an incoming tenant from being the victim of a fraud perpetrated on an outgoing tenant, and would protect him from neglect on the part of the outgoing tenant to have the manures properly analyzed. Some kinds of manures were much more permanent than others. Some of them might be very good at the time; but no trace of them might remain in the soil after the lapse of a year or two years. Take bones, for instance. They would last but a season or two, and the effect they would have upon the land would depend upon the kind of bones from which the dust had been made. Many manures of this kind produced different results, a greater result being produced by bones in a crude state than by old and dry bones. The effect of the Amendment would be that the incoming tenant would not pay for manures until, in addition to the vouchers, he had an analysis from a competent analyst, showing the strength and value of that for which he was to pay. He hoped the Government would not scrutinize this Amendment in the same captious spirit as they had scrutinized so many others which had come from that side of the House.

Amendment proposed,

In page 3, line 25, after the word "off," to insert—"Provided always, That no claim for compensation in respect of artificial manure, as between the outgoing and incoming tenant, or as between the outgoing tenant and the landlord, shall be sustainable unless the outgoing tenant shall produce and show to the valuators vouchers relating thereto, and also a certificate of analysis of such artificial manure made by a competent analyst, indicating its composition and value." —(*Mr. Warton.*)

Question proposed, "That those words be there inserted."

MR. DODSON said, he could not accept the Amendment, because its effect was that the outgoing tenant was not to receive compensation for manures until he had proved their composition and value. It seemed devised for the special benefit of chemical analysts. Disputes would arise on this point, in which the landlord might, owing to his superior wealth, be in a better position than the tenant. The Amendment would work very hardly in the case of a tenant who had mislaid his vouchers, and it might have the effect of depriving him of the value of his improvements.

MR. STORER said, he thought the object the hon. and learned Member (Mr. Warton) had in view would be better met by an Amendment which he (Mr. Storer) had on the Paper to the Schedule—namely, in page 12, line 31, after "manure," to insert "of fully and generally recognized value." These words would be thoroughly well understood by valuers.

MR. WARTON said, he would not press the Amendment.

Amendment, by leave, *withdrawn.*

SIR MICHAEL HICKS-BEACH said, he had an Amendment to move here which was not on the Paper, and which related to a matter the Committee were very well acquainted with, inasmuch as a provision to this effect was contained in the Agricultural Holdings Act of 1875. This Proviso of Clause 6, Sub-section (*b*), dealt with rules for the guidance of the valuers in estimating the amount of compensation which should be given to an outgoing tenant for the manures used by him on his holding. Well, there was a section in the Act of 1875 which ran as follows:—

"The tenant shall not be entitled to compensation in respect of improvements of the third class, where after the execution thereof there has been taken from the portion of the holding on which the same was executed a crop of corn, potatoes, hay, or seed, or other exhausting crop."

That might be too stringent; but it would not be contended that compensation should be given after these crops to the same extent as it would be in the case where no such crops had been grown. What he proposed to move on the lines of this Proviso in the Act of 1875 was to insert—

> "In the case of compensation for manures or feeding stuffs"—

which would be governed by the previous words—

> "there shall be taken into account in reduction thereof any crop of corn, potatoes, hay, seed, or other exhausting crop taken since the execution thereof from that portion of the holding on which the same has been executed."

He hoped the right hon. Gentleman would not object to this as being unfair to either party. It seemed to him (Sir Michael Hicks-Beach) perfectly fair to the outgoing tenant and the incoming tenant alike that this matter should be considered by the valuer. No doubt, in the majority of cases, it would be so considered; but he desired to make it clear that it must be considered, by inserting these words in the Bill. They should not leave the valuer to suppose that they thought the tenant ought to be compensated for the whole value of manures he might have used upon his land, when he had done his best to avail himself of the benefit of those manures by growing exhausting crops.

Amendment proposed,

> In page 3, line 26, insert new sub-section—"In the case of compensation for manures or feeding stuffs, any crop of corn, potatoes, hay, seed, or other exhausting crop taken since the execution thereof from that portion of the holding on which the same has been executed."—(*Sir Michael Hicks-Beach.*)

Question proposed, "That the new sub-section be there inserted."

Mr. DODSON said, that, in framing the Bill, they had carefully considered the directions which were given to the valuers under the rules laid down in the Agricultural Holdings Act of 1875, and they had deliberately decided upon leaving them out, this rule being amongst the number. They had laid down the principle that these improvements were to be paid for according to their value; and, having done that, they preferred to leave it to the common sense and practical experience of a competent valuer to say what the value was. No doubt, as had been pointed out, it was very often the case, at all events with many manures, that their value was fully realized or taken out by the growing of what was called an exhausting crop, such as hay, potatoes, or seed. These crops were generally supposed to exhaust whatever manures might be put on the land, although he should be sorry to say that such was invariably the case. He would rather leave this matter to be decided by the practical experience of a valuer.

Sir MICHAEL HICKS-BEACH said, he merely proposed that exhausting crops should be taken into account in this matter.

Mr. DODSON said, that it was not necessary to put it into the Bill, for a valuer, if he were a competent man, would not fail to take it into account in arriving at the true value of the improvements. They would only be encumbering the Act of Parliament with unnecessary *minutiæ* by inserting this Amendment. It would simply be a piece of advice to the valuer as to how he was to carry out what was an obvious part of his duty.

Mr. J. W. BARCLAY said, he thought it was a mistake to insert Sub-section (*b*) in this Bill, as it instructed the valuer how to carry out the principle in the 1st clause. He thought it would have been better to leave the valuer to take his own view of the matter—it would have been better for both parties. The sub-section had evidently been introduced with the intention of giving the valuer a bias against the outgoing tenant — that was to say, it was introduced as an instruction to the valuer to take care that he did not give to the way-going tenant any more than he could possibly help. The present proposal was conceived in the same spirit. The right hon. Baronet (Sir Michael Hicks-Beach) laid particular stress upon these matters, which went in reduction of the way-going tenant's proper compensation. If instructions of this kind were given to the valuer, surely it would only be right to give special instructions to the referees on the other side. If they were to take into account these exhausting crops, they should also be instructed to take into account special manures or things of that kind on the other side.

MR. R. H. PAGET said, he thought a great deal was to be said in favour of the words of the Amendment, especially as the highest scientific authorities on farming in the country were agreed that the wisest thing for a tenant to do was only to put into his land as much manure as he could take out in his crop. These authorities were also quite agreed on this—that if there was one thing more difficult to ascertain and appraise the value of than another, it was the unexhausted value of manures. It was all very well to say that the valuers should exercise their judgment; but, to his mind, it was much more reasonable to say that experience and judgment should be used in pointing out that the value of manures was reduced by crops of an exhausting nature.

MR. PUGH said, the reason for the introduction of this Proviso in the Act of 1875 did not apply to the present Bill, because, in the previous Act as to third-class improvements, the outgoing tenant was entitled to be paid for them if they had not been laid down more than two years previously. The present section committed the tenant to one year. The first thing the valuer would do in this matter would be to see what benefit the tenant had had, and what crops he had grown with the manures he had laid down.

MR. GREGORY said, the principle of the Amendment was, no doubt, sound; but what the operation of it would be was, to his mind, at any rate, very doubtful. In most cases the value of the manures, after these crops had been taken from the land, would, to the incoming tenant, be simply *nil*. He could not help thinking that if these words were introduced it would be a sort of indication to the valuer that there was to be a value attached to the manures after exhausting crops had been taken from the land, and that the valuer would be bound to imply that there was, at any rate, some value attaching to the improvement. As the Bill stood, in many cases they would know nothing at all about these manures as being of value to an incoming tenant; but if the Amendment were introduced, it would be taken by the valuer that value was contemplated as coming from these manures, but from which value some deduction on account of the exhausting crop had to be made.

MR. JAMES HOWARD said, the provision proposed would be quite fair in respect of tenants such as those described by the hon. Member for Mid Somersetshire (Mr. R. H. Paget), who farmed from hand to mouth; but it would be most unfair to tenants who maintained their holdings in the highest possible state of cultivation, and the manurial elements upon whose farms were not exhausted by one or two crops. No one had shown more conclusively than Sir J. Bennet Lawes, who was one of the highest authorities in the world upon agricultural affairs, how the manurial elements were by a liberal application year after year stored up for many years. [An hon. MEMBER: No, no!] The hon. Baronet the Member for North Devon said "No!"

SIR THOMAS ACLAND: I did not say anything of the kind.

MR. JAMES HOWARD begged the hon. Baronet's pardon; but some hon. Member said "No." It was a fact, however, that Sir J. Bennet Lawes had shown that manurial elements were stored up by liberal applications through many succeeding years. This proposal would operate against the very class of tenants it was the object of the Bill to benefit.

Amendment *negatived.*

MR. J. W. BARCLAY said, the next sub-section was in these words—

> "Any sums due to the landlord in respect of rent or in respect of any waste committed or permitted by the tenant, or in respect of any breach of covenant or other agreement connected with the contract of tenancy committed by the tenant, also any taxes, rates, and tithe rentcharge due or becoming due in respect of the holding to which the tenant is liable as between him and the landlord."

He did not think this provision should be allowed to remain in the clause at all. As the Committee would see, the introduction of this section was an instruction to the referees to take these matters into consideration.

> "In the ascertainment of the amount of the compensation under this Act payable to the tenant in respect of any improvement"

—that was to say, to take the matter contained in the sub-sections into account in reduction of the amount of compensation. Sub-section (*c*), however, dealt with the question of rent, taxes, rates, and tithe rentcharge, or waste committed by the tenant. He did not find in the Bill any power dealing with waste. The sub-section seemed to be a set-off against a tenant's claim for compensation; but the instruction at the beginning of the section was to the valuators to take into consideration certain matters under Sub-sections (*a* and *b*), such as liming and manuring. How were the valuators to take into account, in estimating the value of an improvement to an incoming tenant, the rent due to the landlord? In the Agricultural Holdings Act, according to which this Bill was drawn, Clause 18 gave the tenant a claim against the landlord for compensation, and there was also a section giving the landlord a claim against the tenant; but those sections were left out in the present Bill. Those sections of the Agricultural Holdings Act were intended to be repealed by this measure; and he would therefore suggest that this section (*c*) should be omitted. If the sub-section were left in it would be entirely confusing to the referees. He would therefore move its omission. If the referees were to act upon the sub-section, they would not be able to give an award until they had decided what was the amount due to the landlord, and what was the amount of waste in respect of breach of covenant or other agreement between the landlord and tenant, together with the other matters mentioned in the provision. The object of the clause was to give the landlords a set-off against tenants' claims; but the referees would have no power to deal with the questions referred to in the sub-section.

Amendment proposed, in page 3, line 26, to leave out Sub-section (*c*).—(*Mr. J. W. Barclay.*)

Question proposed, "That Sub-section (*c*) stand part of the Clause."

Mr. DODSON said, the objection taken by the hon. Member to this sub-section was not, as he understood it, to the provision itself, but to placing these words in their present position in the clause. He was not sure that the hon. Member was not right in this respect; and he would undertake to consider the point, and if he found it desirable to divide the clause into two he would do so.

Mr. J. W. BARCLAY said, he wished to point out that Section 15 of the Agricultural Holdings Act provided that certain things were to be taken into account which were enumerated in this Bill in Sub-sections (*a* and *b*) of the present clause. Then Section 16 of the Agricultural Holdings Act went on to say that the compensation should be subjected to certain deductions; and then came in this Sub-section (*c*). Section 18 gave the tenant a right to make a demand against the landlord for any breach of covenant which was not covered by the Act. But the tenant, under this Bill, would have no power, except at Common Law, to claim such compensation. Section (*d*) of the present Bill said that in augmentation of the tenant's compensation should be considered sums due—

> "In respect of a breach of covenant or other agreement connected with a contract of tenancy and committed by the landlord;"

but the measure did not give the referees power to say what the compensation should be; and that question, if the Bill stood as at present framed, would have to be decided by a Court of Law before the referees could add anything in respect of it to the compensation. There was no power in this Bill for a tenant to get compensation for a breach of covenant on the part of the landlord. [An hon. Member: Yes; Sub-section (*d*).] Sub-section (*d*) only applied after the sum due was ascertained; but there was no power in the Bill to enable the tenant to ascertain the amount due for breach of covenant on the part of the landlord, or to enable the landlord to ascertain the amount due for breach of covenant on the part of the tenant. There was no power given for the referees to decide any claim.

Mr. GREGORY said, it appeared to him that the objection taken by the hon. Member for Forfarshire (Mr. Barclay) partook of a hyper-criticism. To his mind, the clause was quite intelligible, and would be perfectly workable. The clause was that—

> "In the ascertainment of the amount of the compensation under this Act payable to the tenant in respect of any improvement there shall be taken into account in reduction thereof," &c.

The clause did not say that there should only be taken into consideration matters reducing the compensation. Benefits allowed to the tenant and other reductions were considered, and matters were to be taken into account in augmentation of the tenant's compensation. The clause provided a double set-off, both as against the tenant's compensation and as against the landlord's claim to a set-off in respect of breach of covenant or other agreement connected with a contract of tenancy. Under the Agricultural Holdings Act there was a reference to two valuers, one to be chosen by either party, who might appoint an umpire. If they did not appoint an umpire, one could be appointed by the Land Commission on the application of either party, who would have full power to assess the sum. He (Mr. Gregory) did not see any difficulty in this matter; or, if difficulty there was, it was only in the matter of drafting the award. The referees would have full power to take all these matters into consideration; and he therefore could not see any possible ground for altering the clause, which seemed to him to be properly drawn. He had no doubt it would be found to work satisfactorily.

MR. J. W. BARCLAY said, he did not think the hon. Gentleman thoroughly understood the point in the next clause. It was provided that the award should take certain things into account in dealing with the compensation, and should specify the improvements in respect of which it was awarded, the time at which they were executed, and the sum awarded in respect of each thing. It was clear that there could be no connection between these matters and the matters contained in this sub-section (*c*). The chalking of land, for instance, had to be taken into account. In ascertaining the compensation to be given in regard to chalking, were they to take into account breaches of contract, rent, taxes, rates, tithe rent-charge, and so on? Surely it was perfectly clear that these things could have nothing to do with the value of an improvement.

MR. PELL considered the clause very well drawn, and that it covered all that was likely to arise.

MR. DODSON said, he thought it would be a pity to go on discussing the matter. He believed he saw what the hon. Member for Forfarshire was aiming at—namely, that in ascertaining the amount to be paid under this Act such and such things should be taken into account in fixing compensation. He had undertaken to consider the clause again.

MR. GREGORY understood that this clause was to be a settlement between landlord and tenant; and, therefore, the award should be made upon the footing of certain things being taken into account.

MR. J. W. BARCLAY said, he did not see anything in this Bill giving the referees power to ascertain the amount claimed for waste by the landlord on the one hand, or, on the other hand, by the tenant.

MR. SHAW LEFEVRE said, it was intended to retain these powers, and that point would be dealt with hereafter.

MR. J. W. BARCLAY said, that, so far as he could see, there was no question of compensation to the landlord by the tenant.

Amendment *negatived.*

MR. DUCKHAM said, he should be sorry to see an Act passed through the House which would enable a landlord to recover the full amount of rent due, without the tenant being enabled to claim as a legal set-off the compensation provided by the Bill. It was no use giving compensation, and no power to recover but by action at law. He therefore proposed to insert words to meet that point.

Amendment proposed,

In page 3, line 32, after the word "landlord," to insert the words "any sum due to the tenant as compensation under this Act shall be taken into account in reduction from the rent due."—(*Mr. Duckham.*)

Question proposed, "That those words be there inserted."

MR. DODSON said, that no power was given to the landlord to recover for breach of covenant, or in regard to waste; but he was left entirely to his action at law, although it was provided that, where a tenant claimed compensation, there should be a set-off against it any sum due to the owner for waste within the last four years.

MR. GOSCHEN said, the hon. Member had brought this question up before the Committee on Distress; and the point of the hon. Member, if he understood him rightly, was that while compensation might be due to a tenant by a landlord, nevertheless a landlord might distrain for the rent. The object of the hon. Member was to avoid the landlord being able by one process to recover rent the moment there was any money due; while the tenant, at the same time, had an item to set off, but which would not prevent the distress. He did not know what objections there were to the proposal; but he thought it was a clear way of putting the issue.

MR. DODSON said, he thought that if that was the issue the question had better be reserved until the clauses on distress were reached.

Amendment, by leave, *withdrawn.*

MR. DONALDSON-HUDSON said, the Amendment he had intended to move appeared to be covered by Sub-section (*a*) of this clause; but, before he withdrew it, he should like to have an explicit statement from the right hon. Gentleman (Mr. Dodson) as to whether that was so or not. The case he wished to draw attention to was that of a farm which had been let before the Act came into operation, on the distinct understanding that the farm should be worked up to an efficient state. Suppose a farm which, if in good condition, would have been worth £100 a-year, being in a wretched condition, was let at £70, on the condition that the tenant put it into good condition, and that he should then have no claim against the landlord, the tenant might yet claim compensation for his improvements, although he had already been paid for them by the reduced rent. Upon that point he should be glad to have some information; and another point was where, subsequently to the passing of the Act, a similar contract had been made in writing. Of course, if after such an agreement had been come to, the tenant should claim compensation for the whole of the improvements, he would be in the enviable position of performing the unparalleled feat of eating his cake and yet having it. If these points were covered by Sub-section (*a*) he would not move his Amendment.

MR. DODSON said, that those points were covered by Sub-section (*a*).

Amendment proposed,

In page 3, after line 32, to insert — "There shall not be taken into account any larger outlay during the last year of the tenancy than the average amount of the tenant's outlay for the like purposes during the three next preceding years of the tenancy, or other less number of years for which the tenancy has endured."—(*Mr. Duckham.*)

Question proposed, "That those words be there inserted."

Mr. Goschen

SIR MICHAEL HICKS-BEACH said, he hoped the Chancellor of the Duchy of Lancaster would be able to favourably consider this proposal. He had known a case in which a tenant, dying, left a flock of valuable sheep. The executors were naturally desirous of making as much money from the sheep as they could, and had spent large sums of money in artificial feeding-stuffs for them; while, on the other hand, they had so neglected the cultivation of the farm as to have left it in a very bad condition. That had been done without any desire to defraud the incoming tenant; but simply to realize the largest possible sum for the stock on the farm. He thought there should be some safeguard, as was here proposed, for the incoming tenant and the landlord, so that the outgoing tenant should not be able to charge for expenditure far beyond the average, from which the incoming tenant or the landlord would receive no proportionate benefit.

MR. GREGORY thought the Amendment very reasonable.

MR. DODSON said, he was very much surprised that the hon. Member had moved this Amendment. It was essentially a landlord's provision; and it appeared to him to be inconsistent with the objects now in view in laying down value as the measure of compensation. This proposal would strengthen the landlord's contention that compensation for improvements was to be limited by outlay. Another reason why he considered the proposal unfortunate was that they had already decided not to hamper the valuers by laying down rules and restrictions in an Act of Parliament. He hoped the Amendment would not be pressed, for the Government could not assent to it.

MR. CHAPLIN regarded this as a very valuable proposal. Undoubtedly it was fair; and he thought the objections of the right hon. Gentleman were greatly modified by the fact that an Amendment had been carried limiting compensation to outlay. He was bound to say, however, that he was very much surprised to see this Amendment in the name of the hon. Member; for he recollected that when that Amendment was carried the hon. Member was so overcome that he preached a sermon, in the most melancholy tones, on the injustice and wrong done to farmers. He was more delighted than he could express to find that the hon. Member had thought better of the matter. There ought to be some restriction of this kind; and he hoped the Government would agree to the proposal.

MR. DUCKHAM said, he would not press the Amendment.

MR. J. W. BARCLAY said, that by the Agricultural Holdings Act a hard-and-fast line was laid down that the compensation should be for a certain amount of manure consumed on the holding during the last year. It was evident that, if a large quantity was consumed, or more than was required, there was nothing to determine the amount except the outlay; and to meet that case a certain limitation was put into the Act. But here the case was quite different. The outgoing tenant was not to be compensated according to what he had consumed; but to the residue left to his successor. If he were under such a lease as was contemplated, he should charge the outgoing tenant with deterioration, because there would be a larger quantity of manure on the ground than was good for the stock. He thought the position of the Government was thoroughly sound, and that there was no reason for such a restriction in the Bill.

MR. BIDDELL said, he thought this a proper Amendment, which would commend itself to the outgoing tenant.

MR. PICKERING PHIPPS said, the effect of the Amendment would be that, if a tenant had not been in the habit of consuming oil-cake on the farm, it would prevent him using it after he had given or received notice to quit, even though it might be to his advantage and that of the incoming tenant. The outgoing tenant would not necessarily be compensated in proportion to the quantity of cake used; but only for such as left a residue for the benefit of the incoming tenant. The real purport of the Bill was, that a tenant farmer should find it to his advantage to keep the farm in good condition; and he hoped the principle would be maintained that whatever was done for the benefit of the incoming tenant should be paid for by valuation.

SIR THOMAS ACLAND pointed out that the Amendment was opposed to the broad principle of the Bill, that the tenant should receive compensation for the unexhausted value of the manures to the new tenant.

SIR BALDWYN LEIGHTON suggested that the Amendment should be withdrawn, and moved in an altered form, as, in its present form, it would affect all improvements in Schedule 3, which could not possibly be the intention of the hon. Member for Herefordshire (Mr. Duckham).

MR. STORER said, the Amendment would have the effect of preventing a man beginning to farm better than he had done in the earlier part of the tenancy.

MR. HICKS drew attention to the fact that the Amendment only applied to the last year of the tenancy, and that under the Act the tenant was to have a year's notice to quit. He put it to the Committee whether it was reasonable or right that a tenant under notice to quit should have the opportunity of building up a heavy charge against the incoming tenant? This was no question as between landlord and tenant; it was a question that had to do with the incoming tenants; and he said it was in the interest of those who took farms hereafter that the Committee should take care that the charges arising under the Bill were not unjust to them.

MR. SHAW LEFEVRE said, it was perfectly impossible for the Government to accept the Amendment as it stood, and he hoped the Committee would allow it to be withdrawn.

MR. CHAPLIN said, while he agreed with the object the hon. Member opposite had in view, he concurred in the suggestion that it should be withdrawn.

Amendment *negatived.*

MR. BIGGAR proposed to move the omission of Sub-section 3, in order to insert the Amendment standing in his name.

MR. WARTON rose to Order. He pointed out that the subject-matter of the Amendment was compensation for disturbance, and asked whether the hon. Member was in Order in moving it?

THE CHAIRMAN said, he had considered the Amendment of the Member for Cavan, and arrived at the conclusion that it was not beyond the scope of the Bill.

MR. BIGGAR said, the Amendment he was about to move embodied a principle contained in the Act which amended the law relating to Agricultural Holdings in Ireland. He submitted that its merit lay in the fact that it placed the tenant farmer in possession of a holding in a sounder position to deal with the landlord than that which he occupied in the present state of things. They had heard a great deal about freedom of contract in relation to the Agricultural Question; but he held that freedom of contract between the tenant farmer and the landlord was a thing that could not possibly exist. The usual time at which the landlords were likely to raise the rent was when farming was prosperous. They would certainly not be likely to raise it after a series of bad years, because then the rents would be tending to fall generally, and the landlords would be very anxious to keep the tenants on at the former rents; but in good years there was a tendency to believe that a prosperous state of things would continue for a considerable time, and it was under those circumstances that the landlords insisted on an increase of rent being paid to them. The position of the tenant, then, was that he must submit to an advance that might be fair so far as a single good year was concerned, but which would be more than was fair on an average of 10 years, because if he did not agree he would be obliged to sell his stock and implements at a loss. Thus it was that the tenant agreed to pay more than a fair average rent in good times, and when the bad times came he found himself embarrassed; and although in some cases landlords gave a reduction of rent, there were many cases in which no such reduction was given, and the consequence was that the tenant was ruined through having made an imprudent bargain with his landlord under pressure. He would remind the Committee that 30 years ago there was a considerable agitation in Ireland in relation to the land, and that the landlords at the time would not listen to the proposal that the tenant should be compensated for the visible improvements on the holding. But, although those landlords would not consent, their successors many years afterwards were forced to agree to larger terms; and he thought it no harm to say to the English landlords that the passing of a Bill like the present, which gave no substantial relief to the tenant farmer, would, in his opinion, only be an encouragement to agitation in England, and that, too, at no very remote day. He believed that the Amendment which he now begged to move would improve the Bill, and make it more acceptable to the tenant farmers.

Amendment proposed,

In page 3, after line 37, after the word "landlord," to insert the words—"(e.) When the tenant of any holding held by him under a yearly tenancy or on the expiration of a lease is disturbed in his holding by the act of his landlord, he shall be entitled to such compensation as the county court judge of his district, in view of all the circumstances of the case, shall think just, subject to the scale of compensation hereinafter mentioned; when the rent is thirty pounds or under, a sum not exceeding seven years' rent; when the rent is above thirty pounds and not exceeding fifty pounds, a sum not exceeding five years' rent; when the sum is above fifty pounds and not exceeding one hundred pounds, a sum not exceeding four years' rent; when the sum is above one hundred pounds and not exceeding three hundred pounds, a sum not exceeding three years' rent; when the rent is above three hundred pounds and not exceeding five hundred pounds, a sum not exceeding two years' rent; when the rent is above five hundred pounds, a sum not exceeding one year's rent."—(*Mr. Biggar.*)

Question proposed, "That those words be there inserted."

Mr STORER said, it was exceedingly thoughtful of the hon. Member for Cavan to endeavour to bring the English Land Law up to the Irish standard; but the alteration was one for which the English landlords were not prepared.

Mr. J. W. BARCLAY said, he could not support the Amendment of the hon. Member for Cavan; but he thought the present a convenient opportunity for the right hon. Gentleman in charge of the Bill to explain the difference between English and Irish tenants in relation to this question.

Mr. SHAW LEFEVRE thought, on the other hand, it was quite unnecessary to enter into the explanation suggested by the hon. Member for Forfarshire. The Government would oppose the Amendment.

Mr. BIGGAR said, that his Amendment was taken in substance from an Act passed by the present Government; and if they gave no reasons for not accepting it, the tenant farmers would naturally conclude that they had no reasons to give, and in that way they would simply be playing into the hands of their political opponents. He should certainly divide the Committee on the

Amendment, whether the right hon. Gentleman opposite supported it or not.

Question put.

The Committee *divided:* — Ayes 6; Noes 80: Majority 74. — (Div. List, No. 222.)

VISCOUNT FOLKESTONE said, he had been told that the Amendment he was about to move was not within the purview of the Bill; but he trusted that in a very few words he should be able to convince the Committee that that was not the case. The Amendment had reference to the landlord having an original claim for waste committed, or permitted, by the tenant. He was aware there was no such provision in the Act of 1875; and yet in that Act there was a clause which went a long way in the same direction. It contained a provision by which the landlord, having a claim for waste on the part of the tenant, might put it against the tenant's claim for compensation. He understood that the present Bill was to be carried in the interest of good husbandry; it was said that it was in the interest of good husbandry that the tenant should be able to claim compensation for the improvements carried out on the holding. But was it not also in the interest of good husbandry, and in the interest of the country, that a clause should be introduced into the Bill which would be a check upon the tenant committing waste? They knew it was not likely that the landlord would get any actual payment by means of the clause which he proposed to introduce. The landlord had now power to sue the tenant for rent due in the Courts of Law; the result of the exercise of that power being almost invariably that even where the landlord obtained judgment for the amount of rent due to him with costs—the tenant generally being a man of straw—he got no money whatever, and had to pay the costs himself. It appeared to him that as the tenant was to be entitled to compensation for improvements, the landlord also should be entitled to compensation for waste which took place by the default of the tenant. In 99 cases out of 100 he felt satisfied that the landlord would get nothing out of the tenant if his Amendment were accepted by the Government; but, at the same time, he believed that it would have a material effect in preventing a tenant going in to commit that waste which it was the object of his Amendment to prevent. When they were considering a Bill of this kind, he thought they should have regard to the opinion of those whose interests they were there to represent and uphold; and he knew no better way of making that opinion known than by referring to a Motion made by a tenant farmer sent up as the representative of his district in the Central Chamber of Agriculture. He moved to add to Clause 6 of the Bill the words—

"Provided, That the landlord shall have power to proceed by original claim, and not merely by way of counter claim."

That proposal, having been put before the representatives of the farming interest throughout the country, was carried without any discussion, a fact which showed, whatever might be the idea of the Government concerning his proposal, that it was not in opposition to the wishes or ideas of justice entertained by the agriculturists of the country. He begged to move the Amendment standing in his name.

Amendment proposed,

In page 8, line 38, to insert "where a tenant commits or permits waste, or commits a breach of a covenant, or other agreement connected with the contract of tenancy, the landlord shall be entitled to obtain, on the determination of the tenancy, compensation in respect of the breach or waste, provided that."—(*Viscount Folkestone.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the Government could not accept the proposal of the noble Viscount, which was superfluous, if the intention was not to alter the existing law; because the landlord was, undoubtedly, already entitled to compensation from the tenant if he committed waste, or a breach of covenant or agreement, in connection with his contract of tenancy. The words of the Amendment were—"Where a tenant commits or permits waste." What was called permissive waste was not considered to apply to an ordinary tenancy from year to year. The effect, therefore, that he could see of the noble Viscount's Amendment would be in this respect to change the law, and change it in a serious manner by making a tenant from year to year liable for permissive waste. That would be a matter of far too wide a scope to deal with in an Amendment of this kind. The noble Viscount would see that, in reality, he gave the landlords nothing; but merely said that a landlord should have that which he had now. The noble Viscount would see, on reflection, that nothing would be gained to the landlord by the adoption of this Amendment.

VISCOUNT FOLKESTONE said, that after what had been stated by his hon. and learned Friend the Solicitor General he should ask leave to withdraw his Amendment, more especially as he saw further down on the Paper an Amendment standing in the name of the hon. Member for Bedfordshire (Mr. James Howard), which contained the essence of what he wished to do by this clause. Perhaps the Government might be able to accept the principle of the Amendment of that hon. Gentleman.

Amendment, by leave, *withdrawn.*

MR. BORLASE moved, in page 3, line 41, to leave out "four," and insert "two." He knew there was a great deal to be said on both sides with regard to this question; but he thought that, considering the clause as it stood, and considering also some of the Amendments which were to follow, it would be as well if the word "four" were replaced by the word "two." He thought that two years were amply sufficient; and he trusted Her Majesty's Government would be able to accept his proposition.

Amendment proposed, in page 3, line 41, to leave out the word "four," and insert the word "two."—(*Mr. Borlase.*)

Question proposed, "That the word 'four' stand part of the Clause."

MR. SHAW LEFEVRE said, that the provision of the Bill in this respect was similar to that of the Agricultural Holdings (England) Act of 1875. It appeared that this principle was accepted in 1875 without a discussion. He had no doubt that the main reason for adopting four years was that that covered the usual period of the rotation of crops. They were giving compensation to tenants in respect of improvements which might have happened seven, or eight, or 10 years ago. It was, therefore, not unreasonable to enable a landlord to make a counter claim for waste which had occurred within a reasonable time. Looking to all the circumstances of the case, he could not think that four years was an unreasonable time.

MR. STORER said, he had an Amendment to the same effect as the hon. Gentleman the Member for East Cornwall (Mr. Borlase). He knew very well that four years was the term put in the Agricultural Holdings Act. That term was adopted in consequence of an Amendment of his own. Previous to that the period was unlimited during which a landlord could claim compensation; but in consequence of an arrangement with the late Mr. Ward Hunt four years was made the time. At that time he (Mr. Storer) thought that four years was too long; and now he considered the circumstances of the present day were so totally different from those of the time when the Agricultural Holdings Act was passed, that he hoped the Government would reconsider their determination, and consent to the substitution of two years for four. Four years was rather a long time to go back to. They could conceive cases where the tenant had not intended any waste. The waste might have occurred quite accidentally, and the land agent might have taken no notice of it. He (Mr. Storer) thought that if waste was allowed to go on by the land agent it might be said that the land agent had condoned the matter.

MR. J. W. BARCLAY said, that the clause was illusory. It was not an enacting clause, and there was nothing in it to limit the landlord's power. A landlord had power at Common Law, irrespective of this Bill, to claim for waste. As the right hon. Gentleman the Chancellor of the Duchy of Lancaster said a little time ago, there was nothing in the Bill which enabled a landlord to claim compensation for deterioration. In fact, this clause was altogether illusory. If they made the term one year it would not limit the landlord's power; he would still have the right at Common Law to claim compensation for deterioration. He hoped the Government would reconsider the advisability of retaining this clause in the Bill.

SIR HENRY FLETCHER said, he hoped the Government would not accept the Amendment. It had been well determined that the four years' system was a very good system, and one for which the Committee ought to hold out most strongly. There was no doubt that the landlords and tenants could make any private arrangements they liked between themselves; still, he hoped the Amendment would not be accepted.

COLONEL KINGSCOTE said, he hoped the Government would adhere to the clause as now framed. Waste came on gradually, and a tenant might make great havoc in a holding in the course of four years.

MR. GREGORY said, that this was no new right a landlord had; but the Amendment would rather restrict a landlord's Common Law rights. He took it that at Common Law a landlord would have a right to claim for waste for six years.

MR. ACLAND desired to say a word or two upon this Amendment, because he had an Amendment on the Paper which he would have to move if this Amendment were not passed. His object in his Amendment was this—that if a landlord noticed any waste going on on the farm he should give notice to the tenant to discontinue the waste; and that if after that notice the tenant wilfully or negligently persisted in such waste, the landlord should be allowed, for any time after that, to set up a counter claim against the claim for compensation. Although not now moving his Amendment to line 42, he wished, at the proper time, to add, after the word "to," in the fourth line of his Amendment, "a counter claim for." If this Amendment should be carried, then he thought that for unobserved and very casual waste two years were sufficient. He wished to give encouragement to landlords to keep a strict eye over their estates. If they did their duty in this way it was only proper they should reap the fruits by being able to set up a counter claim. He hoped the Government would be prepared to look favourably upon the Amendment he had upon the Paper to line 42. He intended to support the Amendment now before the Committee.

MR. J. W. BARCLAY asked what part of the clause gave the landlord right to claim for deterioration against his tenant? If there was no such power this clause was altogether illusory. He wished also to ask the right hon. Gentleman the Chancellor of the Duchy of Lancaster whether the landlord's rights at Common Law would be affected by this clause?

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, there was no power in this Bill to enable a landlord to claim for compensation which he had not at present under the Common Law. All that the provision did was to enable a landlord to set off any claim he might have for waste for four years past against, or in reduction of, a tenant's claim for compensation. The clause did not weaken or diminish a landlord's Common Law right.

MR. BORLASE said, it would therefore seem that this clause was altogether out of place; it was, in fact, entirely illusory. It was well to point out that this Amendment did not come from the Liberal side of the House alone; but a similar Amendment had been placed upon the Paper by the hon. Gentleman sitting opposite (Mr. Storer), and by his (Mr. Borlase's) own Colleague (Mr. Acland). He hoped the Government would see fit to adopt the Amendment he had proposed.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, that the Amendment, if adopted, would not take away the landlord's right to claim. Supposing they were to say that a landlord should only be able to claim for two years past, they would not limit his rights; but they would render it extremely probable that there would be increased litigation between landlord and tenant. He (the Solicitor General) did not think the tenant would gain by the adoption of the Amendment.

MR. J. W. BARCLAY asked whether it would prevent a landlord at Common Law setting up a claim for six years against a tenant's compensation, if the claim for deterioration was limited to four years? [" No! "] Then the clause was altogether illusory.

Amendment *negatived.*

MR. ACLAND proposed, in page 3, line 42, to add—

> "Unless notice shall have been given of the intention of the landlord to claim such compensation, and specifying the character of the waste or breach complained of, and in that case the landlord shall be entitled to compensation for any such waste or breach committed or continued after the date of such notice."

In moving this Amendment, he wished to draw the attention of the right hon. Gentleman the Chancellor of the Duchy of Lancaster to the fact that there were Amendments on the Paper in the names of the hon. Member for Great Grimsby (Mr. Heneage), and the hon. Member for Bedfordshire (Mr. J. Howard), to a similar effect. He (Mr. Acland) ventured to think that the Amendment he had to propose here was a very much simpler and a less complicated way of attaining the object he and his hon. Friends had in view. It was certainly a much simpler Amendment than that of the hon. Gentleman the Member for Great Grimsby; and, in respect of not rendering it necessary to have recourse to a Court, it was very much better than the Amendment of the hon. Gentleman the Member for Bedfordshire. His (Mr. Acland's) object was simply this—that where a definite notice was given to a tenant of waste, he should have to pay for it if he allowed the waste to continue. He wished this to be enacted specially in the interest of the incoming tenant, for nothing was more detrimental to a farm than a negligent treatment of the land.

Amendment proposed,

'In page 3, line 42, at end, add—"Unless notice shall have been given of the intention of the landlord to claim such compensation, and specifying the character of the waste or breach complained of, and in that case the landlord shall be entitled to compensation for any such waste or breach committed or continued after the date of such notice."—(*Mr. Acland.*)

Question proposed, "That those words be there added."

Mr. HENEAGE said, the difference between the Amendment of his hon. Friend and the Amendment he (Mr. Heneage) proposed to move as a new clause was, that a landlord at any time should be able to make a claim for any dilapidations or waste he might see going on, and that then the arbitrator or referee who was called in might be able to state that, unless the tenant put the farm in proper order, he would be fined so much at the end of his agreement; but if he put it in proper order, the landlord would not then have any claim for compensation. He (Mr. Heneage) wished to prevent litigation. He wished the tenant's attention to be called to any waste, so that if he chose to put it right there should be no claim against him at the end of his agreement. If the Government would accept the principle of the Amendment of his hon. Friend (Mr. Acland), he (Mr. Heneage) should be perfectly willing to move his clause at the end of the Bill. He thought that something ought to be done to give a landlord an original claim for dilapidation without having to use a counter claim, where there might be nothing to counter claim against.

Mr. SHAW LEFEVRE said, he thought the Amendment would have been a reasonable one if the Committee had agreed to substitute two years for four years. Under the circumstances, it seemed a little unreasonable. He hoped his hon. Friend would not press the Amendment.

Mr. J. W. BARCLAY said, that, upon the whole, he thought he should prefer a separate clause similar to that suggested by the hon. Gentleman the Member for Great Grimsby (Mr. Heneage). Indeed, he would suggest that the hon. Member should withdraw his Amendment, and that he should reconsider the matter in conjunction with the hon. Gentleman (Mr. Heneage). He (Mr. Barclay) thought it would be only fair to the tenant that a landlord should not be able to claim both under this Act and under Common Law.

Mr. ACLAND said, he would be glad to withdraw the Amendment if the Government would give some assurance that they were prepared to consider the question of giving landlords who attended to their property some power of preventing waste.

Sir ALEXANDER GORDON said, he thought the Government ought to be careful not to make the Bill more severe than the Act of 1875. It would appear from their remarks that some hon. Gentlemen desired to make the claim for waste an original claim. Now, the Act of 1875 distinctly laid down that the landlord could only make a counter claim if the tenant made a claim, but not otherwise.

Sir THOMAS ACLAND said, the object of this Amendment was to encourage landlords to look after their property, and to give notice to the tenant when they perceived any waste going on. In his (Sir Thomas Acland's) opinion, the Amendment would tend very much to diminish litigation; and he hoped the Government, if they did not accept the Amendment in the form in which it was proposed, would do something in the direction it indicated. Nothing could be more detrimental to a farm than broken down gates and neglected hedges, and it was very difficult to get valuers to look those things fairly in the face. Oftentimes very heavy claims were made, and injustice was committed. As a rule, the incoming tenant was the greatest sufferer.

MR. GREGORY trusted the Government would not give any pledge that they would accept the principle of this Amendment. They ought not to do anything which would prejudice the consideration of this matter hereafter. He regarded the Amendment as open to very great objection, and thought that instead of diminishing litigation nothing could be more calculated to encourage it. It would put landlords and tenants at arms' length, and it would make landlords far more particular in checking dilapidations than they were at present. A landlord would feel that unless he noticed any little bit of waste, any building out of repair, or any gate broken down, and warned his tenant immediately, he would lose his claim to compensation, or his set-off in respect of any compensation for improvements. He (Mr. Gregory) could not think that this Amendment was expedient, either in the interest of the landlord or the tenant.

MR. ACLAND said, he was ready to withdraw the Amendment, and he would do so at once. He wished, however, to say that this was a very important subject, indeed, in the interest of the incoming tenant, and in the interest of agriculturists generally. They wanted to simplify, as far as possible, every occasion of dispute between landlord and tenant. If a clear notice was given, as was proposed in this Amendment, he believed a great deal would be gained in that way. He only hoped that when the subject came on again the Government would extend to it more favourable consideration.

MR. JAMES HOWARD said, he saw no objection to the terms of the Amendment of his hon. Friend, except that it did not deal with the question of dilapidations and deterioration in as comprehensive a manner as was desirable. On page 4 of the Paper there would be found an Amendment in his (Mr. J. Howard's) name, and he rose now for the purpose of commending that Amendment to the attention of the Government before they passed this clause. In his opinion, cases of dilapidation and deterioration should not be allowed to go on to the end of the tenancy; but that a tenant who committed waste or dilapidation should be pulled up at once in order to prevent any further injury to the holding accruing.

Amendment, by leave, *withdrawn.*

MR. ALBERT GREY asked whether it would not be better to strike out the words "before the determination of the tenancy," in order to meet the case of long tenancies of 19 to 21 years?

MR. DODSON could not accept the suggestion.

Clause, as amended, *agreed to.*

Procedure.

Clause 7 (Procedure).

THE CHAIRMAN: The first Amendment is in the name of the hon. Member for Bedfordshire (Mr. J. Howard); and it proposes, in page 4, line 3, after "Act," to insert—

> "Or where notice is given by a landlord to his tenant of his intention to raise the rent of the holding or to determine the tenancy."

That question has already been determined, and it therefore appears to me that the Amendment cannot be put.

MR. JAMES HOWARD said, that perhaps the Committee would allow him to point out the object of the Amendment.

THE CHAIRMAN: Perhaps the hon. Gentleman did not hear me. I stated that the first Amendment could not be put, as its principle has already been negatived by the Division taken upon the Amendment of the hon. Member for East Cornwall (Mr. Borlase).

MR. JAMES HOWARD said, the next Amendment in his name was to insert, in page 4, line 4, after the word "tenant," the words—

> "In respect of any such matter or thing, and any difference arising between them in respect of any such matter or thing."

That Amendment, however, was consequential upon the first; but as the Chairman had ruled that he might move this Amendment, he would proceed to address a few observations to the Committee upon it.

THE CHAIRMAN: The hon. Member must not address any observations to the first Amendment, which I am of opinion cannot be put.

MR. JAMES HOWARD: Then I will not move the second Amendment, which is consequential upon the first.

Mr. GREGORY said, he begged to move an Amendment of some importance as to the structure and formation of the Bill—not one at all affecting the principle of the measure, or any of the points which had already been under discussion; but one for the purpose of improving its drafting. It was an Amendment for the purpose of making the Bill self-contained and intelligible. It would be seen that the clause, as it at present stood, proposed to incorporate certain provisions of the Agricultural Holdings Act of 1875—in fact, all the provisions of that Act which related to the appointment of arbitrators, and valuers, and umpires, and which dealt with proceedings in regard to those authorities. The effect of passing this clause would be that anyone desirous of interpreting the measure would have first to go to the Agricultural Holdings Act, 1875, and find out what sections were incorporated in this measure; but this was by no means all. The person wishing to find out the law would find that certain sections of the Act of 1875 were incorporated in this measure, and that certain other sections were exempted; and he would have to render his mind clear upon this point before he would be able to understand what the law was. But he would further find that certain modifications had been introduced into the Act of 1875 by the present measure, and he would have to dovetail the one into the other before he could ascertain what the Bill meant. Let them take the case of a country surveyor endeavouring to frame an award under the provisions of this Act. First of all, he would have this difficulty to contend with — he would have to go back to the Act of 1875 and pick out the sections of that Act which would have an effect upon his award; and when he had settled that point he would have to take into consideration the exceptions made in those provisions by the clauses of the present measure, and certain modifications of other provisions made by this Bill. The modifications of the sections of the Act of 1875 made in this Bill he (Mr. Gregory) entirely agreed with. But what he did not assent to was this slipshod sort of legislation, by which a person endeavouring to work under one Act would have to go back to another, and then have to revert to the first to see how the provisions of the second were modified by the first before he could properly carry out his functions. It would be almost impossible for an unlearned man to find out what the law was; and even to a professional gentleman it would be extremely difficult. They ought to endeavour, to the best of their ability, to render the Act workable and intelligible. He should not like to part with this Bill until they had made it as clear as possible; indeed, he should look upon it as a reflection upon the House of Commons if they sent it out in its present form. He sincerely trusted that they would hear from the right hon. Gentleman opposite (Mr. Dodson) that these reasons would prevail with him, and that he would make an effort to send out the measure in a form in which it could be readily understood, and in a way that an award could be arrived at satisfactorily to both parties. In matters of this kind it was very difficult to satisfy both parties; indeed, whenever an award was given, it was very likely that only one of the parties would be satisfied; and the other, therefore, would be ready to take any advantage offered to him for the purpose of upsetting the decision. The facilities for such a course would be greatly increased if the Act was complicated, and if it was necessary to go from one Act to another. It would be much more easy to dispose of any dispute as to the soundness of an award if the whole law on the subject was contained in one measure. The scheme he had worked out with some trouble was a workable and feasible one, and would only enact that which, he believed, was the real intention of the Bill. If the right hon. Gentleman who had charge of the measure was willing to adopt the Amendment, he would much rather the responsibility for this proposal rested on the right hon. Gentleman's shoulders than upon his own, and he would willingly make the right hon. Gentleman a present of it. If the right hon. Gentleman was willing to move the Amendment he (Mr. Gregory) would not trouble himself further with it. In order to insert the words he proposed, it would be necessary, in the first place, to strike out the following:—

"(2.) The award shall not award a sum generally for compensation, but shall, so far as reasonably may be, specify—(*a.*) The several improvements, acts, and things, in respect whereof compensation is awarded; (*b.*) The time at which such improvement, act, or thing was executed, done, or permitted; (*c.*) The sum awarded in respect of each improvement, act, and thing."

When these words were left out, his proposal was to insert in their place—

"But a tenant shall not be entitled to compensation under this Act unless two months at least before the determination of the tenancy he gives notice in writing to the landlord of his intention to make a claim for compensation under this Act. Where a tenant gives such a notice, the landlord may, before the determination of the tenancy, or within fourteen days thereof, give a counter notice in writing to the tenant of his intention to make a claim for compensation under this Act. Every such notice and counter notice shall state, as far as reasonably may be, the particulars of the intended claim."

This proposal, if adopted, would render the Bill more intelligible. There were other Amendments to the same part of the Bill to be moved by other hon. Members; but these he would not go into; and he would now move the omission of the words to which he had drawn attention.

Amendment proposed,

In page 4, line 8, to leave out from "and," to "and," in line 17, inclusive, and insert—"But a tenant shall not be entitled to compensation under this Act unless two months at least before the determination of the tenancy he gives notice in writing to the landlord of his intention to make a claim for compensation under this Act. Where a tenant gives such a notice, the landlord may, before the determination of the tenancy or within fourteen days thereafter, give a counter-notice in writing to the tenant of his intention to make a claim for compensation under this Act. Every such notice and counter-notice shall state, as far as reasonably may be, the particulars of the intended claim."—(*Mr. Gregory.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. DODSON said, he rose to make a proposal to the Committee, which he earnestly hoped hon. Members would accept, as it would have the effect of very considerably abridging their labours. In answer to questions which had been put to him by various Members of the Committee at various times, he had stated that the Government would look favourably upon a proposal to set out in the Bill the clauses of the Agricultural Holdings Act of 1875 which were to remain in operation. Undoubtedly, he was in favour of embodying the whole law on the subject of tenants' improvements in one Act. The Amendment which his hon. Friend (Mr. Gregory) had moved was to this effect—it accepted the modification of the Procedure Clauses contained in Clause 7, but sought to set out the clauses of the Act of 1875 at length with those modifications. Well, the course he (Mr. Dodson) would propose would be this—that they should pass Clause 7 as it stood—that was the clause incorporating the Procedure Clauses, subject to minor modifications—and that they should proceed with the rest of the Bill, with one exception, to which he would directly advert. Having made certain Amendments in the Bill, it would in any case be proper that it should be reprinted for consideration on Report; and he would further make this proposal—that after the Bill had passed through Committee, it should be re-committed, *pro formâ*, to receive Amendments, and that those Amendments should consist of the Procedure Clauses set out in the Bill as modified by Clause 7, and Clause 7 would then disappear. This was, in effect, what the hon. Member proposed, although his (Mr. Dodson's) method would be a shorter one.

MR. PELL wanted to know what would be the Procedure Clauses which would be set out at length?

MR. DODSON said, all those clauses which would be incorporated in this Bill.

MR. PELL: Not those struck out?

MR. DODSON: Certainly not; but only those which had been accepted. He would then propose to adopt the same course with regard to Section 13 of the Bill, which proposed to incorporate the clauses from 45 to 50, inclusive of the Agricultural Holdings Act of 1875, and also Clauses 52 to 60. He should propose, in the same way, to pass that clause, and, when the Bill was re-committed *pro formâ*, to strike it out and insert the clauses to be incorporated. [An hon. MEMBER: And how about Clause 29?] He would come to that directly. What he intended to do was to give effect to Clause 7, subject to setting out the clauses it incorporated. Clause 29 was the clause repealing the Agricultural Holdings Act, and that would stand; although, of course, when the clauses of that Act, which were to be continued, were inserted in this Bill, the Agricultural Holdings Act of 1875 would be repealed entirely instead of partially. He trusted the Committee would be prepared to accept this proposal, which was virtually the same as that of the hon. Member opposite (Mr. Gregory). The right hon. Gentleman at the head of the Government, a short time ago, in answer to a question put by the hon. Member for South Devonshire (Sir Massey Lopes), had stated that it would be a proper course to pass the Bill through Committee, and then, on Report, to incorporate at length the clauses of the Act of 1875 which were to be continued.

Sir MICHAEL HICKS-BEACH said, he was glad to hear what the right hon. Gentleman proposed, the effect of which he understood would be this—that all the provisions of the Act of 1875 which were to be retained would be set out at length in this Bill. If that were so it would be extremely satisfactory, and the Committee need spend no further time upon this clause. He (Sir Michael Hicks-Beach) had ventured to suggest on the second reading that the Bill should be committed *pro formâ*, in order to have these clauses inserted; but he was quite content that it should be done in the way proposed.

Mr. CHAPLIN said, he had some suggestion to make with regard to the modification of the 1st sub-section in the Procedure Clauses; but he did not know whether it would be proper to proceed with that suggestion now, or to wait until the right hon. Gentleman opposite moved the insertion of the proposed clauses. He suspected that the present time would be fitting for his Amendment.

Mr. DODSON said, the course he had ventured to recommend to the Committee was that they should first agree to Clause 7—which would, in fact, be agreeing to what was proposed by his hon. Friend opposite (Mr. Gregory). He proposed to introduce the Procedure Clauses with modifications when the Bill was re-committed. On Report the House would have these clauses before it at length, and any alterations which any hon. Member thought should be made in them could then be proposed and discussed.

Mr. CHAPLIN said, that that did not give hon. Members the same opportunity of moving Amendments as that which they enjoyed in Committee. Probably he might be allowed to explain the alterations he desired to make, and the Committee might accede to them. For instance, he objected altogether to the proposition that a tenant should give two months' notice in writing to his landlord of his intention to make a claim for compensation under the Act.

Sir JOSEPH PEASE rose to Order. He had an Amendment on Clause 7, in line 12, which would come on before that of the hon. Member for Mid Lincolnshire (Mr. Chaplin).

The CHAIRMAN: If the hon. Member for Mid Lincolnshire (Mr. Chaplin) is going to discuss his Amendment, it will be necessary for me, in the first place, to call upon all those hon. Members who have Amendments down before the hon. Member.

Mr. CHAPLIN said, he was most anxious to agree to the proposition of the right hon. Gentleman (Mr. Dodson), so as to facilitate in every way the progress of the Bill; but, at the same time, there was a point in these modifications of the provisions of the Act of 1875 to which he attached great importance, and which he should be bound to raise in the interest of the tenants in a way which was best calculated to effect the object he had in view. He was afraid that by postponing his proposal to the Report stage he would not have advantages similar to those he possessed at the present moment. He would, therefore, with the permission of the Committee, explain the suggestion he had to make, and probably it would be found that the right hon. Gentleman would be able to accept it. If he was in Order in taking this course he should be very glad of the opportunity.

The CHAIRMAN: I would point out to the hon. Member that the Amendment of the hon. Member for East Sussex (Mr. Gregory) is before the Committee.

Mr. HENEAGE said, it would simplify matters if the right hon. Gentleman (Mr. Dodson) would state which of the Amendments, if any, he accepted or rejected at the present moment, instead of waiting until the Report stage. He (Mr. Heneage) had an Amendment to the clause with the view of omitting altogether the County Court and substituting the Inclosure Commissioners, which most agriculturists in the North of England were very much in favour of. If that point were settled now they would not have to trouble themselves with it on Report.

Mr. DODSON said, he was in the hands of the Committee in this matter. If hon. Members who wished to propose Amendments to the modifications in the clause were anxious to do so now he had no desire to prevent them; and the suggestion he would therefore make to the hon. Member (Mr. Gregory), whose Amendment was before the Committee, would be that he should withdraw his proposal, on the understanding he (Mr. Dodson) had already explained. This would allow the hon. Gentleman behind him (Mr. Heneage), and the hon. Member for Mid Lincolnshire (Mr. Chaplin), who wished to propose modifications, to move their Amendments.

Mr. GREGORY said, his only object was to facilitate the progress of the Bill. He would, therefore, adopt the suggestion of the right hon. Gentleman and withdraw the Amendment.

Mr. J. LOWTHER said, that before the Amendment was withdrawn, he should like to ask whether he correctly understood that Clause 7, on re-commitment, was to be struck out? [Mr. Dodson: Yes.] With a view to the introduction of the sections of the Act of 1875 in its place? If that were so, the Committee would only be wasting its time if it set to work to amend the clause which it was intended to strike out. [Sir Thomas Acland: No, no!] The hon. Baronet, with great emphasis, said "No, no!" But he (Mr. Lowther), with equal emphasis, maintained the affirmative. They would be wasting their time if they went into these Amendments now. They should allow the clause to stand now without further discussion, so that on Report it might be struck out, and the provisions of the Act of 1875 inserted in its place.

Sir THOMAS ACLAND said, he did not say "No, no!" at all. If they were to adopt the Agricultural Holdings Act of 1875, it was better to settle what the clauses of that Act they intended to retain should be.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, the clause was not to be struck out in the ordinary sense of getting rid of it. It was to be incorporated in the Bill with other clauses when they had settled what those clauses were to be.

Sir THOMAS ACLAND remarked, that that had not been previously stated.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, at any rate that was what was to be done.

Mr. PUGH said, he did not even yet understand what course was to be pursued as to the clauses of the Act of 1875. Take Clause 33, for instance. Were they to discuss the modifications proposed in that clause now, or on Report? That clause had reference to costs, which were to be at the discretion of the referees. No doubt, it would be the desire of the Committee to keep down the costs; and he intended to propose that the expense of employing a referee, as well as the costs of employing an umpire, should be divided between the parties. Would he be able to move that modification now?

The SOLICITOR GENERAL (Sir Farrer Herschell) said, that anything could be moved which did not deal with the provisions of the Act of 1875, to be incorporated in this section; but anything which had reference to this clause should be dealt with now.

Mr. GREGORY repeated his desire to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. HENEAGE said, he had an Amendment to propose to line 11, the settlement of which would dispose of several proposals on the Paper.

Mr. CHAPLIN said, he had an Amendment which would come on before that of the hon. Member in line 11.

Mr. HENEAGE said, his Amendment was to add, after the words "twenty-one," the words "twenty-four."

Mr. CHAPLIN said, his Amendment was to insert before the words "twenty-one" the word "twenty." That word would represent the 20th section of the Act of 1875, which provided that a tenant must give a month's notice of his intention to claim compensation. He held the opinion that it was not necessary to require notice from a tenant of his claim for compensation either under this Act or under the Act of 1875. As a matter of course, in every case a tenant would claim compensation. [An hon. Member: No, no!] An hon. Member said "No!" but all he (Mr. Chaplin) could say was that a man would be a very remarkable farmer indeed if, during the course of his tenancy, he had done nothing in regard to which he would be entitled to claim compensation under one or other of the numerous operations specified in the Schedule. That being the case, he thought it would be exceedingly hard on the tenant farmer that because he might have forgotten, by a certain day or a certain week, to specify the improvements he had effected, he should be deprived altogether of compensation. He could not conceive anything harder or unfairer than that. He did not think it necessary, in the interest of the landlord, that this notice should be required. If this Amendment were agreed to, he should afterwards move to omit Sub-section 1, which ran as follows:—

> "The tenant shall give *two months'* notice instead of one month's notice in writing to his landlord of his intention to make a claim for compensation under this Act, and Section twenty shall be construed accordingly with the substitution of 'two months' for 'one month.'"

Amendment proposed, in page 4, line 11, after the word "Sections," insert the word "twenty."—(*Mr. Chaplin.*)

Question proposed, "That the word 'twenty' be there inserted."

Mr. GREGORY said, he did not altogether agree with the hon. Gentleman that in all cases tenants under this Bill would have a claim to compensation. There would be no harm in the proposal in the Bill—in fact, he did not think there would be any harm in allowing the tenant to give six or even 12 months' notice.

Mr. SHAW LEFEVRE said, that notice would be necessary to enable the landlord to inspect the premises if he required to do so.

Sir GABRIEL GOLDNEY said, that notice should be given in order to enable the incoming tenant to know what he would have to pay before he accepted the tenancy. The landlord, on making terms with an incoming tenant, might want to say—"Such and such improvements have been made. I will take these, and you take the remainder." But if the outgoing tenant was not required to give any notice, it might be impossible for the landlord and the incoming tenant to make such an arrangement, because they might not know what improvements were to be claimed, or what improvements had been made.

Mr. DUCKHAM said, an outgoing tenant should be given at least four months' notice. He thought it most desirable that the compensation should be awarded before the termination of the tenancy.

Sir BALDWYN LEIGHTON agreed that the time should be extended, as he did not know that there would not be great inconvenience to the incoming tenant if the time was limited. Instead of reducing the period it should be extended. Under the Lincolnshire custom the parties knew what was to be paid; but the Lincolnshire custom did not apply to every part of the country. He would ask Her Majesty's Government to consider the propriety of extending the time as a matter of convenience.

Sir ALEXANDER GORDON said, a tenant should give notice of the improvements he intended to claim within two months after receiving or giving notice to quit.

Mr. J. W. BARCLAY said, he thought it was desirable that as long a time should be given as possible. A tenant, for instance, might not know how much cake he was going to use during the three months before he quitted his holding.

Sir ALEXANDER GORDON said, the farmer would know what cattle he had on his farm; and, therefore, he would have some idea of the amount of cake he was likely to consume.

Viscount EMLYN said, he thought it necessary that some notice should be given, although whether the period contained in the Act of 1875 should be extended or not he could not say. It did not appear to him that the right hon. Gentleman the First Commissioner of Works had had much to say in support of the extension under the clause which was to modify the Act of 1875, so as to extend the period from one month to two months. The proposals made to the Committee seemed to range from four months to one month. Whatever was the custom in Lincolnshire or other counties, it was clear that there should be some notice, and some limitation to that notice.

Mr. CHAPLIN said, it was contended that there were some parts of England where no claim for compensation would arise; and, even if that were so, there could be no objection to dispensing with the notice. If there was to be no claim for compensation, all the less necessity was there for demanding a notice. He did not dispute that in instances pointed out by hon. Members, or where no claim for compensation at all would arise, that a notice to quit was in itself ample notice with regard to compensation. A tenant having given or received notice to quit, in the majority of cases, his claim for compensation would be sure to follow; but what he (Mr. Chaplin) said was this—that, with the exception of those cases to which he referred, and with which he was not acquainted, it would be very hard, indeed, on a man who might have spent a great deal in improving his holding, and might have to make a claim of £1,500 or £2,000 for compensation, that he should lose all that compensation, because he might have omitted, by a day or a week, to give notice of his claim. That would be a great hardship, and to him (Mr. Chaplin) would be altogether unnecessary. Hon. Members talked about the Lincolnshire custom. That custom was by no means limited to Lincolnshire. They might go through the whole of the counties of England, and they would find that nowhere was a man deprived of his right to make a claim because he had not given notice of his intention to do so.

SIR GABRIEL GOLDNEY said, they must have some fixed period, otherwise a farmer might come at any time and say—"Oh, I am entitled to compensation for something or other I did such a time back." As to a tenant being entitled to £1,500 or £2,000 for compensation, it would be a very strange thing, where such an amount as that was involved, if the man, when his tenancy expired, was not in a position to give notice of his claim.

MR. PUGH said, he objected altogether to these notices, because he was satisfied they would simply be so many pitfalls for the unwary. He was surprised that the hon. Member for Herefordshire (Mr. Duckham) should have advocated a four months' notice.

MR. J. LOWTHER said, it appeared to him that this matter had been argued, to some extent, upon wrong premisses. The hon. Gentleman (Mr. Chaplin) had hardly himself cleared the matter up entirely. It had been assumed that the claim of the tenant was to be of a specific character; but much of the argument had proceeded upon the assumption that the claim was to be of a most general character. The claim contemplated by the Agricultural Holdings Act of 1875, and by this Bill, was to be a general claim that a pecuniary compensation of some sort or other was to be paid. Well, it seemed to him that for that purpose, whether the time allowed for notice was one month or two months—the longer period he was disposed to agree with—the objection of the hon. Member must be the same. The hon. Member said a man might forget a debt, and fail to make a claim within a specified period; but that difficulty was the same with one as with two or four months. There seemed to be some confusion upon this subject; and perhaps it would be better for the hon. Member to avail himself of the opportunity that would be presented of considering the matter at a later stage. He would, therefore, suggest that the Amendment should be withdrawn.

MR. ACLAND said, that if the right hon. Gentleman who had just sat down would read the clause, of which this sub-section was a modification, he would find that there was a sub-section contained in it to the effect that every notice or counter notice should contain particulars of the intended claim. It appeared to him that it was desirable that the incoming tenant should know, as far as possible, what he would be called upon to pay for.

SIR BALDWYN LEIGHTON said, the notice given either by the tenant or the landlord for a farmer to quit the holding would be a sufficient notice with regard to claiming compensation.

MR. CHAPLIN said, the observations of the hon. Member for East Cornwall (Mr. Acland) provided him with an additional argument in favour of his proposal, and against an extension of the notice. How was it possible for a tenant to put in a claim for the use of articles which might not be consumed for six months after that claim was made? However, he (Mr. Chaplin) had gained such little support for his proposal that he considered he would have a better chance of carrying the Committee with him at a later stage. Therefore, he would now withdraw the proposal.

Amendment, by leave, *withdrawn.*

Mr. HENEAGE said, he wished to propose, in line 11, after "twenty-one," to insert "twenty-four," and after "thirty-one," to omit "and," and after "thirty-two," to insert "and thirty-six." His object was to prevent any appeal to a Court of Law; the tenant farmers of England objecting to litigation. What the tenant farmers wanted was to have these matters decided at once; and he believed the proper mode of settling these matters was by really good men, such as the Inspectors of the Land Commission, who were to be found throughout the whole of England, and who would give decisions between an incoming tenant and an outgoing tenant, which both of them would be willing to accept. He was sorry to have to allude to the Lincolnshire custom; but that which he wished to provide for had been going on for a great number of years, and had given satisfaction. If the two valuers did not agree one would give in three names, and the other would be bound to accept one of the three, and the decision of that one would be final. In this way nothing was allowed to go to the County Court, or a Court of Law. The Chambers of Agriculture had discussed this clause for a long time; and although, perhaps, they were not judges of drafting, according to the Government, they might be allowed to have a voice in this matter. Their opinion was that no appeal should be allowed from the decision of the arbitrators to a Court of Law. He would, therefore, provide in the Bill that the valuers should decide the case once for all; and he trusted that the Government would see their way to accept this Amendment. There was a very strong feeling in favour of it throughout the country, particularly on the part of some of the Commissioners who had served under the Royal Commission. When he had been drawing up the Bill on this subject during the winter there had been nothing which had been pressed upon him more strongly than this point. He would not detain the Committee longer, but would simply move the Amendment standing in his name.

Amendment proposed, in page 4, line 11, after "twenty-one" insert "twenty-four," after "thirty-one" leave out "and," after "thirty-two" insert "and thirty-six."—(*Mr. Heneage.*)

Question proposed, "That the word 'and' stand part of the Clause."

Mr. DUCKHAM supported the Amendment. There was, he said, a general feeling throughout England that the Bill should be made clear and precise, and that nothing should be referred to the County Courts. Two good practical men should be left to decide the point at issue between landlord and tenant, or outgoing and incoming tenant; and if it was necessary to employ his services, an umpire should be obtained, whose decision should be final. He trusted the Government would accept the alteration proposed.

Mr. J. W. BARCLAY said, he thought there must be some mistake in the minds of hon. Members on the subject of the Amendment.

Mr. DODSON said, he did not think it was desirable to accept the Amendment. Surely it would be desirable to leave a power of appeal, in certain cases, to a Court of Law, as there might be questions arising of law, and mixed law and fact, which would have to be decided. They might not be of frequent occurrence, still they would occasionally arise; and it was desirable that a Court should have power to go into them. Some of the appeals in minor matters which were allowed under the Act of 1875 had been taken away by this Bill. They had said, for instance, that there should be no appeal to the County Court unless the sum in dispute exceeded £100. In important cases it would be most desirable for all parties that an appeal should be allowed to a Court of Law.

Sir BALDWYN LEIGHTON said, the appeal would be on a question of valuation, and not a point of law.

Mr. HENEAGE said, that was so.

Mr. J. LOWTHER said, the Committee seemed to be in a state of hopeless confusion on the subject of the provisions of the Act of 1875, with which hon. Members were proposing to deal in these Amendments. They were asked to strike out provisions of an Act of Parliament which they had not before them at the present moment. Some hon. Members had a copy to refer to by them, and some had not. Surely this was a most unfortunate way to do business. The right hon. Gentleman (Mr. Dodson) had realized the inconvenience of this proceeding, and had accordingly undertaken to incorporate the sections of the Act of 1875, which were to be inserted bodily in this measure at a later stage. It would be well, therefore, to pass by the present clause, and to await the introduction of those provisions.

MR. CARTWRIGHT said, the point under discussion was not as to questions of law, but as to questions of valuation; and he was perfectly convinced that when they came to such matters as that, all who had had anything to do with agriculture must know that it would be better to adhere to the decision of a skilled and practical man, rather than to trust to the decision of unpractical persons, who might, moreover, be closely connected with the interests of the localities.

MR. ALBERT GREY said, he thought they should postpone the consideration of this matter until they had the clause in question before them, as it was almost impossible to follow the arguments and Amendments moved by hon. Gentlemen by such references as No. 21, No. 22, No. 23, and so on.

MR. DODSON asked if he might be permitted to give the Committee an illustration of the inconvenience of the course they were pursuing of discussing clauses which were not before them? Hon. Members had spoken in favour of leaving out an appeal to the County Court, on the ground that Clause 36 had nothing to do with questions of law, but would only refer to valuation. But, as a matter of fact, the 36th section of the Act of 1875 dealt with the decision of the question as to the validity of the award of a valuer. Surely that was not a question of valuation. The section also dealt with the question of whether the award was given in respect of compensation to which the tenant was entitled, and with questions as to the award having been refused or reduced in regard to claims on the part of the landlord to which the landlord had no right. None of these could be called questions of valuation, but were questions of law, or of mixed law and fact. He thought the Committee would have been very wise if they had agreed to give effect to the proposal of the hon. Member for East Sussex (Mr. Gregory) in the manner he (Mr. Dodson) had proposed, and had accepted Clause 7 as it stood.

SIR BALDWYN LEIGHTON asked whether they were going to retain or repeal the clause referred to by the hon. Member for East Cornwall (Mr. Acland)?

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, it was retained because it was in Clause 20 of the Act of 1875, which was only to be slightly modified.

MR. ALBERT GREY said, that a great many people in the North of England were in favour of the substitution of the Inclosure Commissioners for the County Court.

MR. DODSON urged the hon. Member (Mr. Heneage) to withdraw his Amendment.

MR. HENEAGE said, he was ready to withdraw the proposal, on the understanding that a discussion would be taken upon it on Report.

SIR JOSEPH PEASE said, it had been fully explained that on Report they would have an opportunity of going into these matters; otherwise, he himself should have brought forward Amendments at this stage.

MR. DUCKHAM said, that before the Committee adopted the suggestion of the right hon. Gentleman (Mr. Dodson) he would suggest a new sub-section to the clause. The section, as it stood, required the valuator to give particulars of all claims made by the tenant; but there was no similar provision made for any claim as to waste or deterioration. He thought the particulars of that matter should be furnished, as well as particulars of other matters.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Charge of Tenant's Compensation.

Clause 8 (Power for landlord on paying compensation to obtain charge).

SIR ALEXANDER GORDON said, he had the following Amendment to propose:—Page 5, line 6, after "fit," insert,—

> "Provided, That the whole repayment shall be made, and the charge on the holding removed, within twenty-five years from the date of the order, and that such charge by the County Court shall be a first charge on the holding, having priority over every other then existing and future charge and incumbrance affecting such holding, except any previous charge under this Act."

By Clause 4 they had enacted that the

landlord might execute the works himself; but this clause did not provide for that contingency when the landlord executed the works out of his own pocket.

Question proposed, "That those words be there inserted."

Mr. DODSON said, it appeared to him that it was not desirable to accept this amendment. It would be, in fact, going out of this Bill, because it amounted to an amendment of the Land Improvement Act and the Settled Lands Act. Under these Statutes, the landlord could apply capital for improvements, but could not charge the estate except subject to certain specified conditions and safeguards. They would be introducing an entirely different matter into this Bill if they were to proceed to amend these Acts, and give a charge under this Bill priority over every other existing and future charge and incumbrance affecting the holding. He thought it better not to mix up these questions, and hoped the Amendment would not be pressed.

Sir ALEXANDER GORDON said, the result would be that the landlord would have to proceed in two ways—under the Settled Estates Act as well as under this Act.

Mr. J. W. BARCLAY apprehended that this Amendment would apply in a case of drainage where the landlord executed the improvement and charged the tenant. When a tenant made an improvement, the landlord paid him compensation; and what the hon. Member wanted to do was to provide that, in like manner, the landlord should be entitled to charge the estate with an improvement, if he preferred doing that to charging the tenant. In that case, the tenant's payment of interest to the landlord would come in payment of the interest upon the cost of the improvement.

Mr. DODSON said, there was a difference between these two kinds of expenditure. By this Act, a compulsory obligation was placed upon the landlord to pay compensation, and, therefore, power was given to him to charge the estate; but it was quite a different thing to give him power to charge the estate for what he did voluntarily.

Amendment, by leave, *withdrawn.*

Mr. STANLEY LEIGHTON proposed, on behalf of the hon. Member for North Staffordshire (Mr. H. T. Davenport), to insert, after "holding," "or such part thereof as is benefited by the outlay which is the subject of compensation." As the Bill stood, the whole holding would be subject to a charge, and that would make the person in whose favour the charge was given—that was the mortgagor—a necessary party to any dealings with that land as long as the charge remained. If there was a farm of 1,000 acres upon which £1,000 had been borrowed, the whole of those acres would be held by the mortgagor until the money was paid, and no dealing with that land could take place with regard to sale unless the mortgagor was willing, as he must be a necessary party to any such dealing. There was this further reason for only fixing the compensation on the land benefited. Supposing a farm was divided into two parts, and the charge was on the whole, it would be difficult to say how much of the increased rent should be thrown on the portion which was not benefited, whereas that portion of the farm would still bear the charge.

Amendment proposed,

In page 4, line 40, after the word "holding," to insert the words "or such part thereof as is benefited by the outlay which is the subject of the compensation."—(*Mr. Stanley Leighton.*)

Question proposed, "That those words be there inserted."

Mr. SHAW LEFEVRE said, he thought this Amendment would be inexpedient, and almost impossible to carry out. If a tenant drained, say, 50 out of 1,000 acres, and then claimed compensation under the Bill, the landlord would be able to charge the property with the amount.

Mr. DONALDSON-HUDSON said, there might be a farm containing half-a-dozen fields, an improvement might be executed only on one field, and the owner might wish to sell the farm in six different lots. It was only fair that an improvement which had been executed upon one field should be charged on that alone, and the other fields not be burdened with the expense of the improvement. He thought there was a great deal of reason in this Amendment, and that it was quite worthy of consideration.

MR. R. H. PAGET wished to ask the Solicitor General whether "holding" would come within the definition of the clause, and be held to mean any parcel of land occupied by a tenant? In the case of a landlord entering as an incoming tenant himself, would it not be a question whether there was a holding within the meaning of the Definition Clause, "holding" meaning, as stated by this Bill, a parcel of land held by the tenant? He thought that might give rise to differences.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) replied, that the clause dealt with this matter because it was the holding of that tenant by whom the holding was held.

MR. GREGORY said, a landlord might not wish to charge the entire holding, and it might be quite unnecessary for him to do so for the purpose of raising the money required; and he suggested that the County Court might decide upon what portion the charge should be made.

MR. SHAW LEFEVRE said, there would be no objection to that.

Amendment *negatived.*

Amendment proposed, in page 4, line 40, after the word "holding," to insert the words "or any part thereof."—(*Mr. Gregory.*)

Amendment *agreed to.*

SIR ALEXANDER GORDON said, he wished to propose that the charges on the holding for improvements under this Act should be placed on the same footing as the charges under the Lands Improvement Act, 1864. That Act provided that the whole charge should be paid off in 25 years, and he thought it was most desirable to adhere to that principle, for it was very objectionable to have charges hanging over an estate for half-a-century or more. But the chief part of the Amendment was that the charge should have priority over pre-existing charges. If a landlord had an unencumbered estate, he would prefer raising money himself for improvements, and would not require to make use of the County Court at all. If the estate was encumbered to the full value of the property, the charge by the County Court on the holding would be very little indeed. No man would advance money upon a second or third mortgage; and, therefore, though there might be an appearance of security by giving a charge on the holding, unless the holding was unencumbered there was really no value at all. He wished some of the learned Members of the Committee to consider whether it would not be desirable to place improvements under this Act on the same footing as under the Act of 1864?

Amendment proposed,

In page 5, line 6, after the word "fit," to insert the words "except any previous charge under this Act, or under the Improvements of Land Act, 1864."—(*Sir Alexander Gordon.*)

Question proposed "That those words be there inserted."

MR. DODSON said, he did not see any reason for this Amendment. The hon. Member said an estate might be encumbered, and then the charge would not be worth much; but where was the justice, if an estate was unencumbered, in allowing the last charge to have priority over others? He hoped the Amendment would not be accepted.

SIR GABRIEL GOLDNEY said, the Judge, under this clause, had full power to ascertain what the interest of the landlord was, and how long it would take to pay off.

SIR ALEXANDER GORDON said, the words were taken identically from the Act of 1864, which the Government employed when they had Government money to advance. He would, however, withdraw them.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 9 (Incidence of charge).

Amendment proposed, in page 5, line 19, after the word "holding," to insert the words "or the part thereof charged."—(*Mr. Solicitor General.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 10 (Advance made by a company) *agreed to.*

Notice to quit.

Clause 11 (Time of notice to quit).

MR. R. H. PAGET asked the Solicitor General to explain the meaning of "is by law necessary." So far as he was aware, the only case where it was by law necessary was where people had contracted themselves out of the Act under the Act of 1875.

The SOLICITOR GENERAL (Sir Farrer Herschell) replied, that the ordinary rule of law was that with a tenancy from year to year, six months' notice was necessary.

Mr. R. H. PAGET said, he understood that the Act of 1875 had overruled that, and only allowed it to come into force when the people interested had deliberately contracted themselves by notice out of the provisions of the Act.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, that was so. In the case of an agricultural holding where the Act of 1875 came into operation it extended the time.

Mr. R. H. PAGET said, it only operated when two persons had deliberately contracted themselves out of the Act.

The SOLICITOR GENERAL (Sir Farrer Herschell) asked whether the hon. Member meant that, apart from this Bill, six months' notice was the ordinary Common Law time, subject to the alteration made as to an agricultural holding by the Agricultural Holdings Act, 1875? Where it did not apply, six months' notice were required.

Mr. R. H. PAGET said, that to raise this point he would move the omission of the words "by law." He did not think these words were applicable. Whatever was the law previous to the Act of 1875, that Act altered it, and all tenants brought under its operation were parties deliberately contracting themselves out of it, and it could and did only apply to cases in which they could be held to be out of the Act by law.

Amendment proposed, in page 5, line 33, to leave out the words "by law."—(*Mr. R. H. Paget.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Sir GABRIEL GOLDNEY thought it was absolutely necessary to have this clause.

Sir BALDWYN LEIGHTON said, that if this clause remained there would be a certain amount of uncertainty, and tenants would find that by no fault of their own the six months' notice would become 12 months. He would suggest that the Government should put in certain words which would not require an agreement in writing, so that where a tenant had been going on from year to year with six months' notice he might continue without special notice.

Mr. R. H. PAGET said, he did not desire to detain the Committee on this point. If there was anything in it he was satisfied that the Solicitor General would attend to it.

Amendment, by leave, *withdrawn.*

Mr. HENEAGE said, he wished to propose an Amendment with a view to prevent tenants being turned out of their holdings and also the sale of their property.

Amendment proposed,

In page 5, line 37, after "the same," insert "and, in case of any landlord entitled for his life, or for any other uncertain interest, the tenant of such holding shall be entitled to continue to hold and occupy such holding until the expiration of such notice, upon the terms of his contract of tenancy, anything in section one of the Act of the fourteenth and fifteenth Victoria, chapter twenty-five, to the contrary notwithstanding."—(*Mr. Heneage.*)

Question proposed, "That those words be there inserted."

Mr. DODSON said, the proposal appeared to be reasonable, and one that should be adopted; and if the hon. Member would bring it up as a new clause, he would consider it, and he thought he should be able to accept it.

Mr. HENEAGE said, he would adopt that course.

Amendment, by leave, *withdrawn.*

Mr. ARTHUR ARNOLD said, the time had now arrived to move an Amendment of great importance. The object was to make the notice compulsory. The effect of the omission he was about to propose would be to bring the clause into exactly the shape of the clause in the Act of 1875. The policy which the Liberal Party had recommended, up and down the country, of making the Act of 1875 compulsory would be enforced by the acceptance of this Amendment. The Committee need not discuss the question whether or not the time of notice should be fixed, for that was already determined by law. The question for the Committee to consider was only what that time should be. Everyone acquainted with agriculture in

England was aware that the practice of taking leases was declining. In Scotland leases were very common, but in England they were not; and he supposed no one would contest the proposition that probably three-fourths of the agricultural land in England was held on yearly tenancies; and it was because of that state of things that it appeared to him extremely important to make a year's notice compulsory. When the Act of 1875 was debated in that House, Mr. Disraeli, who had charge of the Bill, dwelt very much on this point, and he chiefly recommended that measure on the ground that it would, practically, make a year's notice the law of the land. On that occasion the hon. Member for Linlithgow (Mr. M'Lagan) spoke of six months' notice to quit as a cruel condition. Sir James Caird had published the strongest recommendation possible in favour of a two years' notice. Two years, however, appeared to be very much too long, partly because the operations of Nature—the return of the seasons—seemed to have marked out one year as the proper time when notice to quit should be given. Having regard to the fact that agriculture was mainly carried on in this country under yearly tenancies, it seemed to him to be the business of the Committee to make the system as good as possible; and he believed that by adopting his Amendment the Committee would be taking a step in that direction. He found that when this question was discussed in 1875, the hon. Member for Mid Lincolnshire (Mr. Chaplin) was almost the only one who spoke strongly against the proposal for making it a rule of law that one year's notice should be given. If this Amendment were accepted by the Government, as he hoped it would be, it would constitute a fulfilment of their pledges, given in all parts of the country, that they would amend the Act of 1875.

Amendment proposed, in page 5, line 37, leave out from the word "same," to the word "but," in line 40.—(*Mr. Arthur Arnold.*)

MR. DODSON said, he would point out to his hon. Friend who had moved the Amendment then before the Committee that the words which he proposed to leave out were expressly inserted by the Government, in view of the desire which he knew was felt by many tenant farmers throughout the country that there should be liberty to quit at short notice. In good times a tenant generally liked a year's notice to quit; but in bad times it was the landlord who would be much more likely to be in favour of the longer period than the tenant. The tenant, in such circumstances, would naturally like to have an opportunity of getting out of the holding at a shorter period. With the knowledge of the circumstances possessed by Her Majesty's Government he would venture to say that the clause, as it stood, was agreeable to the great bulk of the tenant farmers, and that the Amendment proposed by his hon. Friend was by no means what they wished.

SIR GABRIEL GOLDNEY said, he had actual experience of the wishes of the farmers in his district, which entirely confirmed the view of this question as stated by the right hon. Gentleman.

MR. JAMES HOWARD said, he had never met in the course of his experience, which was by no means small, a single farmer who was in favour of a short notice to quit; on the contrary, they had always expressed their preference for a 12 months' notice. He agreed with the hon. Member for Salford in considering this a desirable Amendment to introduce into the Bill, the words proposed to be struck out being, in his opinion, most objectionable. Surely it did not require an Act of Parliament to tell people what they might do in a matter of this kind. But one effect of the permissive words which his hon. Friend sought to strike out might be to turn a man out of his house and holding, in a district where farms were difficult to obtain, at too short a notice to enable him to get another before the expiration of his tenancy. In 1879 and 1880 there was a great difficulty in getting good farms. [*Laughter.*] Hon. Members opposite seemed amused at that statement; but he would say unhesitatingly, and without fear of contradiction by anyone who was acquainted with the subject, that even in those most depressed years he had named there were no good farms to be let. He had at that time tried his best to get a farm in the Midland Counties for a man of large capital without success; and the only farms that were to be had were those belonging to owners who had not the best reputation in the world, or inferior ones, which farmers did not in consequence care to occupy. He would remind the Committee that Lord Beaconsfield, in a celebrated speech, declared himself to be in favour of a two years' notice to quit; and he knew that in the Midland Counties the practice was to let at two years' notice. The practice, moreover, he knew was very much upon the increase, and he thought that was a proof that the majority of tenant farmers were in favour of it.

Mr. CHAPLIN said, that, like his hon. Friend who had just sat down, he had met many farmers, and while many of them preferred a six months' notice to quit, he was bound to acknowledge that others were in favour of a notice at 12 months. For that reason he supported the clause as it stood. According to his experience nothing would be more distasteful to the farmers in many parts of the country than to insist on 12 months' notice being compulsory. He could easily understand such a matter as compensation, which might be otherwise open to abuse, being made compulsory. That was a subject on which all parties were united; but even the hon. Gentleman himself had admitted that upon the question of the period of notice there was a great difference of opinion. He did not say that what he advocated represented the unanimous opinion of the farmers. With regard to what had fallen from the hon. Gentleman as to the difficulty, or impossibility, of obtaining farms in 1879 and 1880, the statement hurt his feelings somewhat, because it brought to his recollection a correspondence which took place between the hon. Gentleman and himself. He remembered the hon. Gentleman saying there were no good farms to be let anywhere at the time, and he immediately offered to let him a good farm on favourable terms, telling him that he should be glad if he would send him a tenant; but he heard no more from the hon. Gentleman on the subject. All he would say was that the farm in question was the best he possessed, and from the remark of the hon. Gentleman he was afraid his estate must be a very inferior one indeed.

Mr. BULWER said, he thought the hon. Member for Salford had somewhat misapprehended the effect of the clause, for it would be seen that it required the consent not only of the landlord but of the tenant also that there should be less than 12 months' notice to quit. In order, then, to secure what the hon. Member said was so desirable, nothing more was necessary than that the tenant should insist that there should be 12 months' notice under the clause as it stood.

Mr. DUCKHAM said, if there were one part of the Act of 1875 more popular than the others it was that which required 12 months' notice to quit. He had consulted farmers, who were agreed in this opinion—that the clause of the Act of 1875 was sufficient and preferable without the permissive portion of it that was now proposed. He was sure that the Amendment of his hon. Friend was necessary, both in the interest of agriculture and in the interest of the occupiers of land, although he was ready to admit that recently, under severe depression, some men had felt the inconvenience of a long notice to quit. He regarded the clause as retrograde, and should, therefore, support the Amendment of the hon. Member for Salford.

Mr. SHAW LEFEVRE said, he thought his hon. Friend the Member for Salford, when he stated that this clause was exactly the same as that of the Act of 1875, had forgotten that under that Act it was the landlords alone who noticed themselves out the Act; whereas this clause required the concurrence of the landlord and tenant to contract themselves out of the Act. After the Bill became law every tenant would have the advantage of a year's notice, unless he contracted himself out of it. He knew that some tenants were now in favour of a system under which six months' notice would be sufficient, that being probably due to the depression which had prevailed, and the belief on the part of tenants that if they could quit at half a-year's notice they could more easily obtain a reduction of rent.

Sir BALDWYN LEIGHTON said, he thought the clause, as it stood, might lead to inconvenience in the case of some tenancies.

Question put.

The Committee *divided*:—Ayes 225; Noes 50: Majority 175.—(Div. List, No. 223.)

MR. JAMES HOWARD said, the Amendment they had just disposed of had reference to yearly holdings; but the Amendment he had now to move had distinct reference to leases. It was, after the word "sufficient," in page 5, line 40, to insert—

> "And a tenant of a holding under a lease for a term of years made either before or after the commencement of this Act shall by virtue of this Act be entitled to two years' notice from the landlord of his intention not to renew the lease of the holding, and a landlord shall be entitled to two years' notice from the tenant of his intention to quit the holding at the expiration of his lease, and in default of such notice it shall be deemed that the landlord and tenant agree to renew the existing contract of tenancy for the same term at the same rent and on the same conditions as in the existing contract of tenancy."

The object of the Amendment would be obvious; it was to do away with the uncertainty which would otherwise occur towards the determination of the tenancy. Another object was to maintain the fertility of a holding to the end of the tenancy. He had no doubt it would be admitted by the hon. Gentleman the Member for South Leicestershire (Mr. Pell) that the Earl of Leicester was an authority on agricultural matters. Now, in the noble Earl's leases it was provided that four years' notice was necessary on either side for the determination of a tenancy. It would be noticed in this Amendment that he (Mr. J. Howard) had made the proposition reciprocal; that it was not only necessary for the landlord to give two years' notice to quit, but that the same obligation should be imposed upon the tenant. It was as much in the interest, if not more, of the landlord than of the tenant that some such proposition as he now made should be adopted.

SIR GABRIEL GOLDNEY rose to Order. He did not think that this Amendment had anything to do with the clause at all. The Amendment dealt with notice to quit. It might be competent for the hon. Gentleman to bring in a new clause; but he did not think that the Amendment was at all germane to the clause.

THE CHAIRMAN ruled that the Amendment, as proposed, was strictly in Order.

MR. JAMES HOWARD said, he was about to say it was far more in the interest of the landlord than of the tenant that such a provision should be contained in the Bill as he proposed; but it was also necessary in the interest of the public. He believed it to be important in the interest of all classes.

SIR GABRIEL GOLDNEY again rose to Order. He said the clause dealt with the notice to quit that a man was entitled to give or receive under an ordinary tenancy. What the hon. Gentleman the Member for Bedfordshire was moving had reference exclusively to leases; therefore, the Amendment had no relevancy to the clause.

MR. J. W. BARCLAY said, that the Amendment they had disposed of had reference to what should be the notice to quit in cases of yearly tenancies. What the hon. Gentleman the Member for Bedfordshire proposed was that the notice to quit in case of a lease should be two years.

THE CHAIRMAN said, he could not see that the Amendment, as proposed, was out of Order.

Amendment proposed,

In page 5, line 37, after the word "same," leave out down to "sufficient," inclusive, in line 40, and insert—"And a tenant of a holding under a lease for a term of years made either before or after the commencement of this Act shall by virtue of this Act be entitled to two years' notice from the landlord of his intention not to renew the lease of the holding, and a landlord shall be entitled to two years' notice from the tenant of his intention to quit the holding at the expiration of his lease, and in default of such notice it shall be deemed that the landlord and tenant agree to renew the existing contract of tenancy for the same term at the same rent and on the same conditions as in the existing contract of tenancy."—(*Mr. J. Howard.*)

Question proposed, "That those words be there inserted."

MR. J. W. BARCLAY said, there was no doubt that the condition of farming under yearly tenancies was at a very low ebb; but under the system of leases there was in Scotland, and he had no doubt there were in other places, a much higher system of farming. It was the system of leases he and other hon. Members were desirous of encouraging. He thought it would be a great advantage towards the maintenance of a high standard of cultivation that a tenant should have two years' notice to quit in case he held under a lease. If a tenant had two years' notice to quit, he would have a much greater chance of looking about for a fresh farm than he would have if he only got six or 12 months' notice. Hon. Members opposite who admired the policy and wisdom of the late Lord Beaconsfield ought to support this Amendment, because this was as feasible a solution as had as yet been presented of this question of compensation for agricultural improvements. He thought that two years' notice to quit would be very much better than any compensation that was provided for under the Bill, or under the Agricultural Holdings Act, and he hoped the Government would, at least in the case of leases, take care that the tenant should have good notice before he was required to leave his farm.

Mr. DODSON said, the Amendment involved an important principle, and went beyond the question of notice to quit. In the first place, it altered the law, because it said that the tenancy should not be determined at the time people had agreed; in fact, it amounted to saying that it should not determine when it did determine. That was a change of the law which he apprehended the Committee would scarcely be likely to agree to. In the cases of leases which had expired, if rent was accepted the tenant would go on sitting as a year-to-year tenant, and become entitled to a year's notice. The Government were not prepared to accept the Amendment.

Mr. JAMES HOWARD said, he would, after that expression of opinion, ask leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. BIDDELL proposed, in page 5, line 42, at end, to add—"All leases shall be continuous until either party has given a year's notice." His object in moving the Amendment was to abolish fresh negotiations as much as possible between the landlord and the tenant. He intended, by this Amendment, that either party should give a year's notice of the course of action he proposed to pursue, whether specified by lease or not specified by lease. If the parties were satisfied to continue their relations, nothing whatever would be said, and there would be no need for fresh negotiations. He hoped the Government would consent to this Amendment, and that, if they could not assent to a year's notice, they would, at least, assent to a six months' notice.

Amendment proposed,

In page 5, line 42, at end, to add—"All leases shall be continuous until either party has given a year's notice."—(*Mr. Biddell.*)

Question proposed, "That those words be there inserted."

Mr. DODSON said, the words of the Amendment were not very clear. When he first saw them he was puzzled to know whether the hon. Member meant that a lease should be renewed, or whether he meant that, unless there was a year's notice, a tenant should continue in his holding as a year-to-year tenant. The latter, he (Mr. Dodson) understood, was the hon. Gentleman's intention. That was not very different from the existing law under which rent was accepted, and the tenant continued in his holding. At present, under such circumstances, a tenant was entitled to a year's notice; and he (Mr. Dodson) confessed it did not appear to him worth while to make the proposed alteration. He hoped the Amendment would not be pressed.

Mr. BIDDELL said, if the right hon. Gentleman the Chancellor of the Duchy of Lancaster would consent that a landlord must give a year's notice, he (Mr. Biddell) would be satisfied. As it was, a tenant would be left in doubt as to the course a landlord would pursue in regard to him.

Mr. DODSON stated that a tenant could easily solve that doubt by asking his landlord what his intentions were.

Amendment *negatived.*

Clause *agreed to.*

Fixtures.

Clause 12 (Tenant's property in fixtures, machinery, &c.).

Amendment proposed, in page 6, line 2, to leave out "after the commencement of this Act."—(*Sir Alexander Gordon.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. DODSON pointed out that this was a proposal to make the Act retrospective. The Act was not made retrospective with regard to permanent improvements; and there would appear to be no need for any retrospective action with regard to fixtures. Under the existing law a tenant, if he obtained the consent of the landlord, would be entitled to move his fixtures.

Amendment, by leave, *withdrawn.*

MR. JAMES HOWARD indulged a hope that the Amendment he had now to move would receive a more favourable reception at the hands of the Committee than the last Amendment which he proposed had received. At all events, it was one that he cared a very great deal more about. What he had to propose was, in page 6, line 2, after "tenant," to leave out down to "tenant," inclusive, in line 7, and insert—

> "Erects or enlarges any buildings or makes any other removable improvements upon his holding, for which no compensation would be payable under the provisions of this Act, the tenant may before, or within two months after quitting his holding, remove the same, making good all damage caused by their erection, formation, or removal. Provided that if the landlord, not less than three months before the termination of the tenancy, serves notice in writing on the tenant of his election to retain the same, paying compensation therefor, he shall be entitled to do so, and the amount of such compensation, failing agreement, shall be settled by a reference under this Act."

The clause, as it stood, somewhat limited the right of a tenant to remove his fixtures; but he proposed to give the clause a wider application. About a month ago he met Mr. Huskisson, a former President of the Institute of Surveyors, who said to him—"I hope, whatever you do, you will insert the clause which was in your former Landlord and Tenant Bill, giving the tenant power to remove buildings or erections." That power of removal would be considered a great boon by a very large class of improving tenants. It would be seen, at the same time, that there was power given to the landlord to claim the buildings and have them valued under the provisions of this Act. He hoped the reasonableness of this Amendment would commend itself to the judgment of the Committee and of the Government. He would not waste the time of the Committee longer.

Amendment proposed,

In page 6, line 2, after the word "tenant," to leave out down to "tenant," inclusive, in line 7, and insert "erects or enlarges any buildings or makes any other removable improvements upon his holding, for which no compensation would be payable under the provisions of this Act, the tenant may before, or within two months after quitting his holding, remove the same, making good all damage caused by their erection, formation, or removal. Provided that if the landlord, not less than three months before the termination of the tenancy, serves notice in writing on the tenant of his election to retain the same, paying compensation therefor, he shall be entitled to do so, and the amount of such compensation, failing agreement, shall be settled by a reference under this Act."—(*Mr. J. Howard.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. DODSON said, he was not prepared to accept the Amendment, were it only for this reason—that it proposed not only that the tenant should be at liberty to erect a building, but that he might remove it when he had quitted his holding, the effect of which would be that the landlord would probably be unable to let the holding, because the outgoing tenant was engaged in removing buildings. As regarded the question of allowing a tenant to remove a building in the same manner as he was allowed to move an engine, or machinery, or other fixtures, that was a point which was worthy of consideration; but the question would be best raised and considered on the Amendment which stood in the name of the hon. Member for West Suffolk (Mr. Biddell)—namely, in line 3, after "fixture," to insert "or erect any building." The Amendment now before them was one which he certainly could not accept.

MR. J. W. BARCLAY said, the proposal of the hon. Gentleman the Member for Bedfordshire was so reasonable that he had hoped the Government would have accepted it. The right hon. Gentleman's (Mr. Dodson's) main objection to it was that the tenant, under this clause, would have power to remove a building after he had quitted his holding. He (Mr. Barclay) would recommend his hon. Friend to amend his clause in that respect, by leaving out, in line 5, the words "or within two months after quitting his holding." Now, the clause provided that the tenant must have erected those buildings at his own cost, and that the landlord should have power to purchase it from the tenant; but that if the landlord did not elect to purchase it, then the tenant should have a right to remove it, making good any damage which might be done to the holding by the removal.

He hoped the Government would be able to see their way to accept the Amendment as he proposed to amend it; and, if they could not, he hoped his hon. Friend would go to a Division. There was no time like the present; and the Amendment came in very appropriately at this point.

The CHAIRMAN: The Amendment to the Amendment would not be in Order. The Question is, whether the words proposed to be left out stand part of the clause, and that must be disposed of before the suggestion of the hon. Gentleman can be dealt with.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, it would be very inconvenient to deal with the question in the way the hon. Gentleman (Mr. Barclay) suggested, because the point he desired to dwell upon was that there should be power to remove buildings. That the Government were perfectly ready favourably to consider; but if they were to accept the Amendment in the form in which it was proposed, it would be necessary to altogether change the drafting of the clause. It would be observed that the hon. Gentleman the Member for Bedfordshire (Mr. J. Howard) left out the words "fixtures, engines, machinery," and so forth.

Mr. J. LOWTHER said, that for once he was disposed to agree with the hon. Gentleman the Member for Bedfordshire; but he also thought there was great force in what the right hon. Gentleman the Chancellor of the Duchy of Lancaster and the Solicitor General had said, that this was not quite a proper form in which the matter should be introduced. He (Mr. J. Lowther) thought that the practice prevailing generally with regard to the Middlesborough leases, in cases of iron works, and so forth, might be applicable to agricultural holdings. A very fatal objection to the Amendment was that it would give an outgoing tenant power to pull down buildings after his occupation ceased. He thought that, under all the circumstances, the hon. Gentleman would do well to postpone this matter.

Mr. JAMES HOWARD pointed out that the Amendment of the hon. Gentleman the Member for West Suffolk (Mr. Biddell) failed to give power to the landlord to make a claim to the buildings at a valuation. As to its being inconvenient for a tenant to come to a holding after he had quitted it, he had purposely inserted two months, in order that there should be time for the landlord and the tenant to come to an agreement before the removal of the building. He had, however, no objection to postpone the matter.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 6, line 3, after "any," insert "building."—(*Sir Alexander Gordon.*)

Question proposed, "That the word 'building' be there inserted."

Mr. DODSON said, that, if the hon. and gallant Gentleman would withdraw the Amendment, he would propose one which would carry out the object in view.

Amendment, by leave, *withdrawn.*

Mr. PUGH proposed, in page 6, line 3, to insert after the word "machinery" the words "iron or wire fences."

Mr. J. W. BARCLAY suggested that the word "iron" should be left out, so that the Amendment would be confined to "wire fencing."

Mr. PUGH agreed to the alteration.

Amendment proposed, in page 6, line 3, after the word "machinery" to insert the words "wire fencing."—(*Mr. Pugh.*)

Question proposed, "That those words be there inserted."

Amendment *agreed to.*

Mr. BIDDELL said, he thought that there was reason why they should do what they could to bring about the erection of suitable buildings. To his mind, there was more evil consequent upon the want of sufficient farm buildings than in anything else the Act was intended to remove.

Mr. R. H. PAGET said, he wished to point out, before this Amendment was further proceeded with, that the right hon. Gentleman (Mr. Dodson) had accepted a word which would make the clause run—"any engine, machinery, fencing, or other fixture." Did the right hon. Gentleman mean to call fencing a fixture—did he deliberately intend to suggest that an iron fence was a fixture?

MR. J. W. BARCLAY contended that a fence was just as much a fixture as a steam engine.

THE CHAIRMAN: Does the hon. Member (Mr. Paget) rise to a point of Order? If not, I would suggest to him that there is no Question before the Committee.

MR. R. H. PAGET said, he wished to point out that the words "other fixture" were inapplicable to iron fencing, because fencing might be stuck into the ground temporarily, and removed at pleasure. He would move to leave out the words "or other fixture."

Amendment proposed, in page 6, line 3, after the word "fencing," to leave out the words "or other fixture."—(*Mr. R. H. Paget.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, that the fencing intended to be covered by the Bill was fencing in the nature of a fixture. That was the only fencing for which they would need the clause.

MR. HALSEY said, he should like, before this Amendment was passed, to ask whether it would not interfere with the Schedule? In Part I. of the Schedule he found that the erection of buildings was provided for, and that the consent of the landlord was required; but if they were going to allow the tenant to erect buildings at his own pleasure, they would be acting in a manner contradictory to the Schedule.

MR. DODSON said, the position of affairs would be this. If a tenant obtained the consent of the landlord to putting up buildings, or making certain other improvements, he would be entitled to compensation on leaving; but if he put up buildings or improvements of that kind without the consent of the landlord, he would only be able to take them away on leaving. The clause said that any improvement of this kind which—

> "Is not so affixed in pursuance of some obligation in that behalf or instead of some fixture belonging to the landlord, then such fixture shall be the property of and be removable by the tenant."

MR. J. LOWTHER asked whether he understood that the tenant would have a right to take these fixtures away?

MR. DODSON replied in the affirmative.

SIR JOSEPH PEASE said, he did not object to what was proposed in regard to this clause; but he felt that many tenant farmers in his own neighbourhood would object, because they would say it would place the onus of erecting buildings on themselves, and not on the landlords.

Amendment *negatived.*

Amendment proposed, in page 6, line 5, after the word "affixed," insert the words "or erected."—(*Mr. J. W. Barclay.*)

Question proposed, "That those words be there inserted."

Amendment *agreed to.*

Amendment proposed, in page 6, line 7, after the word "fixture," insert the words "or building."—(*Mr. Biddell.*)

Question proposed, "That those words be there inserted."

VISCOUNT NEWPORT said, it seemed to him that, if these words were accepted, the clause would have a wide interpretation, and the whole sub-section would become useless. It must be remembered that the tenant would put up these fixtures for his own convenience and temporary advantage. When a tenant was leaving a farm he very often did not care as to the way in which he left these things. Therefore, it was necessary that the interest of the landlord should be protected by the Committee.

MR. DODSON said, this Amendment appeared to him to be altogether unnecessary.

Amendment *negatived.*

MR. R. H. PAGET said, he wished to omit the word "it," in Sub-section 4, and to insert the words "such fixture or buildings."

Amendment proposed, in page 6, line 20, leave out the word "it," and insert the words "such fixture or buildings."—(*Mr. R. H. Paget.*)

Amendment *agreed to.*

SIR ALEXANDER GORDON said, he proposed to omit Sub-section 5, which said—

> "At any time before the expiration of the notice of removal the landlord, by notice in writing given by him to the tenant, may elect to purchase any fixture comprised in the notice of removal; and any fixture thus elected to be purchased shall be left by the tenant, and shall become the property of the landlord, who shall pay the tenant the fair value thereof to an incoming tenant of the holding; and any difference as to the value shall be settled by a reference under this Act, as in case of compensation (but without appeal)."

He did not see why the tenant should not be allowed to deal with improvements of this kind as he thought proper, seeing that they were his own property. He ought to be allowed to sell them or hand them over to an incoming tenant, or to anybody else, just as he pleased; and he (Sir Alexander Gordon) did not see why the landlord should have a right of pre-emption. These improvements might be erected on the "hire and purchase" system, and in such a case considerable difficulty would be found to arise if the clause stood as it did at present. In a case where the tenant might desire to take an adjoining farm and to carry his fixtures with him, it might put him to expense and a great deal of inconvenience if the landlord were to have the right of acquiring the improvements.

Amendment proposed, in page 6, line 21, leave out Sub-section (5).—(*Sir Alexander Gordon.*)

Question proposed, "That the Sub-section stand part of the Clause."

MR. DODSON said, he was not prepared to accept this Amendment. If the privilege were granted to a tenant of erecting a building on the property of the landlord without first obtaining the consent of that landlord, the least they could do would be to give to the landlord on his part the privilege of acquiring the improvement when the tenant quitted his occupancy—that was to say, the least they could do would be to give the landlord the right of pre-emption. He (Mr. Dodson) failed to see any hardship whatever in this proposal.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 6, line 23, after the word "fixture," to insert the words "or building."—(*Mr. Biddell.*)

Amendment *agreed to.*

Amendment proposed, in page 6, line 24, after the word "fixture," to insert the words "or building."—(*Mr. Biddell.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Crown, Duchy, Ecclesiastical, and Charity Lands.

Clause 13 (Incorporation of provisions as to Crown and certain other lands and to resumption for improvements).

MR. DODSON said, this clause was one for incorporating certain sections of the Agricultural Holdings Act of 1875 relating to Crown and certain other lands and to resumption for improvements. He proposed now, as he had done in regard to other sections of the Bill, to accept the terms of the Amendment of the hon. Member for East Sussex (Mr. Gregory) under the same conditions—namely, to accept the clause as it stood, and when the Bill was re-committed to insert all the sections of the Act of 1875 which were incorporated, with whatever modifications might have been agreed to.

Clause *agreed to.*

Clause 14 (Provision as to limited owners).

SIR MICHAEL HICKS-BEACH said, he should like to ask the right hon. Gentleman (Mr. Dodson) a question upon this clause which related to limited ownership. A case had been put to him which would possibly be one of hardship —namely, the case of a clergyman, or the representative of a clergyman, farming his own glebe. Supposing such clergyman died, or exchanged into another living, would he or his representatives be entitled to compensation for unexhausted improvements from his successor, or what would be their position?

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, that would not be a case within the Act at all, because a clergyman, under these circumstances, would be a freeholder, and those who followed him would be subsequent freeholders.

SIR MICHAEL HICKS-BEACH said, he thought a clergyman and his representatives ought to be equally entitled to compensation for improvements with ordinary tenants. He failed to see why such a person should not be allowed the benefits of the Bill.

The SOLICITOR GENERAL (Sir Farrer Herschell) pointed out that a clergyman was a tenant for life, and that, if he left, presumably he was going to another freehold.

Sir MICHAEL HICKS-BEACH: Supposing he dies?

The SOLICITOR GENERAL (Sir Farrer Herschell) said, the Act could not apply in such a case, which would have to be separately dealt with. In a case of this kind they would be dealing with a man who was really farming his own land, and the question was not one between landlord and tenant. He was not at present prepared to say that no words could be introduced extending the provisions of the Act to cases of this kind. The matter would have to be considered; and if it were necessary to make an alteration in the Bill to meet this kind of case, it would have to be done at a later stage.

Sir R. ASSHETON CROSS wished to know whether this provision would affect minerals and mines?

The SOLICITOR GENERAL (Sir Farrer Herschell) said, that if the right hon. Gentleman would turn to the title of the Bill, he would see that it was a Bill "for amending the Law relating to Agricultural Holdings in England." Minerals and mines could hardly be called agricultural holdings.

Clause, *agreed to.*

PART II.

Distress.

Clause 15 (Limitation of distress in respect of amount and time).

Sir WALTER B. BARTTELOT said, they had now come to a most important part of the Bill, and he hoped, seeing the lateness of the hour, that the right hon. Gentleman (Mr. Dodson) would agree to report Progress.

Mr. DODSON said, that if it were the wish of the Committee that Progress should be reported, he would not oppose the Motion; but he would venture to express a hope that the Committee would be able to dispose of the remaining clauses, the Schedule, and the new clauses to-morrow. He trusted that to-morrow they would be able to dispose of the Bill altogether in Committee.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow.*

QUESTIONS.

PARLIAMENT — BUSINESS OF THE HOUSE—PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.

Mr. RAIKES asked, Whether the noble Marquess (the Marquess of Hartington) could give any information as to when this Bill would be taken into consideration as amended?

The Marquess of HARTINGTON said, he was afraid it was impossible to say when this Bill would be proceeded with. Supply would be taken on Thursday, and probably also on Monday, and then he hoped the further stages of this Bill would be proceeded with. Subject to the exigencies of Supply, the next Business would be the Bankruptcy Bill and the Patents for Inventions Bill.

PARLIAMENT — BUSINESS OF THE HOUSE—DETENTION IN HOSPITALS (No. 2) BILL.

Sir H. DRUMMOND WOLFF asked, When this Bill was to be taken—or what was to be done with it? It was constantly put down; but it seemed to be rather a bogus Bill, and not very likely to come on this year. He wished to know whether the noble Marquess would move to discharge the Order?

The Marquess of HARTINGTON said, he did not think he could move the discharge of the Order, although he admitted that the prospects of the Bill were not very hopeful.

ORDERS OF THE DAY.

GREENWICH HOSPITAL BILL.

(*Sir Thomas Brassey, Mr. Campbell-Bannerman.*)

[BILL 253.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir Thomas Brassey.*)

Captain PRICE asked for some information as to the actual charges thrown on the Greenwich Hospital by the payment of pensions to seamen and marines, and as to the amount of that charge which was taken from the Hospital Funds for this purpose?

Sir MASSEY LOPES said, there was some fear that these pensions would somewhat interfere with the Greenwich Schools; and he wished to ask whether this Bill would interfere with the number of boys now being educated in Greenwich Hospital for the Navy?

Sir THOMAS BRASSEY said, that Mr. Vaughan, the Actuary of the Admiralty, had been consulted, and his estimate, based on recent experience, showed that the maximum charge was from £18,000 to £20,000 a-year; but that sum, he believed, would not be reached for a lengthened period—some 40 years; and the charge would be fully covered by the accumulation of capital, and by a certain reduction of charges which now fell on the Hospital. In reply to the hon. Baronet, he had to say that there was no intention to reduce the number of boys in the School.

Sir H. DRUMMOND WOLFF asked whether it would not be possible to place these pensions and allowances for the children of non-commissioned officers and others, on some other fund? There was a great deal of dissatisfaction felt by many pensioners who thought they were entitled to receive pensions; and although everybody must be anxious to establish a system of pensions for the widows and orphans of seamen and marines who died in the Service, at the same time this kind of pensions ought, he thought, to be placed on a totally different fund. The constant infringement on the Greenwich Hospital Funds created very great discontent in the Service, and on more than one occasion he had brought before the House the expediency of giving pensions to the widows of seamen and marines; and not only to them, but to men while they were in the Service; and he had pointed out that there were large amounts available to meet these charges other than the Hospital Funds. These funds were for the benefit of the Service; and it would be a very good thing to give pensions to retired seamen and marines, as well as to widows and orphans. He hoped that before the third reading of this Bill the Admiralty would consider whether they could not act a little more generously in this matter.

Captain Price

Sir THOMAS BRASSEY said, there was no intention whatever to take away from the seamen any portion of the benefits they at present enjoyed. The Admiralty had maintained the pensions as they found them on a liberal scale; and accumulations taking place every year, they were able to make a provision which he thought must be accepted as one of the most useful and benevolent applications that could possibly be made of the Greenwich Hospital Funds.

Motion *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Committee report Progress; to sit again upon *Thursday.*

GREENWICH HOSPITAL (PENSIONS, &c.).

RESOLUTION.

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, in the first instance, of any pensions, allowances, gratuities, and sums, which may become payable under the provisions of any Act of the present Session, for making provision respecting the application of the Revenues of Greenwich Hospital, and for other purposes."

Sir H. DRUMMOND WOLFF asked what the exact meaning of this Resolution was, and whether it bound the Committee to pass the Bill?

Mr. CAMPBELL-BANNERMAN said, it did not at all bind the Committee. There was a clause in the Bill providing that all the expenditure out of the Greenwich Hospital Funds was to be, in the first place, charged on the Consolidated Fund, and then recouped from the Hospital Funds. That was merely a financial arrangement to bring the whole of the expenditure under the cognizance of Parliament. The most direct plan would be to pay the pensions and all other charges directly from the Hospital Funds; but it was thought desirable, a good many years ago, to adopt this course in order that the matter might be brought under the notice of Parliament, and that made this Bill, in a strict and literal sense, a Money Bill, which required Committee to be set up to make it a formal proceeding.

Resolution *agreed to;* to be reported *To-morrow.*

POST OFFICE (PROTECTION) BILL.

(*Mr. Fawcett, Mr. Courtney.*)

[BILL 266.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Fawcett.*)

MR. WARTON considered this Bill thoroughly objectionable in principle. It seemed to him that all the crimes included in this Bill were met by the ordinary law; and it was objectionable to have this special set of offences, as if there was something sacred about the Post Office. All these provisions were grotesquely absurd, and all the offences were amply met by the ordinary Police Acts. It was very wrong to make a distinction between the Post Office and any other Department; and he hoped the Postmaster General would continue his useful reforms, and not seek to clothe his Office with mock dignity by having special Acts of Parliament.

MR. FAWCETT said, nothing was further from his intention than to seek to give a fictitious importance to the Post Office; but it had been found that there were a number of offences which, though apparently trivial, were of a serious nature, and there was either no legal provision at all, or no adequate provision, for preventing them. For instance, throwing a lighted match into a pillar box might cause irretrievable consequences. There was a case of this sort not long ago, and it was extremely doubtful whether it could be punished at all. Another source of annoyance was the sending of fictitious telegrams, and there were no means of preventing that; but this Bill would meet such cases, and he could assure the House that it was introduced in the interest of the public.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

IRISH REPRODUCTIVE LOAN FUND ACT (1874) AMENDMENT BILL.

(*Mr. Blake, Mr. O'Kelly, Dr. Commins, Mr. T. P. O'Connor*).

[BILL 39.] CONSIDERATION.

Bill, as amended, *considered.*

Clause 3 (Loans to town commissioners from Irish Reproductive Loan Fund).

COLONEL KING-HARMAN moved, in page 2, line 20, to leave out the words "Town Commissioners of every town," and insert the words "Boards of Guardians of every Union." He said, he did not wish in any way to prevent money being laid out for the benefit of the counties concerned; but he thought it should be used for the benefit of the two counties, and not for sections; and therefore he proposed to leave out "Town Commissioners," as representing sections, and to place the management of the money, subject to the Board of Works, in the hands of the Boards of Guardians. Of Tipperary he could not speak with particular knowledge; but in Roscommon there were few towns to which the Bill would apply. He believed there were only Boyle, Ballinasloe, Roscommon, and Athlone, and he failed to see why money intended for the benefit of the whole county, should be appropriated to the use of these small towns. If rumour was right, the use of the money had been anticipated in some of these towns. Knowing the county as he did, he believed that Boards of Guardians were the proper persons to point out works of public utility in the county, and works that would be for the benefit of the whole county, rather than Town Commissioners, who must, even with the best intentions, have a partiality in favour of the towns they represented. He did not wish to say they would wilfully and designedly appropriate the money in an improper way; but it was obvious the preference would be given to the advantage of the inhabitants of these not very large towns. Why the urban population should have the sole advantage, he could not see. He put forward the Amendment in no factious spirit of opposition to the Bill; and if it could be shown that the town populations were intended to be benefited by the Irish Reproductive Loan Fund Act, then he would withdraw all opposition. But his contention was, that the funds set apart for the benefit of Roscommon and Tipperary were not by the Bill distributed, so that these two counties should share; it only provided for the benefit of a very small section of the counties. He trusted the House would consider his a fair proposition—that money should be lent out under the supervision of Boards of Guardians, subject, of course, to the authority of the Local Government Board.

Amendment proposed,

In page 2, line 20, to leave out the words "Town Commissioners of every town," and insert the words "Boards of Guardians of every Union."—(*Colonel King-Harman.*)

Question proposed, "That the words 'Town Commissioners of every town,' stand part of the Bill."

MR. COURTNEY said, if this matter were now first under consideration there would be something to be said on behalf of the hon. and gallant Gentleman; but, in fact, if he really desired to carry out his intention, he should have opposed the Bill throughout, and he should have submitted his Amendments in Committee, Amendments which would, in fact, have amounted to an evisceration of the Bill and the construction of a new measure. If he made these two Amendments of which he had given Notice, then every single clause would have to be altered, and it would practically be a new Bill. The Bill was designed for giving this small accumulated fund out in loans to the urban authorities of the two counties, and provided for the terms and conditions of borrowing and lending, the extent, and the rate to be levied for payment; and all these matters would have to be altered to accommodate the view taken by the hon. and gallant Member. Now, if it were being first mentioned, there would be something to be said on behalf of the argument.

COLONEL KING-HARMAN said, he did mention it when the Bill was brought on.

MR. COURTNEY said, then the hon. and gallant Gentleman should have taken definite measures to give effect to his wishes.

COLONEL KING-HARMAN said, the Amendments were on the Paper, but the Bill was brought on in his absence.

MR. COURTNEY said, the hon. and gallant Member should have renewed his Amendments; there were only two now given Notice of. But, in truth, it was impossible to apply these small sums, something like £2,800 in one case and £4,000 in another—it was impossible to apply them with any beneficial effect to the purposes of the whole country; they could only be applied to the improvement of the small towns. The sums had accumulated because, under the former restricted rules, there were no means of applying them in the manner now proposed for the benefit of towns in the county. The House would do well to support the Bill as it stood, which was meant not for the whole of the county but for towns scattered throughout the county, rather than to attempt a reconstruction of the Bill and a distribution that would have no substantial benefit.

COLONEL KING-HARMAN explained, he had only put down these Amendments because he considered that if one were carried, that decision would govern all the other clauses of the Bill where the reference to Town Commissioners came in.

Question put, and *agreed to.*

MR. O'KELLY said, with the permission of the House, he would move that the Bill be read a third time.

MR. SPEAKER: No doubt, if the hon. Member can plead urgency, the House may, if it think fit, allow the Motion.

COLONEL KING-HARMAN said, he must object to this.

MR. HEALY said, was it not according to the practice of the House on the present stage, and when there were no Amendments, to proceed to the third reading as a matter of course? Was it not a constant practice to do so?

MR. SPEAKER: I must point out to the hon. Member that it is not the constant practice of the House; but on occasions when a Bill has not been opposed at any of its stages, and particularly at the end of a Session, that course is sometimes taken, and if the hon. Member can plead urgency, it might be taken in this case, if the House think fit.

MR. HEALY said, it would be valuable to know, as a point of Order, did the Speaker lay it down, that if in such a case an hon. Member objected to the third reading, that was sufficient to block the Bill?

MR. SPEAKER: No; I have not laid that down.

MR. O'KELLY said, he would appeal to the hon. and gallant Member to allow the third reading to be taken; but if he persisted in opposition he would put it down for to-morrow.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. O'Kelly.*)

Motion *agreed to.*

Bill read the third time, and *passed.*

MOTIONS.

ISLE OF WIGHT HIGHWAYS BILL.

On Motion of Mr. HIBBERT, Bill to amend the Law relating to Highways in the Isle of Wight; and for other purposes, *ordered* to be brought in by Mr. HIBBERT, Mr. GEORGE RUSSELL, Mr. ASHLEY, and Sir CHARLES DILKE.

Bill *presented,* and read the first time. [Bill 268.]

REVENUE AND FRIENDLY SOCIETIES BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law relating to the Customs and Inland Revenue, and to reduce the interest payable to investments of Friendly Societies, and to make other provisions respecting charges payable out of the Public Revenue; and for other purposes.

Resolution *reported:*—Bill *ordered* to be brought in by Mr. COURTNEY and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented,* and read the first time. [Bill 269.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 24th July, 1883.

MINUTES.]—PUBLIC BILLS—*First Reading*—Irish Reproductive Loan Fund Act (1874) Amendment* (156).

Second Reading—Merchant Shipping (Fishing Boats) (144); Sea Fisheries (Ireland) (146); Metropolitan Board of Works (Money)* (149); Companies Acts Amendment (148).

Committee—Local Government Provisional Orders (No. 2)* (87), *discharged.*

Third Reading—Poor Relief (Ireland)* (140), and *passed.*

BLACK ROD.

THE DEPUTY LORD GREAT CHAMBERLAIN acquainted the House "That Her Majesty had appointed Admiral the Honourable Sir James Robert Drummond, G.C.B., to be Gentleman Usher of the Black Rod in the room of General the Right Honourable Sir William Thomas Knollys, K.C.B., deceased, and that he was at the door ready to receive their Lordships commands," whereupon the House directed he should be called in; accordingly he was called in and officiated in his place.

SOUTH AFRICA — ZULULAND — REPORTED DEFEAT OF CETEWAYO.

QUESTION.

EARL CADOGAN: My Lords, seeing my noble Friend the Secretary of State for the Colonies in his place, I wish to ask him whether he has received any confirmation of the news, which has been published in the newspapers, that Cetewayo has been defeated and wounded and many of his followers killed?

THE EARL OF DERBY, in reply, said, that he had not received any official telegram containing an authoritative statement of the circumstances referred to; but Sir Henry Bulwer had forwarded by telegraph a statement made to him which tended to confirm the accuracy of the report.

MANCHESTER SHIP CANAL BILL.

(*The Lord Winmarleigh.*)

SECOND READING.

Order of the Day for the Second Reading read.

LORD WINMARLEIGH said, he rose to move that the Order made on the 2nd day of March last—

> "That no Private Bill brought from the House of Commons shall be read a second time after Thursday the 21st day of June next,"

should be dispensed with, in order that the Manchester Ship Canal Bill might be read a second time. The promoters of the Bill were not to blame for the Bill being brought on for a second reading at this period of the Session. The Bill was before the Examiners of Private Bills as far back as January 22; and the subsequent dates showed that there had been no negligent delay in the progress of the measure in the other House, Having given the various dates, he thought he need not do any more than make the Motion of which he had given Notice.

Moved, "That the Order made on the 2nd day of March last 'That no Private Bill brought from the House of Commons shall be read a second time after Thursday the 21st day of June next' be dispensed with."—(*The Lord Winmarleigh.*)

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, that he was surprised at his noble Friend in making this Motion, for which he had given no good reason, and there was really no reason why this Motion should be made. It was altogether contrary to the principles governing Private Bill legislation in that House. He must enter a protest against Bills coming up to their Lordships' House at a period of the Session when it was impossible to constitute good Committees. With respect to this particular Bill, he must frankly say, if their Lordships should decide to proceed with it, that at this period he thought it would be utterly impossible to appoint a Committee to whom it would be proper to refer this Bill. The character of the Bill was very important, the object being to make a Ship Canal between Liverpool and Manchester; but the Bill, as it now stood, contained no power of getting into deep water, and it was a condition that nothing was to be done until a Bill was passed next Session for a different work from that which was contained in the present measure. No such scheme had ever before been proposed in private legislation; and if they adopted such a course he thought they would be introducing a principle in legislation of a most objectionable and dangerous character.

LORD WINMARLEIGH, in reply, said, that the Bill was a very simple one. It was to enable a Ship Canal to be made, in order to afford a cheap mode of transit for the goods of one of the largest manufacturing centres of the United Kingdom. The fact that the Committee of the House of Commons had divided the Bill into the two parts referred to by the noble Earl, postponing one part till next Session, was one of its greatest recommendations, inasmuch as it secured the Port of Liverpool from the possibility of injury. Their Lordships must not suppose that the title of the Bill included the whole of the district affected by it; on the contrary, its operation extended far beyond Manchester, and the population affected by it was enormous. The Bill was of the greatest importance to the vast cotton trade of Lancashire. Meetings in support of it had been held in almost every town in the county; one of these meetings that was held in Manchester being the largest ever known upon a commercial subject. There had been 326 Petitions presented in favour of the Bill, signed by 108,000 persons, besides 31 Petitions from Chambers of Commerce, Town Councils, public Boards, and various Associations. This would give the House some idea of the feeling in favour of the scheme. The enormous value of the interests affected by the Bill was also shown by the fact that it was estimated that £100,000,000 had been invested in the cotton manufacture alone. Having regard to the increased sharpness of competition to which the manufacturers of Lancashire were subjected in all parts of the world, it was not to be wondered at that they regarded with great anxiety any measure affecting their interests, and especially one which would afford relief against the great increase of traffic rates which had taken place in the last few years. This Bill was in strict accordance with the recommendations of a Joint Committee of both Houses of Parliament, and in pursuance of those recommendations it contained among its provisions powers to buy up the undertakings of certain Canal Companies. That was one reason why the Bill should be read a second time, and another reason was that the promoters had already undergone enormous expense in a lengthened investigation before a Committee of the House of Commons extending over 38 days.

THE EARL OF DERBY said, that some of his Colleagues had been attacked for speaking in a dual character, and it was possible that the same fate might befal him, because, in the observations which he was about to make, he should not speak on behalf of the Government, but simply as a Member of their Lordships' House who happened to be interested in the locality to which the Bill referred. He sympathized with the noble Earl who spoke so earnestly in support of the regularity of the proceedings of that House; but he would point out that the Rule applying to Standing Orders was not an inflexible Rule. The same Standing Orders had, in fact, just been dispensed with in the case of three Bills on the Notice Paper. There was, therefore, nothing very exceptional in the course now proposed to be taken. It must be remembered that the case under consideration was itself exceptional. It had been shown that the delay in bringing the Bill forward was not a delay for which the promoters of the measure were responsible. The delay arose partly from a difficulty connected with the Standing Orders of their Lordships' House, and partly from the great length and complexity of the inquiry in "another place," where the Committee sat for 38 days. Some of their Lordships might fear that a Committee of their House might be asked to sit for an equally long period at that late period of the Session. He thought, however, there was no ground for any such apprehension, as the question had now been thoroughly sifted. A good many of the details of the Bill had been modified, and various parties, who at one time opposed the Bill, were now satisfied. There was, therefore, no reason to suppose, if an inquiry were held, that it would be of unusual length. Public Business would probably detain their Lordships some weeks in town, and there would be ample time to finish the inquiry before the House would, in the natural course of things, break up for the Recess. If the Bill were passed, a Company would be incorporated, and plans would be prepared to be laid before the House of Commons next year, with a view to obtaining the approval of the Legislature to subsequent proceedings. The noble Earl (the Earl of Redesdale) had objected to the Bill on its merits; but the question of merits, while a fair one to discuss, was one which the Committee were perfectly qualified to deal with. The House was simply asked that that Bill should be placed before that tribunal. He (the Earl of Derby) had heard that the Mersey Commissioners were now perfectly satisfied with the clauses inserted in the Bill, and that no opposition would come from them; whereas if the Bill were rejected a whole year would be lost, and the enormous expenditure of money, time, and trouble would have to be again incurred. It was hardly possible to exaggerate the strength of popular feeling which the Bill had created in the neighbourhood of Manchester; and it would be extremely hard if what was very little more than a technical objection should be allowed to interfere with the progress of the measure.

On Question? Their Lordships *divided*:—Contents 87; Not-Contents 24: Majority 63.

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Amherst, E.
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Ventry, L.

Resolved in the *affirmative.*

The Earl of LIMERICK said, that before the Bill was read a second time, he wished to call the attention of their Lordships to a matter of considerable importance. He never remembered the merits of a Bill of this kind being discussed upon the second reading; and he did not think that any of their Lordships who, by voting in the Division which had taken place, and thereby expressing an opinion with respect to the Bill, ought to sit on the Committee to which it would be referred.

The LORD CHANCELLOR said, he must express surprise at the view taken by the noble Earl (the Earl of Limerick). It appeared to him that noble Lords who had voted on either side had not expressed any opinion whatever as to the merits of the Bill. They had simply removed the impediment in the way of its consideration; and, therefore, they would be perfectly justified in sitting on the Select Committee.

The Earl of LIMERICK said, he could only speak for himself.

Lord WINMARLEIGH suggested that the labours of the Committee had been shortened by the Estuary Clauses being dealt with separately.

Bill read 2^{a} accordingly, and *committed:* The Committee to be proposed by the Committee of Selection.

MERCHANT SHIPPING (FISHING BOATS) BILL.—(No. 144.)

(*The Lord Sudeley.*)

SECOND READING.

Order of the Day for resuming the Adjourned Debate on the Motion for the Second Reading read; Debate resumed accordingly.

Lord THURLOW said, he would remind their Lordships that the object of the Bill was to provide an important code of guidance for the fishing trade and for the settlement of disputes. The Bill, as their Lordships were aware, was the result of an inquiry by a Committee appointed by the Board of Trade, in consequence of the numerous cases of cruelty to boys and apprentices on board those boats. The Committee was composed of Members of Parliament and others specially selected on account of their acquaintance with the circumstances. They were instructed to visit the fishing stations, and they collected a vast amount of information which was given in the 273 pages of the Blue Book. They had examined over 200 witnesses whose evidence could be found in reply to some 6,500 Questions. He mentioned that to show that this was not an attempt at ill-considered and hasty legislation. The persons best informed on the subject considered the Bill necessary in the interests of humanity and for the benefit of the trade. He hoped, therefore, the Bill would be read a second time.

Viscount CRANBROOK said, that when it was proposed before to read the Bill a second time his noble Friend (the Marquess of Salisbury) took exception to the Motion on the ground that its provisions were not known in the localities interested. He had himself received that day both a telegram and a letter from the Hull Smack Owners Association begging that the Bill might not be forced on, as they were unacquainted with its provisions altogether. It was not his intention to ask their Lordships not to read the Bill a second time; but he trusted that before Committee a sufficient time would be allowed to enable those smack owners to consider its provisions.

The Earl of WEMYSS asked whether, if the Bill were passed in its present form, every man in charge of a fishing boat, no matter of what size, would be obliged to have a certificate from the Board of Trade?

Lord WAVENEY said, he had received a telegram to the same effect as the noble Viscount opposite.

The Marquess of SALISBURY said, he also had received a telegram to the same effect. It was to be very much regretted that the Government should proceed with a Bill which was not understood by those affected by it. Seeing the difficulty of introducing Bills into the House of Commons, he knew no reason why they should not be first introduced in the House of Lords; but they ought to be brought forward at an earlier date than was customary in the case of the few Bills primarily submitted to their Lordships.

THE EARL OF KIMBERLEY said, in answer to the noble Earl on the Cross Benches (the Earl of Wemyss), that the Bill would apply to boats of 20 tons and upwards.

Motion for the Second Reading *agreed to;* Bill read 2ª accordingly.

SEA FISHERIES (IRELAND) BILL.

(*The Marquess of Waterford.*)

(NO. 146.) SECOND READING.

Order of the Day for the Second Reading read.

THE MARQUESS OF WATERFORD, in moving that the Bill be now read a second time, said, he did not anticipate that there would be much objection taken to the Bill, because, curiously enough, it had been supported by the whole of the Irish Members in "another place." He was also satisfied that their Lordships would be glad to assist in any way in their power, and would be ready to do anything to develop the industries of Ireland. He was sure they were also satisfied that there were a great many too few industries existing in that country. This Bill did not propose to make any charge on the Exchequer—it merely proposed to utilize the Irish fund for Irish purposes; and every provision in it, he might say, had been approved of by a Committee which had sat in "another place"—a very important Committee—on Harbour Accommodation. He had no doubt it might be said that £250,000 was a very large sum to expend on Irish fisheries. It was to be taken from the Irish Church Surplus Fund. He was satisfied, however, that the expenditure would be entirely reproductive in the increased prosperity of the Irish fisherman himself, and the increased prosperity of the country would give a really good percentage on the money proposed to be laid out. As far as he could ascertain, since the Norman Conquest there had been only £175,000 expended on piers and harbours in Ireland—that was to say, upon fishing harbours, because he believed that something like £2,000,000 had been expended upon four Royal harbours, which were used for postal and other purposes. There was no doubt that these harbours might be used also for fisheries; but upon fishery harbours themselves only the sum he had mentioned had been expended, and out of that £42,000 was spent during the relief works of 1881 and 1882. Their Lordships had heard a great deal at different times of the disgraceful manner in which the industries of Ireland were crushed and destroyed by the selfishness and short-sightedness of the English Government; and how all classes of landlords and tenants alike—although only landlords seemed to suffer now—protested against such a fatal policy. He believed the fisheries of Ireland had suffered greater than any other industry from that policy, because that policy of destruction had been pursued with them up to a much later time. He should not dwell upon the history of earlier times. Their Lordships were aware, if they read the history of Ireland, how every class of industry was discouraged. But, as lately as 1804, when other industries were being encouraged in Ireland, a Bill was brought in for establishing a fishery upon the Nymph Bank, which was one of the finest fishing grounds on the Coast of Ireland; but that Bill was thrown out in consequence of Petitions presented from the English fishing interest, who stated that if the Irish were encouraged to compete with them their own trade would be destroyed. But he would come to later times than that. In the year 1837, a Government Bill, founded upon the Report of a Royal Commission, who were formed for the purpose of seeing how the Irish fisheries could be resuscitated, was brought in, and was thrown out again in consequence of the deputation from the Scottish fishing interest, who came up to London to declare that their trade would be injured if the Irish fisheries were encouraged by grants of money to pursue their own trade or to resuscitate that trade. At the same time, the Scotch fishermen were receiving money for the very purpose themselves. It was very curious, indeed, to note the manner in which the Irish fisheries had fallen off. He found, before the Famine, by the Government Returns, that there were 20,000 vessels employed in fishing in Ireland, with crews numbering 113,000 odd men and boys; but last year—their Lordships would hardly believe it—there were only 6,089 vessels, employing crews of 22,391 men. Their Lordships would, therefore, see that the Famine finished what the short-sighted legislation of the English Government had begun. He was satisfied that there was quite as much wealth in the seas that washed the Coast of Ireland as there were in the seas around the Coast of this country; but, at the same time, they would find that the catch of fish by the English fishermen represented the enormous sum of £8,000,000 a-year, that the catch of the Scotch fishermen represented £3,000,000 a-year; but what did the wretched Irish catch represent? Why, only £500,000 in a year, and this was owing, to a great extent, to want of harbours. He had attempted to show some of the reasons for the decline of the fishing industry in Ireland; but there were two great causes at work which prevented its being resuscitated. The laws which pressed upon all classes of industry had now passed away, he was thankful to say; but they had left behind them a difficulty which was felt all over Ireland. Every industry had been destroyed more or less, and they had no strength or vitality to again resuscitate themselves; and one great cause of that inability with regard to the fishing interest was the poverty of the fishermen themselves, which rendered it impossible for them to procure proper boats and fishing gear. He was happy to say, however, that he found that had been met, in a great degree, by the loans granted by the Fisheries Commissioners, whose system of loans had worked most admirably. The other difficulty to which he alluded would be removed by the Bill which he was anxious that their Lordships should read a second time. At this time, harbour accommodation in Ireland was most inadequate—fishery harbour accommodation, of course. Great tracts of fishing ground lay unproductive around the Coast of Ireland, and it was perfectly impossible that those grounds could be fished unless there were harbours of shelter for the fishermen. In Scotland, he was told, there was a harbour between every five or ten miles; but in Ireland, from Galway, 70 miles round the Coast, he believed there was not a single harbour that was of any use for fishing purposes. He believed the same thing existed in many other districts. The Fishery Commission had stated it was absolutely required for the fisheries of Ireland that 70 harbours should be either repaired or made. Many of the sites had such natural advantages that, he believed, the expense of giving effect to the recommendation would not be very large. The money which he was asking for would be amply sufficient. And without good harbours, as their Lordships must know, it was impossible to have good boats, because boats could not put out to sea unless they had some place to run for. Therefore, if they provided them with fishing harbours, he was satisfied that boats would before long be supplied to the fishermen. In addition to the money he was asking for, there was also an immense improvement with regard to the law relating to the building of harbours proposed by the Bill. The Royal Commission on Irish Sea Fisheries of 1870 pointed out that the harbours were often built in the wrong places, or were not erected at all, in consequence of the clause in the Act which prevented any money being granted by the Treasury unless a quarter was subscribed by the locality; and he also believed there was a provision that the repayment of the money should be secured, and many districts were so poor that it was utterly impossible that the locality should guarantee the money; and in other instances people only guaranteed the money for harbours that could be used for other purposes—for their boats and for getting merchandize. Therefore the sites of harbours were constantly placed in the most inconvenient and expensive positions. This Bill would alter that. It empowered the Treasury to find the whole of the money, provided they were satisfied that it was for a good cause. It altered the law which limited the loan in each case to £7,500, and did away with the necessity that repayment with interest should be secured. The Bill also provided—which was a very important part of it—that the Fisheries Commissioners were to see the places, and report to the Treasury as to their suitability before the work was undertaken. In the past, it had been their habit merely to recommend that a harbour was wanted, and to leave it to the Board of Works to carry out the works in any way they thought fit; and as, in many instances, they did not understand how to carry out the work properly, they had constantly failed to be completed. He knew their Lordships were always anxious to do anything in their power to benefit the people of Ireland, and he himself had advocated the establishment of industries for the purpose. He thought the employment of the people at home was preferable to any scheme of emigration; and that by encouraging the people of Ireland to develop the fisheries, which they would do by reading that Bill a second time, they would be taking a real step in the right direction. He hoped sincerely that the Bill might be followed by other steps of a similar character, that should have for their ultimate object the development of the industries of Ireland. Before he sat down he should like to say one word with regard to a matter with which the Bill did not propose to deal, but, if it was to be really effective, should be taken into consideration at once by Her Majesty's Government. The Fishery Commissioners, in their Report of 1882, recommended strongly that a properly-equipped vessel should be attached to their Department for the purpose of making experiments, with the view of finding out and testing the fishing grounds round the Irish Coasts, and, at the same time, acting as a police vessel to prevent poaching and other illegal practices. He believed a vessel of this description would be of immense advantage to the Fishery Inspectors. By means of such a vessel they would be able to find out new banks, and generally to exercise a supervision over the fishing industry. He thought such a ship might also be made of immense advantage in teaching the unskilled fishermen of Ireland the best manner of catching fish and pursuing their calling. Boats of this description would not cost much money—they would really pay for themselves, because they would be always catching fish which could be sold. The Government must also remember that the Bill proposed to confine the funds of Ireland for the building and repairing of the harbours. He would not trouble their Lordships further, but would conclude by expressing a hope that they would give the Bill a second reading.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Waterford.*)

THE EARL OF CARNARVON said, he did not intend to speak against the Bill, and he had no doubt that the application of the money proposed would be for the public benefit; but, at the same time, their Lordships would remember the anticipations that were formed regarding this Church Surplus Fund when it was originated. They were then told that the Fund would not be applied to any but the holiest and highest purposes; and he wished now to point out how completely these predictions were falsified. The Fund was being applied to none but the most secular purposes. It was applied to the paying of tenants' arrears, to the promotion of fisheries, and other matters which were all very excellent in themselves, but certainly not what they were led to expect the Fund would be applied to. He hoped this result would be regarded as an instructive moral when next Parliament proposed the spoliation of Church property.

THE EARL OF HOWTH said, he supported the second reading of the Bill; but would suggest certain modifications in the application of the monies of the Fund. As to the results of the Bill, even supposing harbours were built, and there were increased takes of fish, it was difficult to see how the harbours would succeed without material aid. There was no market for fish in Ireland, for the Irish were not a fish-eating people. Mr. Blake, who was a great authority on this subject, had stated that an Irishman would not eat fish unless he had a potato beside him; even in time of famine it was almost impossible to get him to eat it. Again, there were no communications for carrying fish traffic into the interior of the country. Under these circumstances, it became a serious question what would become of the fish taken in these harbours. What he would, therefore, suggest was, that £150,000 should be expended on fishery harbours and piers, and the rest in providing cheap transit of the fish, and the improvement of the fishermen's boats and gear. Further, he thought a remedy was to be found in the plan that existed during the period between the years 1819 and 1829, which was, granting bounties for all fish caught. The result of that system was almost incredible, for it appeared that during the first year a fleet of 27 vessels received a sum of £28,000, the total bounties for the 10 years amounting to £163,000. Then the Committee, of which Mr. Blake, the promoter of this Bill, was Chairman, stated in their Report that, although abuses did occur under the bounty system, there never, perhaps, was a similar instance of the benefits arising from a pecuniary outlay of that character. The opinion of Mr. Barry, who was for many years a Member of the Irish Fisheries Commission, was to a similar effect.

Lord FITZGERALD said, he had listened to the speech of the noble Earl (the Earl of Howth), and yet he did not understand from it whether he intended to oppose the second reading of the Bill.

The Earl of HOWTH: No.

Lord FITZGERALD said, that being the case, he would remind the noble Earl that the modifications he suggested were more properly matters for discussion in Committee. He was surprised to hear the noble Earl say that the Irish were not a fish-eating people. He had always understood they would eat any fish but conger eels. On a visit to Galway some few years since, he found that the only articles of commerce in the port were sea-weed and conger eels. On asking a fisherman who had caught a large quantity of conger eels, and was packing them in perforated boxes, what they were for, he replied—"The people cannot eat them; but they are all going to London to be made into turtle soup for the Corporation." In giving, as he did, his warm support to the Bill, and expressing his gratitude to the noble Marquess opposite (the Marquess of Waterford) for having taken charge of it, he would say that if there was one thing they could do for Ireland it was that they should encourage the promotion of industrial occupations. Whenever there was prosperity in Ireland it was when the people were not dependent merely on the occupation of the land, but had also some industrial occupation; and when there was over-population he believed that the difficulty was to be met, not by emigration, so much as by promoting industrial pursuits. He did not want to criticize the statement of the noble Earl opposite (the Earl of Carnarvon) as to the disposition of the Church Fund; but this he would say—that, assuming his criticism to be perfectly right, there could be no nearer approach to a holy purpose of the disposition of the Fund than by applying a portion of it to the great object of promoting industrial occupations in the country.

The Marquess of WATERFORD wished to correct one or two statements made by the noble Earl (the Earl of Howth). He must own that he was very much astonished to hear him find fault with the Bill, for he really ought to be the last man in Ireland to have any objection to the laying out of money on the harbours round the Coast, because the harbour in which he was interested was one of the Royal harbours, upon which a larger sum of money had been laid out than upon any other. Under these circumstances, he really thought he ought to have some feeling for the fishery, and not be objecting to the money being spent as proposed. His noble Friend had said that this Bill had been introduced by a side-wind; but he was perfectly at a loss to understand what he meant. The Irish Church was disestablished a long time ago, and the Fund, which really appeared to be endless, had been spent in a variety of ways, and the religious objections raised to the proposed appropriation of the Fund was really not worth referring to. His noble Friend seemed to be entirely misinformed upon one point, because he wanted to allocate a certain sum of this money to a purpose for which there was already ample provision made. The fishermen could already obtain loans for the purchase of boats and gear, and he was thankful to say that they had applied for them; but they had not done so to anything like the amount which the Fishery Commissioners had in hand, and the Fishery Commissioners were most anxious to encourage the applications for those loans in every way. There was, therefore, no necessity for including such a provision in this Bill.

The Earl of HOWTH: My noble Friend must have misunderstood me. I did not recommend that.

The Marquess of WATERFORD said, another statement of the noble Earl was that they should adopt the four harbours recommended by the Harbour Accommodation Committee; but the fact was that three of these harbours were in England.

THE EARL OF HOWTH said, he did not state any such thing. The noble Marquess must not have heard him.

LORD THURLOW said, during the time that the Bill was in progress in the other House of Parliament it received the very serious consideration of Her Majesty's Government. The noble Marquess had said that the Bill had received in the House of Commons the unanimous support of the private Members of Parliament on all sides. The Government were not without hope that the Bill, if properly carried out, might prove a really useful measure, conducing to the prosperity, happiness, and well-being of the people of Ireland; and, that being the case, they had decided to give it their countenance and support. He would like to say that it appeared to him that the money which was proposed to be taken for the purpose from the Church Surplus Fund was the very least that would be of any use; but he very much doubted—in fact he felt sure—that it would be impossible, at the present time, to induce the Chancellor of the Exchequer and the other House to allocate a larger sum. Under those circumstances, he trusted the noble Earl would not press in Committee the point he had raised. In answer to a suggestion that had come from a noble Lord on his own side of the House, he would point out that there was a great distinction between applying for public money for national and permanent works, such as piers and harbours, and applying for money for the purpose of aiding fishermen to procure boats and nets, which were articles liable to decay and disappearance.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

COMPANIES ACTS AMENDMENT BILL.

(*The Lord Aberdare.*)

(NO. 148.) SECOND READING.

Order of the Day for the Second Reading read.

LORD ABERDARE, in moving that the Bill be now read a second time, explained that the object of the measure was to give workmen, who were owed wages, a first claim upon the assets of the firm employing them, in the event of the failure of the firm.

Moved, "That the Bill be now read 2ª."—(*The Lord Aberdare.*)

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

TUNIS—THE CAPITULATIONS.

MOTION FOR AN ADDRESS.

EARL DE LA WARR, in rising to ask the Secretary of State for Foreign Affairs, What steps have been taken with regard to the question of the capitulations in the Regency of Tunis; also, to ask if information can be given relative to the reported arrest of a Maltese British subject at Tunis by the French military authorities; and to move an Address for Papers and Correspondence, said, that the subject of the Capitulations at Tunis was one to which their Lordships' attention had been previously directed, and one which had been now for some time under the consideration of the Government. He trusted that the noble Earl would be able to state what decision had been arrived at, as the question was one which very materially affected the interests of British subjects in the Regency of Tunis. Under the Capitulations commercial advantages, as well as legal and judicial, were conferred upon British subjects, who numbered in the Regency not less than 10,000. The noble Earl could not be without information that there was anything but general satisfaction with the present state of affairs at Tunis. Civil rights and questions affecting property were receiving, under the French *régime,* a severe shock, and the authority of the Bey had been reduced to that of a mere official. He had also to ask the noble Earl if any information could be given about the reported arrest of a Maltese British subject at Tunis by the French military authorities? The reason for the arrest was not given. It was said in a telegram in the public Press—

> "The prisoner, a respectable man, has been brutally treated, receiving a sabre cut on the head after he was arrested by the soldiers. The French authorities refused to surrender him to the British Consulate. The British Colony has addressed a protest to the Government against the arbitrary conduct of the French authorities, demanding the maintenance of Treaty rights and the retention of the Capitulations."

He begged to move for Papers and Correspondence.

Moved, "That an humble Address be presented to Her Majesty for papers and correspondence respecting the arrest of a Maltese British subject at Tunis."—(*The Earl De La Warr.*)

Earl GRANVILLE, in answer to the first part of the Question put by the noble Earl, said, that the French Government had communicated with the British Government on the subject of the French criminal tribunals in Tunis, and expressed a hope that Her Majesty's Government would waive their rights under the Capitulations so far as to allow English subjects to be brought under the jurisdiction of the French criminal tribunals, just as French criminals were brought under the jurisdiction of English tribunals in Cyprus, and of Austrian tribunals in Herzegovina. The Government replied that they had no objection to take measures to waive their claim so far as to allow English subjects to be brought under the jurisdiction of these tribunals; but they did not think it necessary to make any further changes than were necessary to give full scope for that purpose. Inquiries had been addressed to the French Government as to the meaning of the law, and as to the regulations to be established under it; and, subject to the answer they received to that question, and to the reserve he had already mentioned, Her Majesty's Government were ready to take steps to inquire as to the views of the other Powers represented at Tunis. With regard to the second part of the Question, he had to say that it was true that a Maltese British subject was arrested at Tunis by the French military authorities, and that, in the opinion of our Consul, the arrest was not justified by the circumstances. The prisoner had been wounded by a French officer. The Government telegraphed at once for an explanation, both to Tunis and to Paris. The answer from the French Representative at Tunis was that he had no wish to interfere in any way with our Treaty rights, but that this was a special case of an insult offered to a French officer. The Government then addressed instructions to Lord Lyons, who replied that he had reason to believe that the prisoner had been released on the ground of his having been drunk at the time, and that his sufferings in prison had been sufficient punishment to meet the case. The Government were in further communication with the French Government on the subject. He would show the noble Earl the Papers on the subject; and although there would be no difficulty about the publication of the Papers at the proper time, he could not undertake to present them at present.

Motion (by leave of the House) *withdrawn.*

ARMY (AUXILIARY FORCES)—MILITIA PERMANENT STAFFS.

MOTION FOR AN ADDRESS.

The Earl of LIMERICK, in rising to move that an humble Address be presented to Her Majesty for Return by battalions of the number of sergeants wanting to complete Militia permanent staffs; and to call attention to the difficulty now experienced in obtaining properly qualified sergeants to serve on the permanent staffs, and in obtaining a sufficient number of volunteer sergeants, said, he disclaimed any intention of imputing blame, and observed that his reason for bringing forward the subject was the increasing difficulty of obtaining efficient non-commissioned officers for the Staffs of Militia regiments, and because the discipline and efficiency of the Militia depended on the discipline and efficiency of the permanent Staff. Formerly there were different sources of supply. There were sergeants who had served in the Army, there were pensioners, and there was a certain number who, though they had never been sergeants in the Regular Army, had proved their efficiency in the Militia itself. But now the supply was limited to one source, and it was found that those who were recommended for the Militia were not so good as formerly. Many of them were inefficient, worn out, or not very steady. Judging from his own experience, and from what he had heard, he had come to the conclusion both that there was an insufficient supply of non-commissioned officers, and also that the class was not so efficient as formerly. It was to be hoped that the noble Earl might be able to consider the question, and to take steps to remedy the evil of which he complained.

Moved, "That an humble Address be presented to Her Majesty for Return by battalions of the number of sergeants wanting to complete Militia permanent staffs."—(*The Earl of Limerick.*)

LORD CARRINGTON said, he was of opinion that the present system worked remarkably well.

THE EARL OF MORLEY said, that, as far as he could judge from the Reports received at the War Office from various Militia officers, there was no reason to complain either of the number or quality of the supply of the permanent Staff of the Militia. Formerly, among the permanent staff of the Militia regiments were pensioners who had completed 21 years' Army service. Now, all the Militia permanent Staff was to be composed of men actually serving in their Army engagement. The object of the changes that had been made was to insure a more efficient class of men on the permanent Staff of the Militia, and also to place them in such a position that they should be available for Army and other duties at the depôts of the regiments when the regiments were not out for training. The noble Lord need not be afraid that the supply would run short, because they had power, under the Army Discipline Act, to make provision against such a contingency. The supply was not short, nor was it likely that it would run short. The noble Earl was well aware that the Annual Returns of the Militia would give all the information, and more than he required, up to the date of the last training, and the Annual Returns for this year would be published as soon as possible; and unless the noble Earl was very anxious on the subject it would be better not to press his Motion. With regard to the Militia sergeants, who were not on the permanent Staff, there was, no doubt, great difficulty in obtaining suitable candidates, and he was sorry the noble Earl was not prepared with any suggestion on the subject; but the whole matter was receiving the most careful attention of the War Office, who recognized the importance of the subject, and who were endeavouring to take measures to correct the deficiency at present existing among the ordinary Militia sergeants.

Motion (by leave of the House) *withdrawn.*

TREATY OF BERLIN—ARTICLE X.—THE RUSTCHUK-VARNA RAILWAY COMPANY.

QUESTION. OBSERVATIONS.

EARL DE LA WARR, in rising to call attention to the tenth Article of the Treaty of Berlin, with special reference to the Rustchuk-Varna Railway Company; and to ask if Her Majesty's Government propose to take any steps to enforce the stipulations of the Treaty with regard to the obligations of the Principality of Bulgaria, said, the House might remember that under the stipulations of the Treaty of Berlin the new Principality of Bulgaria, which was then created, became liable to a tribute to the Sultan as a compensation, though in a small degree, for the loss of one of the richest and most fertile Provinces of His Majesty's Dominions. Although five years had now elapsed since the ratification of the Treaty, it appeared that no tribute had yet been paid. While other Articles of the Treaty had been somewhat rigidly enforced, those which chiefly concerned the interest of Turkey seemed, in a great measure, to have escaped the notice of the signatory Powers. In connection with this he wished also to direct their Lordships' attention to the case of the Rustchuk-Varna Railway Company. In the 10th Article of the Treaty it was stated—

> "Bulgaria takes the place of the Imperial Ottoman Government in its undertaking towards the Rustchuk-Varna Railway Company, dating from the exchange of the ratifications of the present Treaty,"

That was in the year 1878. Under the original concession, granted about 20 years ago, an annual subsidy of £140,000 was guaranteed for a term of years by the Ottoman Government. The liability for this was transferred to Bulgaria in 1878. The sum amounted now to £700,000; but no portion of this, up to the present time, had been paid to the shareholders of the Company. He desired to know whether the Government proposed, in conjunction with the other signatory Powers, to enforce the stipulations of the Treaty in this respect?

EARL GRANVILLE: My Lords, I have to say, in answer to the noble Earl, that the Government of Bulgaria has consented to refer the obligations under the 10th Article of the Treaty of Berlin to arbitration. Communications are going on with regard to the terms of the Reference. There has been great delay in replying to the last communication of Her Majesty's Government on this subject, owing to the absence of the Prince of Bulgaria and the Ministers and to other reasons; but we have lately received information from Mr. Lascelles that the matter will be carefully considered, and as soon as the Ministers return to Varna a communication will be made.

PUBLIC HEALTH—SANITARY CONDITION OF SOMERSET HOUSE.

QUESTION.

Earl FORTESCUE asked Her Majesty's Government (1), Whether there is any objection to lay the report of R. Rawlinson, Esq., C.B., together with the report of E. Griffiths, Esq., C.E., a very able sanitary engineer, which it enclosed, on the sanitary state of Somerset House, upon the Table of the House; (2) What improvements generally have been made subsequently to that report; (3) Whether any of the clerks of the Board of Inland Revenue have been placed in rooms in the basement which the Admiralty did not so occupy in their time; (4) Whether the opinion of the medical officer of the Board has been taken upon the suitability of those rooms for such occupation; (5) Whether, if those rooms are so occupied, any of the clerks in them had suffered in health?

Lord THURLOW, in reply to the first Question of the noble Earl, said, that the Report referred to by him was not one which could be laid upon the Table of the House. As to the second Question, everything which was recommended in that Report had been carried out, and there was every reason to believe with satisfaction to the inmates and the benefit of their health. There were some rooms now occupied by Inland Revenue clerks which had been used by the Admiralty as store rooms. There was no reason to believe that there was any objection to their occupation, and they were just as healthy as those above them. There was no exception to the opinion of the medical officer on the rooms. Previous to the alterations, there had been cases of illness; but since the changes had been made, as recommended in Mr. Rawlinson's Report, no case of illness or anything of the kind had come to the knowledge of the authorities.

EGYPT—THE CHOLERA.

QUESTION.

The Marquess of SALISBURY: Before the House adjourns, I wish to ask the noble Earl the Representative of the War Office in this House, Whether any intelligence has been received relative to the spread of cholera in Egypt, and especially with regard to the extent to which it has affected Her Majesty's forces?

The Earl of MORLEY: My Lords, I can best answer the Question of the noble Marquess by reading the last telegram received from the General Officer commanding in Egypt to His Royal Highness the Field Marshal Commanding-in-Chief. It is dated Cairo, July 24, and says—

> "The second case reported in Black Watch at Suez died last night. Two cases, Army Hospital Corps attacked in Abbassiyeh Hospital, one fatal. Four cases in citadel, of which two were attacked in hospital, one proved fatal. One case Black Watch in Kasr-el-Nil, doing well. In all we have had four deaths, two in Black Watch, one Hospital Corps, one Cameron Highlanders. Troops are now scattered as followed:—Six companies Royal Highlanders encamped and in Indian Hospital, near Suez, one company Port Said, one Helouân of Rifles, seven companies encamped near Suez, one company in Cairo; Gordon Highlanders, one company Helouân, seven companies in citadel. Camerons encamped above citadel on Mokhaltam Heights. Sussex move from Abbassiyeh this evening to Ismailia on Canal. Hussars and two batteries Artillery and Mounted Infantry move to-morrow to Ashmin Geres, to camp in Desert on West Bank Rosetta branch of Nile, 30 miles North-West of Cairo. Please inform War and Foreign Secretaries."

I may add, that all precautions possible are being taken to insure the health of the troops, especially by moving them about in small bodies.

The Marquess of SALISBURY: Is the effect of this telegram that the troops are withdrawn from the neighbourhood of Cairo?

The Earl of MORLEY: No; there will be eight companies left at Cairo, seven of which are in the citadel, and one in the town.

House adjourned at a quarter past Seven o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 24th July, 1883.

MINUTES.] — PRIVATE BILLS (*by Order*)—*Withdrawn* — Channel Tunnel Railway; South Eastern and Channel Tunnel Railways *.

PUBLIC BILLS — *Committee* — *Report*—Agricultural Holdings (England) [186] [*Sixth Night*]—R.P.; Consolidated Fund (No. 4) *.

Committee (*on re-comm.*)—*Report*—Friendly, &c. Societies (Nominations) [264].

Report—Electric Lighting Provisional Orders (No. 7) * [229]; Electric Lighting Provisional Orders (No. 9) * [238]; Electric Lighting Provisional Orders (No. 10) * [249]; Electric Lighting Provisional Orders (No. 11) * [250].

Considered as amended—Electric Lighting Provisional Orders (No. 1) * [216]; Electric Lighting Provisional Orders (No. 4)* [223]; Electric Lighting Provisional Orders (No. 6) * [227].

PRIVATE BUSINESS.

CHANNEL TUNNEL RAILWAY BILL
(*by Order*).

SECOND READING.

Order for Second Reading read.

SIR CHARLES FORSTER said, he had to move, on behalf of the promoters, that the second reading of this Bill be postponed until Friday, the 27th instant.

Motion made, and Question proposed, "That the Second Reading be deferred till Friday."—(*Sir Charles Forster.*)

SIR R. ASSHETON CROSS said, he objected to the proposal. This was a matter of great interest throughout the whole country, and everyone supposed it was coming on for discussion to-day. He understood that the hon. Baronet the Member for Hythe (Sir Edward Watkin), who was in charge of the Bill, was not present, because he was attending a meeting of his own Railway Company. He could not imagine what that had to do with the Business of the House of Commons. If anything ought to have been put off, it ought to have been the meeting of the Railway Company, and not the Business of the House of Commons. The Motion to postpone consideration of this Bill until 2 o'clock on Friday ought not to be entertained for one moment. It was very possible that many Members would be put to great inconvenience to attend at that time on Friday to discuss this matter. All hon. Gentlemen had perpetual calls upon them, many of the calls being of a public nature. The Business of the House of Commons, however, was never postponed for the convenience of any single Member. It was quite time they should discuss the Bill. If it were put off now, it could not come on for some weeks, when, in all probability, many Members would have left for the country. He should certainly vote against the present proposal.

MR. CHAMBERLAIN said, he came down to the House to-day with the full understanding that this Bill and the South Eastern and Channel Tunnel Railways Bill were to be brought on; and he could not help reminding the House that on the last occasion that the Bill was down upon the Paper, the hon. Baronet the Member for Hythe (Sir Edward Watkin), who was in charge of one of the Bills, expressed a strong opinion that to-day the Government ought to come down and state their views upon the expediency of constructing the proposed Tunnel. He (Mr. Chamberlain) was disappointed to find they were now asked to postpone the Bill again. The question of postponement was really one for the House to decide; and the only thing he could say in favour of a postponement was that, inasmuch as at the instance of the Government on many previous occasions the Bill had been postponed, the hon. Baronet the Member for Hythe was, perhaps, to some extent, justified in supposing it was not a matter of great consequence that the second reading of the Bill might be taken to-day, and that he might, therefore, attend to the important business which he had in hand.

SIR HARRY VERNEY said, he hoped the House would not assent to the Motion for postponement. The Bill had been postponed many times already. All hon. Members had made up their minds; they had all heard what could be said *pro* and *con*, and they were perfectly ready to-day to dispose of the Bill.

MR. ONSLOW said, there was another reason why the second reading of this Bill should not be taken on the 27th instant. No doubt the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) remembered that the Prime Minister had given up Friday next for the discussion of a very important Indian subject indeed; and if the question involved in this Bill was to come on at the Morning Sitting, the House would not probably have more than an hour for the discussion of the proposal that India should not be called upon to contribute in any way towards the expenses of the Egyptian Expedition. Under the circumstances, it appeared to him a monstrous proposition that this important Business should be taken on Friday; and he hoped the House would unanimously reject the Motion of the hon. Baronet (Sir Charles Forster).

Mr. MONK said, he thought that if any postponement of this discussion was to take place, it ought to be until to-morrow. He would not be favourable to a postponement except for one single reason. The country desired to have a discussion upon the merits of the Channel Tunnel scheme; and though he had no doubt what the result of the discussion would be, still he thought great disappointment would be felt in the country if the Bill was simply thrown out this afternoon, in the absence of the promoters of the Channel Tunnel scheme. He (Mr. Monk) would be in favour of the postponement, but a postponement only until to-morrow. It was unreasonable, as the hon. Gentleman the Member for Guildford (Mr. Onslow) had said, that the second reading of this Bill should be postponed until the day which had been given up by the Prime Minister for another most important discussion.

Mr. J. LOWTHER said, it seemed to him that the best way of raising this question would be to move to leave out of the Motion the word "Friday," and substitute for it the words "this day three months." At this period of the Session the House ought to be very careful how it allocated any portion of the few days which remained to them, especially as this must be a purely academical discussion. Everyone knew perfectly well that, for all practical purposes, the Channel Tunnel Railway Bill was dead for this Session, and he personally hoped for a great deal longer. But they were now asked, first of all, to hypothecate a portion by anticipation of this afternoon; and then they were asked to give up a portion of next Friday, a day which had already been handed over by the Prime Minister for the consideration of an important question, or to take to-morrow, on which day they hoped to dispose of important Government Business. He thought it was very unreasonable that on the threshold of the month of August the House of Commons should be asked to give up day after day for purely academical discussions of this kind. He did not wish to enter into the merits of the question; but he should be glad if they had an opportunity of repudiating the objects of this Bill. But that, however, at the present moment, was a secondary consideration. They ought to be careful of the expenditure of time now remaining to them; and, therefore, he begged to move the substitution of the words "this day three months" for "Friday."

Amendment proposed, to leave out word "Friday," in order to insert the words "this day three months,"—(*Mr. J. Lowther,*)—instead thereof.

Question proposed, "That the word 'Friday' stand part of the Question."

Mr. CHAMBERLAIN said, it was perfectly evident the feeling of the House was against any postponement, and under the circumstances he would appeal to his right hon. Friend (Mr. J. Lowther) to withdraw his Amendment, and allow the Bill to be called on, in which case he (Mr. Chamberlain) would have a Motion to make as a satisfactory substitute for the Amendment of the right hon. Gentleman (Mr. J. Lowther).

Sir CHARLES FORSTER said, he had no instructions from the promoters, except to ask that the second reading should be further postponed.

Mr. J. LOWTHER suggested that the Orders should be discharged.

Mr. RAIKES said, he understood that the Bill they were now discussing was the Bill in which the noble Lord the Member for Flintshire (Lord Richard Grosvenor) was interested, and not the Bill which was promoted by the hon. Baronet the Member for Hythe (Sir Edward Watkin). As a matter of fact, the South Eastern and Channel Tunnel Railways Bill stood third upon the Paper. The Bill which was now before the House was the Channel Tunnel Railway Bill; and that, he believed, was the Bill which was promoted by the Company of which the noble Lord (Lord Richard Grosvenor) was Chairman. If the noble Lord were to suggest that the Bill should be withdrawn, it would possibly relieve the hon. Baronet (Sir Charles Forster) of any responsibility in the matter.

LORD RICHARD GROSVENOR said, that, having been appealed to by the right hon. Gentleman the Member for the University of Cambridge (Mr. Raikes), he had only this to say—that he should acquiesce willingly and freely in any course which seemed necessary to the right hon. Gentleman the President of the Board of Trade. He (Lord Richard Grosvenor) believed the present feeling of the House and the country was such that it would be impossible to go on with the Channel Tunnel scheme this year; and, though it was with deep regret the promoters had to drop it even for this year, he thought he should be only doing what was right in acquiescing in the Motion which had been made.

MR. J. LOWTHER said, he should be quite ready to withdraw his Amendment, on the understanding that a Motion would be made that the Order be discharged.

Amendment, by leave, *withdrawn.*

Motion, by leave, *withdrawn.*

MR. CHAMBERLAIN said, the House would recollect that the Orders for the Channel Tunnel Railway Bill and the South Eastern and Channel Tunnel Railways Bill had been postponed from time to time at the instance of the Government. It was thought desirable that some further evidence should be taken in the matter; and, at the suggestion of the Government, a Committee of both Houses was appointed. That Committee had now concluded its labours; and although the Members of the Committee had been unable to agree upon any detailed Report, they had made a Report to the House to the effect that the majority of the Committee were of opinion that Parliamentary sanction should not be given to a submarine communication between England and France, and that Resolution of the Committee was arrived at by a majority of 6 to 4. The Government, having considered both the Report of the Committee, and also the state of circumstances which it disclosed, had decided to adopt their decision. Under these circumstances, they could not give any assistance to the further progress of these measures; and he should, consequently, move that the Order be discharged.

Motion made, and Question, "That the Order for the Second Reading be discharged,"—(*Mr. Chamberlain,*)—put, and *agreed to.*

Order *discharged;* Bill *withdrawn.*

QUESTIONS.

PUBLIC HEALTH (METROPOLIS)—PRECAUTIONS AGAINST CHOLERA.

SIR R. ASSHETON CROSS asked the President of the Local Government Board, Whether, especially with regard to the danger of cholera, he will issue a Circular to the Vestries and District Boards in the Metropolis, calling upon them to put in force the provisions of the Artizans' and Labourers' Dwellings Acts, 1868-82 (Mr. Torrens's Acts); whether, for the same reasons, he will call the attention of local authorities in the provinces to the provisions of the Artizans' and Labourers' Dwellings Acts, 1875-82 (Sir Richard Cross's Acts)?

SIR CHARLES W. DILKE: Sir, Circulars have already been issued to the Vestries and District Boards in the Metropolis, and to the local authorities in the Provinces, drawing attention to the Acts referred to, and urging the authorities to avail themselves of the powers which these Acts confer on them.

SIR R. ASSHETON CROSS asked the Secretary of State for the Home Department, and the President of the Local Government Board, Whether they will respectively call upon the Medical Officers of Health in the Metropolis for Returns of all places which in their opinion ought to be dealt with under one set of Acts or the other; and, whether they will lay such Returns before Parliament during the present Session?

SIR CHARLES W. DILKE: Sir, as the Medical Officers of Health in the Metropolis are officers of the Vestries and District Boards, and are in no way subject to the jurisdiction of the Board, the Board have not considered that they could properly call upon those officers to furnish such Returns as are suggested direct to the Board. The Board have, however, communicated with the Vestries and District Boards, and urged them to call upon the Medical Officers of Health to make Returns, without delay, of the places which they consider ought to be dealt with under the Acts mentioned. They have also asked that they may be furnished with copies of such Returns, and the Board will have no objection to lay on the Table of the House copies of any Returns which they may receive.

Mr. MONK asked whether the Local Government Board could not send round a Circular, to be left at the door of every householder, stating the best means to be taken for the prevention of cholera?

Sir CHARLES W. DILKE said, this Question did not quite come within the scope of that on the Paper; but if the House permitted him to do so he would answer it. It would not do for the Local Government Board to act as the local authority in the various districts; but they had already issued Circulars, not only to the district authorities of the Metropolis, but to every health authority in the country, calling attention to the powers they had under the Artizans' Dwellings Act. The Local Government Board could not issue instructions to every householder; but he had no doubt that, should there be imminent danger of cholera, that would be done by the local authorities. The authorities of the parish of Kensington had already adopted this course.

Sir R. ASSHETON CROSS asked the Chairman of the Metropolitan Board of Works, Whether he would again call the attention of the Board to the provisions of the Artizans' and Labourers' Dwellings Act?

Sir JAMES M'GAREL-HOGG: Sir, I can assure my right hon. Friend that the Metropolitan Board of Works is fully sensible of the importance of the provisions of the Artizans' Dwellings Acts, and the whole subject stands referred to a Committee, who will consider whether, having regard to the number and present position of the schemes already in hand, it is desirable for the Board to introduce others in the next Session.

Mr. MITCHELL HENRY: I should like to ask this Question of the right hon. Gentleman the President of the Local Government Board. Whether he will communicate with the different Vestries and local authorities, and suggest to them that stands, direct from the pipes of the different Water Companies, should be put up in the streets, so as to enable persons, particularly in the poorer districts, to draw their water direct from the mains? It has been proved, over and over again, that cholera and other diseases are produced by the retention of drinking water in dirty cisterns.

Sir CHARLES W. DILKE: The attention of the officers of the Local Government Board is being directed to this point.

THE CHANNEL TUNNEL COMMITTEE—THE PAPER "HOSTILITIES WITHOUT DECLARATION OF WAR."

Mr. GIBSON asked the Financial Secretary to the War Office, Whether he will cause to be printed and circulated in a separate and useful form the important historical paper on "Hostilities without Declaration of War," that was submitted to the Channel Tunnel Committee?

Sir ARTHUR HAYTER: Sir, in reply to the right hon. and learned Gentleman, I have to say that the document alluded to, entitled "Hostilities without Declaration of War," is about to be published for general information. Copies will then be procurable at a low price; and, as the Paper will also appear in the Appendix to the Report of the Joint Committee on the Channel Tunnel, it appears to me—in which view my noble Friend the Secretary of State for War concurs—to be a needless expense to present it separately to Parliament as a Command Paper. Having regard to the value of this Paper, I should certainly have acceded to the request to lay it on the Table of the House, had it not been about to be distributed to all Members, and accessible to the public at a low price.

LAW AND POLICE (IRELAND)—DISLOYAL PLACARD IN MONAGHAN.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has received any report from the police to the effect that the disloyal placard published apparently by the National Candidate in Monaghan, on the polling day, issued in reality from the printing office of a local Tory newspaper; whether a search on the premises, with a comparison of type, &c. will be made as was done in the case of the "Kerry Sentinel;" and, if not, whether any attempt has been or will be made to discover the authors; and, if the Government will accept an amendment to the Corrupt Practices Bill compelling the publisher's name to be attached to election placards, and penalising the appending by the printer of a false name and address?

MR. TREVELYAN: Sir, I have received no such Report as is suggested in the first paragraph of the Question; on the contrary, the police state that from a careful examination of the printing and texture of the paper it is not thought that the placard was printed in any printing office in the county. There is no ground whatever upon which the premises of the newspaper referred to should be searched, as was done in the case of *The Kerry Sentinel*, where there was abundant reason for the action taken. The police have made careful inquiry, with a view to ascertain, if possible, who printed or posted the placards at Monaghan, but as yet without success. If the hon. Member sees fit to bring forward such an Amendment to the Corrupt Practices Bill as he proposes, it will, no doubt, receive due consideration from the House.

MR. HEALY: As the right hon. Gentleman states that the police have no reason to suspect any local newspaper office, it may be of interest to him to know that I put my Question at the request of a police constable, who informed me that this placard was printed in the office of a local Tory newspaper.

SOUTH AFRICA — ZULULAND — REPORTED DEFEAT OF CETEWAYO.

MR. DILLWYN asked the Under Secretary of State for the Colonies, Whether Mr. Henriquez Shepstone was recently sent on a special mission to Cetywayo; and, if so, whether he will lay Mr. Shepstone's Report upon the Table of the House?

MR. EVELYN ASHLEY: Mr. Henriquez Shepstone was recently sent on a special mission to Cetewayo. His Report is already on the Table, and will be distributed in a few days.

MR. J. LOWTHER: I should like to ask the hon. Gentleman whether the Government have any news, confirmatory or otherwise, of the intelligence that has been received of the defeat of Cetewayo?

MR. EVELYN ASHLEY: The hon. Member for the North Riding of Yorkshire (Mr. Guy Dawnay) has a Question to this effect on the Paper, and I will answer it now. We have received a telegram from Sir Henry Bulwer, in which he says that Mr. Osborne, the British Resident in the Reserve Territory, reports that information had just been received by him that an attack was made upon Ulundi by a strong force, that Cetewayo's forces were defeated, and that Cetewayo himself escaped on horseback, though wounded. The attack was stated to be made by Usibepu in retaliation for an attack and heavy loss inflicted on his rebellious people by Cetewayo's forces a few days previously.

MR. R. N. FOWLER: Is anything known as to whether Ulundi has been burned?

MR. EVELYN ASHLEY: That is all the information we have.

MR. ASHMEAD-BARTLETT: Can the hon. Gentleman state to the House the number of human lives which have been sacrificed in consequence of Cetewayo's restoration to power?

NATIONAL EDUCATION (IRELAND)— NATIONAL SCHOOL TEACHERS.

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true the head teacher of Quay Street National School, Sligo, has not been paid his salary for three months ending on 30th June last; and, that the same teacher has not been paid for two months in 1878, when master of Derryknockevan National School; and, if so, can he give any reason?

MR. TREVELYAN: Sir, the salary of the head teacher of Quay Street School was paid some days ago. There had been some slight delay, for which, however, the Education Department was not responsible. It arose from an irregularity in the form of application. The salary earned by the same teacher in two months in 1878 was remitted to the manager of Derryknockevan School in November of that year, and the Commissioners of National Education have not had any complaint made that it was not duly received by the teacher.

LAND LAW (IRELAND) ACT, 1881—CASES BEFORE THE LAND COMMISSION.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, In what number of cases dismissed under section 21 of Land Act, where the evidence was fully heard, were transcripts of the shorthand writer's notes made for the Land Commission (excluding those dismissed on preliminary legal points); and, whether there would be any difficulty in furnishing the names of the litigants in such cases, and also the names in similar cases where no transcript of evidence was made by the shorthand writer?

MR. TREVELYAN: Sir, the number of such cases in which the evidence was transcribed was 38. The Land Commissioners inform me that they can give a nominal list of the cases in which the notes were transcribed; but that to do so in the cases in which they were not transcribed would involve considerable expense and take some time.

MR. HEALY asked whether a list of the 38 cases would be laid on the Table?

MR. TREVELYAN: Yes, Sir.

CONTAGIOUS DISEASES (ANIMALS) ACT —PLEURO-PNEUMONIA IN IRELAND.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that, at the meeting held on Saturday June 30th, the Local Inspector under the Cattle Diseases Act reported to the Wexford Guardians that pleuro-pneumonia had broken out on the farm of Lemuel Furney, Ballycross, near Bridgetown; that he had slaughtered four heifers affected with it early in the week; that the Guardians at once declared the farm an infected place under the Act; and, being very anxious to prevent the spread of the disease, unanimously recommended (as desired by the authorities in Dublin Castle) a certain area to be restricted—namely, the farms surrounding the infected place, as cattle on some of these farms were only separated by a ditch from the diseased cattle; whether, although the Guardians fully expected that this recommendation would have been carried out by the Government on the following Monday, as it was of great importance that the cattle would not be allowed to be sent over the Country, nothing was done until Friday, 6th July, when Mr. Headley, the Government Inspector, was sent down to examine into the case; whether, at the meeting of the Guardians on Saturday, 7th July, no communication was received from the Castle, only a formal acknowledgment of the Letter sent on the previous Saturday; whether two more beasts were slaughtered in the meantime; whether, on Thursday, 12th July, the disease broke out on the farm of Ballybough, also held by Mr. Furney, and another beast slaughtered; whether Ballybough adjoins Ballycross, and was one of the townlands recommended by the Guardians to be restricted; whether a part of this being occupied by a farmer who takes in cattle by the month, and from different parts of the country, thus created much greater danger; whether several of these cattle have been taken home since the disease broke out, and further risk of spreading the disease be caused; whether, on Saturday, July 14th, a copy of the report of the Government Inspector was received by the Guardians stating that it was not necessary to restrict an area nor to interfere with the fairs of Bridgetown, but recommending the Guardians to slaughter all the cattle and sell the carcasses; whether, before this Report reached the Guardians, the disease (as above stated) broke out in one of the places they wished to restrict; whether they consequently issued a strong protest against the action of the Castle authorities in thwarting them in their endeavours to stamp out the disease; whether they are now trying to negotiate for the sale of the cattle, with the view of having them slaughtered at once; and, whether the defect in the Act, in not giving absolute power to the local authority to deal with the restriction, is likely to be remedied?

MR. TREVELYAN: Sir, the hon. Member asks me 13 Questions in one; but they resolve themselves into a small compass. The facts are, I believe, for the most part, set forth with substantial accuracy in this Question; but the Government has no information as to the particular circumstances under which the lands of Ballybough are grazed, as referred to in paragraphs seven and eight. The Veterinary Department acted in this matter without any avoidable delay; and the reason why the very large area recommended by the Guardians to be declared an infected district was not at first so declared was because, on the receipt of the Inspector's Report, it was hoped it would not be necessary to do so. However, when, as stated, a further case of disease occurred at

Ballybough, and the Guardians urged their recommendation, it was complied with. The area recommended was declared infected, and the usual restrictions were imposed as to the movement of cattle and holding of fairs. The orders have been for some days in the hands of the Guardians and the police, and no fresh case of disease has been reported within the area since the 17th instant. I cannot give any undertaking that the powers of the local authority will be enlarged by legislation as suggested.

ARMY (INDIA)—ROMAN CATHOLIC SOLDIERS.

COLONEL **COLTHURST** asked the Secretary of State for War, What arrangements have been made for the services of a Roman Catholic priest on board the troopships returning from India with invalids?

THE MARQUESS OF **HARTINGTON**: Sir, the troopships which return from India with invalids are those which have proceeded to India with drafts. It has been arranged with the India Office that when a troopship going out to India takes out a minimum of 300 Roman Catholics, including soldiers' wives and children, a priest of that denomination will be provided for the voyage out and the return home of the same vessel. It will, therefore, be for the military authorities in India to arrange that Roman Catholic invalids shall, as far as possible, be sent home in the troopships with Roman Catholic clergymen on board.

POOR LAW (IRELAND)—LIMERICK WORKHOUSE.

MR. **MOORE** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that an inmate of the blind ward in the Limerick Workhouse has given birth recently to an illegitimate child; and, whether the Local Government Board will hold an inquiry into the case?

MR. **TREVELYAN**: The fact is as stated in the first paragraph of the Question; and the Local Government Board have ordered their Inspector to hold an inquiry on oath into the case.

NATIONAL EDUCATION (IRELAND)—THE PROFESSORS.

MR. **O'BRIEN** asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. P. W. Joyce, LL.D. T.C.D., and Mr. J. J. Doherty, LL.B. T.C.D., Professors in the Central Training Department of the Commissioners of National Education in Ireland, kept terms by examination in Trinity College, Dublin, while acting as teachers in the Board's direct service; whether Mr. William James Browne, M.A., District Inspector of Schools, and the late Mr. Edmond Wren, M.A., attended the London University examinations while in the same service; whether these gentlemen were not on several occasions absent from duty for the purpose of attending the University examinations; and, whether deductions were made from their salaries or other emoluments in respect of every such absence; and, if not, whether he will recommend the Commissioners to deal with teachers attending the examinations of the Royal University of Ireland on the same footing?

MR. **TREVELYAN**: Sir, the Commissioners of National Education inform me that the Questions relating to the four gentlemen here named refer to periods so long passed that it would be impossible now to obtain accurate information on the points mentioned. With regard to the last clause of the Question, I may say that the Commissioners made an Order in November last, under which they are empowered to deal with all such cases as are referred to in such a way as to prevent any hardship or grievance arising. If the words of the Order are strictly carried out, as I believe they will be, hardships will not occur; and if the hon. Member knows any instance in which it is not being strictly carried out I will inquire into it.

OPEN SPACES (METROPOLIS) — THE METROPOLITAN BOARD OF WORKS AND THE MEETING IN SOUTHWARK PARK.

MR. **BORLASE** asked the honourable and gallant Member for Truro, Whether it is true, as stated in the "Daily Telegraph" of yesterday, that—

> "By order of the Metropolitan Board of Works, the names of several speakers at a meeting held yesterday in Southwark Park, were taken down with a view to a prosecution;"

and, whether it was not a meeting of ratepayers who would, by the action of the Metropolitan Board of Works, be cut off from that part of the Park which they are rated to support?

Sir JAMES M'GAREL - HOGG: Sir, the meeting referred to by the hon. Member took place without permission, and in direct contravention of the Board's bye-laws; and the persons concerned were informed beforehand that, in the event of a meeting being held, the names and addresses of the speakers would be taken by the Board's officers, which was accordingly done, as stated in *The Daily Telegraph*. As to the other Question, I was not there, and do not know whether those present were ratepayers or not.

Mr. BORLASE gave Notice that he should take the earliest opportunity of bringing the matter before Parliament.

Mr. LABOUCHERE asked whether application had not been made by the persons concerned for permission to hold the meeting; and whether that application had not been refused?

Sir JAMES M'GAREL-HOGG, in reply, said, that a certain man, who wished to hold meetings perpetually in the Park on Sundays, and upon every possible subject, did apply; and he and his friends were informed that it was contrary to the bye-laws to hold such meetings, and that if they persisted in breaking the bye-laws they must take the consequences. The bye-laws had been approved by the Secretary of State, and the Board had its duties to perform.

Mr. LABOUCHERE asked on what ground permission to hold the meetings had been refused?

Sir JAMES M'GAREL-HOGG said, that the permission had been refused because the Board were of opinion that the Park was set apart for the purposes of general recreation, and not for the purpose of holding noisy meetings.

CRIMINAL LAW—CASE OF FOOTE AND RAMSEY.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether he has received Memorials from many thousands of persons, including clergymen of the Church of England, Nonconformist Ministers, and persons of high literary and scientific position, asking for a mitigation of the sentences of George William Foote and William James Ramsey, now imprisoned in Holloway Gaol on a charge of blasphemy; whether they have already suffered five months' imprisonment, involving until lately confinement in their respective cells for 23 hours out of every 24, and now involving 22 hours of such solitary confinement out of each 24; and, whether he will advise the remission of the remainder of their sentences?

Sir WILLIAM HARCOURT: Sir, the Question of my hon. Friend is based upon a misconception of the duty and rights of the Home Secretary with reference to the sentence of the law. That misconception I have often endeavoured to remove, but apparently with entire want of success. It is perfectly true that I have received many Memorials on this subject. Most of those Memorials were founded upon a disapprobation of the law on which the sentence rested. I must say, as I have often done before, that this is not a matter which I can take into my consideration, either upon my own opinion, or upon that of clergymen of the Church of England, or of that of persons of high literary and scientific position. Until Parliament has altered the law, I am bound to assume that the law is right, and that those who administer it administer it rightly. If I were to take any other course, and if I were to exercise my own opinion—if I had any—on the subject, I should be transferring the power of making the law from Parliament to the Executive and to a Minister of the Crown—a course which I am quite sure my hon. Friend would be the last to desire. Then it has been said that I might deal with the sentences. But sentences must not be dealt with upon the assumption that the law is wrong, or that the jury or the Judge are wrong, but in reference to the special circumstances of the case, which might be such as to justify the Minister in recommending that the mercy of the Crown should be exercised. Let us see, then, what are the special circumstances of the present case. Nobody—I do not care whether legal persons, or belonging to the class mentioned in this Question—can judge properly of this matter who has not seen the publication. I have seen it, and I have no hesitation in saying that it is, in the most strict sense of the word, an obscene libel. It is a scandalous outrage upon public decency. That being so, the law has declared that the publication of such an obscene libel is punishable. I have no authority to say that the offence shall not be punishable, nor do I think that before the expiration of less than half the period of the punishment awarded by the Court, I should be discharging, with a sound and sober judgment, the responsibility which rests upon me if I were to advise the Crown to remit the sentence.

SUEZ (SECOND) CANAL—CLAIMS OF M. DE LESSEPS.

MR. M'COAN asked the Under Secretary of State for Foreign Affairs, Whether the pretension of M. de Lesseps to an exclusive right of canal-way across the Isthmus of Suez was raised or considered either before the International Commission at Constantinople, which, in 1874, authorised the surtax, or during the negotiations for the purchase of the Canal Shares by Her Majesty's Government in 1875; and, whether, in fact, the claim in question has ever been put forward by M. de Lesseps, or has been in any way acknowledged by any Government of Her Majesty until the present month?

LORD EDMOND FITZMAURICE: The question does not appear to have been raised on either of the occasions mentioned by the hon. Member; nor has it, as far as I am aware, been the subject of official Correspondence in former years.

NAVY—REPORTS OF SHIPS.

COLONEL KENNARD asked the Secretary to the Admiralty, Why the Report on the sailing and steaming qualities of ships, which used to be issued every six months, is now discontinued?

SIR THOMAS BRASSEY: Sir, half-yearly Reports are rendered to the Admiralty during the first commission of a ship, and yearly Reports during the second commission. It is not considered necessary to continue the Reports on ships for a longer period, as their qualities will have been fully tested in two commissions.

INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE SCARIFF DRAINAGE SCHEME.

MR. KENNY asked the Financial Secretary to the Treasury, If he has received a Copy of Resolutions adopted at a meeting of tenant farmers principally concerned in the Scariff drainage scheme, held at the Courthouse, Feakle, county Clare, on 18th July; if the Resolutions in question set forth the heavy loss in farm produce annually sustained by the local farmers through floods, condemn the inaction of the Board constituted under the Act, who for three years have done nothing to carry its provisions into effect, and call upon the Treasury to place the undertaking in the hands of a competent authority, with a view to its execution, and, also, if an extension of time under the Act is not asked for; and, if, having regard to the great local importance of the scheme and the benefits if proposes to confer upon the people of great portions of six parishes, the Treasury will accept the recommendations of the local occupiers, and see that effect is given to their wishes upon this subject?

MR. COURTNEY: Sir, I received yesterday a document to the effect stated in the Question; and it will be considered at the Treasury, and answered in due course. In other respects I must refer the hon. Member to an answer I gave to his Question on the same subject three weeks ago.

MR. HEALY gave Notice that on the first opportunity he would call attention to the subject.

CRIME AND OUTRAGE (IRELAND)—THE WEXFORD RIOT.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that the Police have prosecuted for riot the men engaged in the affray on the polling day at Wexford; and, if he intends to grant an inquiry into the circumstances leading to the bayonet charge, and by whom the charge was ordered? The hon. Member said, the Question now appearing on the Paper was not his, but that of the Clerk at the Table. What he originally asked was, whether the Government would prosecute every man whom their police had bludgeoned or stabbed?

MR. TREVELYAN: Sir, I was prepared with a very simple answer to the hon. Gentleman's Question as it appears on the Paper. I must say that, as far as I have got information—and I made the most careful inquiries, this being the first riot which has happened in Ireland since I have been Chief Secretary—I have ascertained that 23 or 25 policemen were wounded, four seriously;

whereas on the other side I cannot gather that anyone was seriously wounded, and it is only alleged that one man was rather seriously stabbed, and he refused to have his wounds looked at. [*Laughter.*] I do not say that one man may not have been injured with the baton; but that, as far as I could gather, I would have taken to be case, were it not for the additional Question of the hon. Member. Proceedings have been taken against the persons charged with rioting, and the inquiry before the magistrates will disclose the facts of the case. Pending that inquiry I prefer to say nothing more.

Mr. HEALY said, at the earliest opportunity he would draw attention to this question. Hon. Members laughed when the Chief Secretary said the man wounded by the police refused to have his wounds looked at. But the man knew, which the House did not, that if he consented to go into hospital his name would be immediately taken by the police, and he would be prosecuted.

SUEZ (SECOND) CANAL—THE PROVISIONAL AGREEMENT WITH M. DE LESSEPS.

Sir STAFFORD NORTHCOTE: Sir, I placed a Question on the Notice Paper last night to the following effect:—

> "To ask the First Lord of the Treasury, Whether, after the withdrawal of the Agreement with the Suez Canal Company, in consequence of the general dissatisfaction which has been expressed as to its provisions, the Government adhere to their opinion that M. de Lesseps has a well-founded claim to an exclusive monopoly in respect of communication by canal between the Mediterranean and the Red Sea?"

Since I placed this Question on the Paper, it has occurred to me that it is one of a somewhat argumentative character, and might lead to an argumentative answer, and probably require some discussion. I have, therefore, thought, having made up my mind as to a Notice which I wish to give as regards a future discussion, that it would be better for me, instead of putting this Question, to give the following Notice:—I propose on Monday, if the right hon. Gentleman can give me that day, or some other day which may be convenient to him, to move—

> "That an humble Address be presented to Her Majesty, praying that, in any negotiations or proceedings with reference to the Suez Canal Company to which Her Majesty may be a party, She will, while respecting the undoubted rights of the Company in regard of their own concession, decline to recognise any claim on their part to such a monopoly as would exclude the possibility of competition on the part of other undertakings, designed for the purpose of opening a water communication between the Mediterranean and the Red Sea."

Mr. GLADSTONE: Sir, I do not rise for the purpose of commenting on the Notice of the right hon. Gentleman, further than to say that I will carefully examine the state of Business, and shall be prepared at an early day—perhaps to-morrow, certainly not later than Thursday—to make a communication as to the precise date upon which it might be convenient to take it. This Question having been placed upon the Paper, I think I ought to make the answer which I was prepared to make. The first part of that answer was to exclude from my view the preamble which the right hon. Gentleman has inserted, and which is expressive of his opinion as to the reasons which we have given for the withdrawal of the Provisional Agreement—an opinion which I do not seek now to question; and, in answering the Question, I will simply say that I do not adopt that opinion. I must also observe that the Question contains a statement which is quite erroneous—no doubt unintentionally erroneous. It asks whether the Government adhere to their opinion that M. de Lesseps has a well-founded claim to an exclusive monopoly in respect of communication between the Mediterranean and the Red Sea? No opinion to that effect has, at any time, been expressed by the Government. With regard to the substance of the Question—which I suppose is intended to apply chiefly to the Isthmus of Suez—the Government have never, in any communication relating to the Canal, placed any construction—by communication, I mean not what has been said in this House, but communication with persons abroad—upon the instrument of concession with regard to any exclusive right or claim. Nor have they done anything to bind this country to any particular view of the concession. The Question includes the inquiry whether we have altered the opinions which we have expressed to Parliament? We have not seen cause to alter those opinions. Those opinions are upon record, and, in the judgment of the Government, it would not be attended with public advantage, but the reverse of public advantage, if we gave any further exposition of them. I may also observe—for the sake of greater clearness—that the exclusive power, to which reference has been made more than once in the course of this discussion, was a power to prevent others from piercing the Isthmus by a Canal, and did not touch the separate and distinct question whether the present Canal Company, without any fresh concession, have power to make a new Canal.

Mr. GIBSON asked Mr. Chancellor of the Exchequer, Whether any public inconvenience can result from giving the date of the opinion of the Law Officers with reference to the alleged exclusive rights of M. de Lesseps and the Suez Canal Company, bearing in mind that the First Lord of the Treasury has given publicly the fact and the effect of that opinion?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): Yes, Sir. As I have already stated, it would be a matter of public inconvenience to establish the precedent of giving the dates of the Law Officers' opinions, any more than the cases submitted to them, or the language they employ. Her Majesty's Government are responsible for acting or not on these opinions, and all that it has been usual to state is their general effect. This my right hon. Friend did in the present case.

Mr. GIBSON wished to know whether any precedent existed, after the Prime Minister had stated the fact and effect of the opinion, which justified the refusal to state whether that opinion was given before or after the negotiations?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): Sir, in the Office which I hold I am rarely in the receipt of the opinions of Law Officers; but I have consulted those of my Colleagues who are more in the habit of consulting the Law Officers, and the answer which I have given is the result of that inquiry.

AFRICA (RIVER CONGO)—NEGOTIATIONS WITH PORTUGAL.

Sir MICHAEL HICKS-BEACH asked the First Lord of the Treasury, What is the present position of the negotiations with Portugal on the subject of the Congo; and, whether any Treaty has been concluded; and, if so, when it will be made known to Parliament in accordance with the promise given by him in April last?

Mr. GLADSTONE, in reply, said, that negotiations were still in progress; but no Treaty had yet been concluded. If any Treaty should be concluded, it would, of course, be presented to Parliament.

IMPORTATION OF FOREIGN ANIMALS—THE RESOLUTION OF JULY 10.

Mr. CHAPLIN asked the First Lord of the Treasury, with respect to the Resolution of the House of Commons of July 10th, Whether it is the intention of the Government, in case the evidence to which he referred should lead to the conclusion that there is any danger of importing Foot and Mouth Disease, by the landing of animals alive from any specified foreign Country, from which they are allowed to land alive at present, to take steps to prevent their landing in future; until, in the opinion of the Privy Council, the general sanitary condition of such specified country or countries and of the animals therein is such as to come within the terms of the fourth section of the Fifth Schedule of "The Contagious Diseases (Animals) Act, 1878," under which animals coming from Norway, Sweden, Denmark, and British North America, are exempted from slaughter at the port of landing at the present time; and, if not, what other steps the Government intend to take to give effect to the Resolution of the House of Commons of July 10th?

Mr. GLADSTONE: Sir, I may correct an expression used by the hon. Gentleman. I am not aware that I ever said that the Government intended to take evidence. That would have been a phrase conveying, I think, a different sense from that which I intended to convey. As I understand this Question, it amounts to this—Whether Her Majesty's Government will abolish the practice of slaughtering cattle upon importation, and will deal simply in one of two ways with foreign cattle—either allow them to pass where they are justified under the terms of the law at once into the country, and the other of excluding them altogether? We cannot undertake to pursue that course, because that is a course which we have already declared we do not think we could pursue consistently with the law. What I stated on a former occasion was, that the Privy Council would carefully examine into the evidence laid before it from foreign countries, of course receiving any new evidence that might come before it; and if they find that in any instance where cattle are now admitted they ought to be slaughtered on importation, or if they find where they are now slaughtered upon importation there ought to be absolute prohibition, upon seeing that the law justified the adoption of that course, the Privy Council would proceed to that course.

Mr. CHAPLIN: It was precisely because I was unable to understand the reply of the right hon. Gentleman the other day that I placed this Question on the Paper; and I confess I do not understand very much more now than I did then. What I wish to know is, whether, in the opinion of the Government, they are not able, under the existing law, to carry out the Resolution of the 10th of July; and whether they intend to introduce any further legislation on the subject?

Mr. GLADSTONE: I think I may say the Government has no intention of proposing further legislation this Session.

Mr. CHAPLIN: Then I am to understand from the right hon. Gentleman that the Government intend to set at nought the Resolution of the 10th of July?

Mr. GLADSTONE: The hon. Gentleman can put whatever construction he pleases upon the answer I have given; But I have, I think, afforded the clearest evidence that we desire to give the utmost effect we can to the Resolution of the House of Commons, compatible with that duty which is higher than that of any Resolution of the House—namely, obedience to the provisions of the law as it stands.

Mr. JAMES HOWARD: Is the House to understand from the statement of the Prime Minister that should the evidence the Privy Council collect, and should the powers of the Act of 1878 be insufficient to prevent the introduction of disease, the Government will refuse to amend the Act? That is what the hon. Member for Mid Lincolnshire (Mr. Chaplin) wants to know.

Mr. GLADSTONE: No, Sir; I do not think that I made any representations as to the intention of the Government which justify the statement of the hon. Member for Bedfordshire (Mr. J. Howard). The Government will ascertain, by careful examination, whether the provisions of the existing law are sufficient to carry out the Resolution of July 10. Should they have reason to think that the provisions of the existing law are insufficient, it will be their duty to consider whether there ought to be fresh legislation.

Sir MICHAEL HICKS-BEACH: I should like to ask this Question, whether the results of that examination will be published? Then we should know whether importation will be prohibited from a single country from which it is now allowed.

Mr. GLADSTONE: What I have said is, that a certain course of administrative action would be pursued in a certain Department; and probably the Member of the Government who represents that Department will be better able than I am to answer the Question of the right hon. Gentleman.

Mr. CALLAN: On Monday I will ask the Prime Minister whether the Government will give effect to the Resolution of the House as to the Contagious Diseases (Animals) Act, as the Government has done to the Vote of the House with reference to the Contagious Diseases (Man's) Act?

Mr. CHAPLIN: Will the right hon. Gentleman undertake that, in the event of any cargo of diseased animals being landed from a foreign country, the fact shall be publicly notified?

Mr. GLADSTONE: That is also an administrative Question, on which I will satisfy myself by inquiry, as I am not in charge of the administration of every Department of the Government.

THE SUEZ CANAL—LIST OF SHAREHOLDERS.

Mr. J. LOWTHER said, he had given Notice of a Motion for Copies of the List of all Shareholders in the Suez Canal Company, whose shares had been registered up to the 20th day of July, 1883; and of those Shareholders whose names were deposited at the offices of the Company, prior to the last general meeting, together with the number of Shares so registered or deposited by each of such Shareholders. As he saw that a hostile Amendment had been put down by a Member of the Government, he wished to ask the Chancellor of the

Exchequer whether he had any objection to give the Return?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Sir, I unfortunately had no Notice of the Question, or I would have explained in detail the difficulty of giving the Return. The fact is that it is not possible to obtain the information in the shape in which the right hon. Gentleman has asked for it, and I have suggested to him an amended form of the Return.

MR. J. LOWTHER said, the Return which the right hon. Gentleman has offered would be a totally different Return, and would not give the public the information they desired to obtain. If the right hon. Gentleman would assure him that he was unable to procure the information for him he would do his best to obtain the information for the right hon. Gentleman.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): The part of the Return to which the right hon. Gentleman refers is never given to the public. It can be obtained by an individual shareholder, but only for personal and private use. That is the information which I have obtained from the Company. Personally, I have no objection whatever to the information being published; but it could not be properly made public in accordance with the rules of the Company.

MR. J. LOWTHER: Am I to understand that it is in the power of any shareholder to obtain a copy of this document, and that the British taxpayers, who hold £4,000,000 of Shares, are not to have the same advantage as any other shareholder?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Sir, I have informed the right hon. Gentleman that it is in the power of any shareholder to obtain a list of the very small proportion of shareholders who deposit their Shares. But it is a rule of the Company that the list should not be published. If, therefore, we apply for it we should be told—"Here is the list, but it is not to be published." That is the rule of the Company, which I cannot break under any circumstances. I may say, moreover, that the information would be entirely delusive, inasmuch as the shareholders do not deposit the whole of their Shares, but only a sufficient number to qualify themselves.

MR. J. LOWTHER gave Notice that he would take an early opportunity of calling the attention of the House to the subject.

SUEZ (SECOND) CANAL—THE PROVISIONAL AGREEMENT WITH M. DE LESSEPS—LETTER OF M. DE LESSEPS.

MR. BOURKE: With reference to the letter of M. de Lesseps, which is published in the newspapers of to-day, I wish to ask the right hon. Gentleman at the head of the Government whether any reply has been sent to that letter; and, if so, whether the reply will be included in the Papers which are to be presented to Parliament?

MR. GLADSTONE: Yes, Sir; a reply has been sent, and will be presented to the House.

EGYPT—THE CHOLERA.

SIR WALTER B. BARTTELOT asked the Under Secretary of State for Foreign Affairs, Whether his attention had been directed to a telegram from Egypt in *The Times* of that morning—

> "The Minister of the Interior and the Prefect of Police, without consulting Sir Edward Malet, General Stephenson, or apparently any other authority, determined to evict in the middle of Saturday night the inhabitants of Boulak, and to transport them up the river to Turrah, near Helouân, where the English are forming a cholera camp. The scene is described as a pitiable one—men, women, and children carrying the small possessions which they could gather hastily together, such as old bedding—often emitting a horrible odour—accompanied by a few goats, sheep, donkeys, and poultry, being driven bare-footed in the middle of the night to the barges. No violence was necessary, but no attempt was made to mitigate in any way the horrors of the situation. Meanwhile, nothing had been done to prevent several hundreds of the evicted wretches from escaping, and rushing in crowds through the town."

He also wished to ask if it was correct, as afterwards stated, that Sir Evelyn Wood, Sir Edward Malet, and General Stephenson had given orders directing that no further evictions should take place; and whether any instructions had been given to the English authorities in Egypt and in Cairo to prevent this state of things taking place, which was a discredit to us, occupying the country as we now were?

LORD EDMOND FITZMAURICE: Sir, I cannot, of course, state from day to day whether the various events which are telegraphed as happening in particular places are true and accurate in every respect. I stated yesterday that a Committee, of which the leading Members are the officers named just now in the Question of the hon. and gallant Member, had been formed, with the view of preventing the painful scenes that were alluded to in the Question of the noble Lord on the Front Bench (Lord Eustace Cecil). That Committee was appointed, not only with the view of preventing administrative confusion, but also for the purpose of carrying out the orders which had been given, and, I understand, of controlling the action of the local authorities by directing it into wise channels. Although I understand the anxiety of some hon. Members, and of the House generally, more than that I cannot say, except this—that the clearest instructions have been given to Sir Edward Malet to lose no opportunity of doing everything he can to support and guide the Egyptian Government in the difficult times on which they have fallen.

Sir WALTER B. BARTTELOT desired to know whether the noble Lord had heard that these evictions actually took place?

Lord EDMOND FITZMAURICE: No, Sir; I cannot state that.

SUEZ (SECOND) CANAL—THE PROVISIONAL AGREEMENT WITH M. DE LESSEPS—THE PAPERS.

Mr. BOURKE: Can the noble Lord the Under Secretary of State for Foreign Affairs now state, whether the letter of M. de Lesseps will be distributed to Members to-morrow?

Lord EDMOND FITZMAURICE: These Papers, I have reason to believe, will be in the hands of Members to-morrow; and, with regard to further Correspondence mentioned yesterday, I have every reason to believe it will be in the hands of Members on Thursday.

Mr. ASHMEAD-BARTLETT asked if the noble Lord would lay on the Table any communications that had been received from Foreign Governments as to the Suez Canal?

Lord EDMOND FITZMAURICE said, that was a Question of which Notice should be given.

Mr. ASHMEAD-BARTLETT asked the Prime Minister whether he adhered to the statement which he made on the 19th of July that the exclusive privilege of piercing with a Canal the Isthmus of Suez did not determine with the life of M. de Lesseps, but would pass to the Company formed by him?

Mr. GLADSTONE: I have already said so. We adhere to the opinion which we have given in this House.

PARLIAMENT—BUSINESS OF THE HOUSE—SUPPLY.

In reply to Mr. Justin M'Carthy,

Mr. GLADSTONE said, that Irish Votes in Committee of Supply would be taken on Thursday.

Mr. W. H. SMITH asked the Financial Secretary to the Treasury to state the specific Votes and the order in which they would be taken?

Mr. COURTNEY said, that the whole of the remaining Civil Service Votes in Class II. would be taken, if possible, on Thursday, beginning with a few English Votes, proceeding to the Scottish Votes, and then the Irish Votes, including those of the Lord Lieutenant, the Chief Secretary, and the different Departments of the Government in Ireland, but not the Land Commission.

Sir H. DRUMMOND WOLFF asked when the Vote for Major Baring's salary would be taken, as he should like to raise a discussion upon it?

Mr. GLADSTONE said, it would be premature to mention a date just now.

Colonel STANLEY asked when the remaining Army Estimates were to be taken?

The Marquess of HARTINGTON, in reply, said, that it would be impossible absolutely to name a day until the Committee stage on the Bills now before the House had been disposed of, and some progress made on the Estimates just referred to.

PREVENTION OF CRIME (IRELAND) ACT, 1882—MR. HARRINGTON'S CASE.

Mr. T. P. O'CONNOR asked the Chief Secretary to the Lord Lieutenant, Whether it was true that Mr. Harrington had been arrested and conveyed to prison?

Mr. TREVELYAN said, that he could not answer definitely; but he had every reason to believe that Mr. Harrington had been arrested in accordance with the decision of the magistrates.

Mr. T. P. O'CONNOR gave Notice that he would ask a further Question in reference to the case of Mr. Harrington on Thursday, with a view to further proceedings.

ORDERS OF THE DAY.

AGRICULTURAL HOLDINGS (ENGLAND) BILL.—[BILL 186.]

(*Mr. Dodson, Mr. Shaw Lefevre, Mr. Solicitor General*)

COMMITTEE. [*Progress 23rd July.*]

[SIXTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

PART II.

Distress.

Clause 15 (Limitation of distress in respect of amount and time).

MR. CARPENTER GARNIER rose to move, in page 7, line 12, to leave out the words "after the commencement of this Act," in order to insert the words "after the first day of January, one thousand eight hundred and eighty-five." He said that, as the Committee were aware, the commencement of the operation of this Bill was fixed for the 1st of January next; and all he asked was that a little more time should be given before this particular provision came into force. He had nothing to say against the principle of the clause—there was a general agreement upon that; but what he asked was for a little more time before the commencement of so great a change. During the late agricultural depression landlords had allowed arrears to grow up; but they did this relying on the security of the law as it stood, and if that security was taken away very suddenly great inconvenience would ensue. Moreover, the rents were often not collected until many months after they became due; and it was not asking too much that a little time might be given to enable both landlords and tenants to consider the subject, with the view of arriving at the best course which might be convenient to them both.

Amendment proposed,

In page 7, line 12, to leave out "after the commencement of this Act," and insert "after the first day of January one thousand eight hundred and eighty-five."—(*Mr. Carpenter Garnier.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

SIR WALTER B. BARTTELOT said, he hoped his right hon. Friend who had charge of the Bill might see his way to accept this Amendment. A great alteration was to take place in regard to the Law of Distress; and, seeing the peculiar position in which a very large number of tenants were placed at this moment, especially after the great depression which there had been in agriculture, and after the full consideration which he hoped it would be acknowledged had been shown to them with regard to their rents by their landlords, it would be unfair to bring the Bill into play in the hurried way proposed. He was quite sure that arrangements would be made, if time were given to make them—arrangements which would be satisfactory both to the tenants and to the landlords; and it was principally in the interests of the tenants that he asked that the Amendment should be accepted. It would be most inconvenient if the Bill came quickly into operation, so far as it affected the Law of Distress; and it would be both wise and prudent that this point should be very carefully considered by the right hon. Gentleman opposite. It was in that belief that he (Sir Walter B. Barttelot) ventured to press this Amendment strongly on his attention.

MR. GOSCHEN said, he trusted that the Government would not consent to the alteration suggested by the two hon. Members who had just spoken. It had often been stated, with regard to the Law of Distress, that it had generally been kept in abeyance, and that, though it conferred a vast power upon the landlord, it was a power which was only exercised in rare cases. But it struck him, unless he heard arguments to the contrary, that if this Amendment were passed it would put both landlord and tenant, during a great number of months, into a most cruel position, because as the clause now stood—limiting the power of distress to one year—the landlord might make up his mind whether or not he would distrain for all the previous arrears; and large Companies, Corporations, trustees, and others, must come to their decision in four months as to whether they would distrain to an extent to which landlords never distrained before. It would be a rather unfortunate matter if, when a Bill was passed to place tenants and landlords in a more satisfactory position, the landlord should have a longer time to consider whether he would exercise the right of distress which was now about to be taken away for any period beyond a year, on a scale larger than it had ever before been exercised upon. In the case of the Ecclesiastical Commissioners, for instance, he knew that there were very large arrears due to them; and, as a public body, if they had a certain number of months given to them for consideration, it would be a serious question whether they ought not to exact almost the whole of the arrears before the Act came into operation. He did not see what advantage could be claimed for the tenant under such an arrangement—indeed, the tenant would be considerably endangered by it. He hoped the Government would not assent to the proposed Amendment.

Mr. CHAPLIN said, he thought the advantage to the tenant was very clear, for if the Amendment were passed it would not be necessary for the landlord to take these harsh steps which were so injurious to the tenant until the 1st of January, 1885, instead of having to take them by the 1st of January, 1884. That was a gain of 12 months to the tenant, who for that time would be free from the extremely disagreeable and painful position which the right hon. Member for Ripon (Mr. Goschen) had vividly described. That was the advantage to the tenant which the Amendment proposed, and because he (Mr. Chaplin) viewed it in that light he should support the Amendment. There could be no doubt that the clauses relating to distress would fall with very great hardship, or they might do so, upon all those tenants who were in arrear at the present time, if they were brought into operation too rapidly. That was beyond dispute. There were an enormous number of tenants who were in arrear to-day, and if the Bill passed in its present form, one of two things must happen—either the landlords would have largely to sacrifice rents which were justly due to them, or they would be obliged by this law, passed nominally in the interests of the tenant, to step in and take measures which they would greatly regret; but which would be absolutely necessary in their own self-defence, if they were to have any regard to their own interests at all. He thought the Amendment one of the most reasonable and sensible of all that had been proposed, and he hoped the Government would give it their best consideration.

Sir HENRY HOLLAND said, he thought that the right hon. Gentleman the Member for Ripon (Mr. Goschen) had wrongly assumed that the provisions of this Bill would come into operation immediately on its receiving the Queen's sanction. But such was not the case, as he would see by reference to Clause 22, by which it was provided that the Act should come into force on the 1st January, 1884. He (Sir Henry Holland) hoped that the Government would accept this Amendment to extend the time to 1st January, 1885, and he advocated this extension in the interest of the tenant. Unless the time were extended, landlords, including trustees and corporate bodies, would have only three or four months to consider what course to adopt with reference to existing arrears; and in many cases they would feel compelled to distrain at once for two or three years' arrears which, unless they took immediate action, they would lose. If they had more time allowed within which such arrears might be recovered, they would be in a position to make much more favourable terms with the tenants. The forcing a hasty decision upon landlords must lead to the issuing of many distress warrants, which would bear hardly upon the tenants, many of whom would be able, if more time were allowed, to make satisfactory arrangements with their landlords.

Colonel RUGGLES-BRISE said, he hoped the Government would assent to the Amendment and allow the change to come into operation as slowly as possible in the interests of those tenants who owed between three and four years' rent, as many thousands of them did, and who hoped with a fair harvest this year and next to be able to get round. He was afraid they would not have a very good harvest this year; but he could assure the Government that there were hundreds of tenants now who owed two, three, or four years' rent, and who, if the Distress Clauses of the Bill came into operation at the beginning of next year, and they were unable to come to any arrangement with their landlords in the meanwhile, would be reduced to ruin. In the interests of the tenants, he hoped the right hon. Gentleman would accept the Amendment.

Mr. HENEAGE said, he did not think the point of the right hon. Member for Ripon (Mr. Goschen) had been quite understood by hon. Gentlemen who sat on the Opposition Benches. The question was, not whether the landlords would be hard upon the tenants in the course of the coming six months, but whether they could pile up the agony, and add another 12 months to the amount already to be paid, when the rent would be still more in arrear. Was it not better to have the present arrears settled, so that both parties could start fair afterwards, instead of having it hanging in suspense? That was the real point.

An hon. Member said, he was strongly of opinion that the Amendment was in the interests of the tenant. Where a tenant was in embarrassed circumstances, and the Government came down upon him with this alteration on the 1st of January next, it would be extremely hard.

Mr. J. LOWTHER said, the hon. Member for Grimsby (Mr. Heneage) had entirely misapprehended the object of the Amendment. He (Mr. J. Lowther) was not sure that the right hon. Member for Ripon, whose views the hon. Member for Grimsby undertook to make clear, at all understood the effect of the Amendment, and yet it was very clear what the effect of adopting it would be. The hon. Member for Grimsby seemed to think that its object was to enable the landlord to distrain for another year's rent. He (Mr. J. Lowther) did not read the Amendment in that way. No doubt, another Amendment did propose to extend the period during which the arrears of rent might be claimed from one year to two; but that was not done by this present Amendment, which merely deferred the evil day for both landlord and tenant from the 1st of January next to the 1st of January, 1885. How could the right hon. Member for Ripon make out that that was an injury to the tenant? It might be bad for the landlord, who might have to wait another year for his money; but he did not see how it could be a bad thing for the tenant. He would not anticipate the discussion upon subsequent Amendments, in favour of which he had a very strong opinion; and he hoped the Committee would not be led away from the consideration of the proposal before them by anticipating those which would come on afterwards. This particular Amendment was simply a proposal to give a respite of another 12 months to those tenants who, perhaps, through the pressure of exceptionally disadvantageous seasons — he would not say anything about other causes—might be temporarily short of money.

Mr. GOSCHEN said, he only wanted to say one word in order to make his meaning clear. He understood the matter thus. Under the present law, the landlord had power to distrain for six years' arrears; under the new law, he would only have power to distrain for one year. But if this Amendment were passed, that power to distrain for six years instead of one would remain in force for a year and four months, instead of for four months only. That was his point. If he were wrong in his view, he would withdraw all he had said. The question was, was it a desirable thing for the tenant that the landlord should retain the power of distraining for six years' arrears for a short time, or for a long time? Hon. Members opposite said it should be retained for the longer period; he, on the contrary, thought it was better that the power should be cut short. His desire was to abbreviate the time at the disposal of the landlord for recovering arrears which reached back for so long a period.

Mr. RYLANDS said, he thought it was quite clear that if they postponed the operation of the clause for 12 months, the landlord would retain for that period the power of distraining for six years' arrears. He had been much struck with the remarks of the right hon. Member for Ripon, who, as it seemed to him, was confirmed by the remarks previously made by the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot). There was considerable danger in extending the time during which the landlords would have to consider whether they would take advantage of the opportunity to recover the six years' arrears. The right hon. Member for Ripon had pointed out that trustees and other public bodies might feel themselves bound to distrain, and where their tenants were now two or three years in arrear, these tenants would probably be another year in arrear in another 12 months' time. Not only was this the case with trustees, but there were many other persons who had an interest in property, but who had no very great interest in the condition of the tenants. There were mortgagees and others who had an interest in an estate, and who, if they had a long interval during which to decide whether they should distrain or not, might naturally be driven to the conclusion that they ought to distrain for their arrears; and it might be the case that other and ordinary landlords might come to the same conclusion, for they might feel, on reflection, that they could not afford to lose the right of distraining. What did all this point to? Why, to this—that if the Bill were passed in its present shape, its passing might possibly be signalized by the issue of an enormous number of distress warrants to secure terms in regard to past years' arrears, and that, he thought, would be a most unfortunate thing. He had no great expectations from this Bill; he would have liked to see it much stronger than it was; but it would be most unfortunate if its passing should be signalized by the putting into force, even for three or four months, of the Law of Distress. To accept the Amendment would add enormously to the evils to which he had referred; and he thought it would be far better, in the interests of all classes, and for the maintenance of good feeling between landlords and tenants hereafter, that the operation of this clause should commence, not with the commencement of the Act, but the very moment the Bill received the Royal Assent. There would then be no interval at all for consideration—an interval that must otherwise be employed in a most disastrous manner.

Mr. STAVELEY HILL said, he thought there would be something in the argument of the right hon. Member for Ripon if the Bill was to come into operation when it received the Royal Assent; but as that was not the case, it was better to postpone the new Law of Distress for 16 months, so that the whole matter might be well considered, rather than to give only four months for decision.

Mr. DUCKHAM could not allow the Amendment to pass without making one observation. It was well known that great distress was prevalent throughout the Kingdom over a great majority of the tenantry. They had sustained severe losses, and, no doubt, there were many tenants who were in arrear. If it should please the Almighty Ruler to bless them with a good harvest this year, and another next, they might possibly have a chance of recovering themselves; and it would be an advantage to them if the clause was not put into operation for another 12 months, as they would then have the benefit of two harvests instead of only one. It was quite true that it would extend the time longer than, under other circumstances, it ought; but it must be remembered that the landlord could use the provisions of the Bill in anticipation. The Amendment was not likely to extend the tenant's credit, but it would give him an opportunity of reducing his liabilities; and holding that view he should support the Amendment.

Mr. JAMES HOWARD said, the hon. and learned Member who had recently spoken (Mr. Staveley Hill) argued that it would be better for the tenant to be liable for six years' rent instead of one, for a period of 16 months rather than for a period of four months. They had often heard it said that the Law of Distress existed for the benefit of the tenant; but if this Amendment were carried the tenant would be liable to a distress on his farm very soon after he had gathered his next harvest, and next year, after harvest, he would be liable to a second distress. The sooner the power of the landlord was terminated the better. He would have been glad to have had this clause come into operation on the passing of the measure; and he should support a subsequent Amendment, which would provide that it should come into force at Michaelmas. He was afraid that his hon. Friend who had last spoken had not seen the object of the Amendment.

Mr. R. H. PAGET said, it had been argued as if the law under which a landlord might distrain for six years' rent was a law of constant application; but he was bound to say that that was not the case. Not in one case in 6,000 was a distress put in for such a long period as six years. They should deal with this matter not in the way of absurd theory, but as practical men; and what were the facts? There were a great number of instances where rent was due for two, and, perhaps, for three years. Landlords had extended to their tenants great consideration, and trustees had done so too, because they were able, if necessary, to put the existing law into force; but if this clause passed in its present form, every trustee in defence of his trust must speedily put the law into execution, and thus a mischief of great extent would be created which they all desired to avoid. This Amendment was clearly conceived in the interests of that unfortunate class of tenants who were in great difficulties through a succession of disastrous seasons. It would be much the best course to have the Bill, so far as this point was concerned, to come into operation, as was suggested, a year later. If they were afraid that the accruing rent between this and that time might add to the tenant's difficulties, it would be easy to insert a provision that the accruing rent, from the time of the passing of the Bill, should be subject to the Bill, and that the rent recoverable as rent in arrear should be rent that was in arrear at the date of the passing of the Bill. The hon. Member for Burnley (Mr. Rylands) had suggested another plan—quite a new way to pay old debts. How would that hon. Member like his business transactions to be cut short by a severe Act of Parliament, which should come into operation the moment it was passed, and prevent him from having the chance of recovering any of his bad debts, if he should be so unfortunate as to have any? But possibly there was an amount of prosperity in the hon. Gentleman's trade which did not extend to agriculture. He hoped the Amendment would be passed in the interests of the tenants.

Mr. D. DAVIES said, he would urge the Government to accept the Amendment, not on account of the landlords at all, but on account of those tenants who owed 18 months' or two years' rent. If the Bill was passed in its present form, giving such a short time to put the existing Law of Distress into operation, it would be like raising a flood-gate, and letting the flood in on the tenant before he had made arrangements to pay. If the Government would give them a year, there were thousands, and perhaps ten of thousands, who would probably be able to carry on; but otherwise everybody would come down upon them all at once, and their livelihood would be taken away from them. Indeed, he thought it would be much better for the tenant that the interval should be two years instead of one; and he spoke simply in the interests of the tenant farmer. He agreed that if the tenant owed his landlord six years' rent the sooner he was put out of his trouble the better, because he never would pay; but he spoke of those—and he knew scores of them in his own neighbourhood — who had carried on under great difficulties. He would not take up the time of the Committee any further; but he hoped the Government would accept the Amendment in the interests of the tenant farmers.

Mr. DODSON said, in strict principle this clause ought to be brought into operation immediately on the passing of the Act; but the Government had not provided for that, because they thought it would be somewhat hard on the parties concerned to bring it into instant operation. They had postponed the operation of the clause until the 1st of January, 1884; and he could not see what advantage there would be in postponing it any longer. In the case of tenants in arrears of rent, what would be the effect of deferring the operation of the clause? It would give an opportunity to add another year's rent to the arrears which had already accumulated. He believed that any further postponement would work injuriously towards the tenant, without being of any benefit to the landlord.

Mr. CHAPLIN said, he thought there was no disposition on the part of Members on that side of the House to extend distress to six years' rent; but they did think, in the interest of the tenant, that some further extension of time should be given for the collection of the existing arrears. He ventured to offer a suggestion to the Government which he hoped would be considered favourably—namely, that the clause should be left as it stood in the interest of the tenant with regard to the power of distraint, and that at the end of the clause they should add—

"Except in the case of arrears of rent existing at the time of the passing of this Act, which shall be recoverable by distress up to the 1st of January, 1885."

Mr. CROPPER said, he thought the Government would do well to accept the proposal just made by the hon. Member for Mid Lincolnshire (Mr. Chaplin). Although in general he agreed with the remarks of the right hon. Gentleman the Member for Ripon (Mr. Goschen), yet, under the existing law, they could not help seeing that an immense number of executions would be put in at once. There were a vast number of Trustees of Corporate Bodies in the State—the Ecclesiastical Commissioners, for instance, and others, who would have no alternative but to put in executions as soon as this Act became law; and, therefore, he agreed that it would be advisable that some such addition as was proposed by the hon. Member for Mid Lincolnshire should be made to the clause.

Mr. STORER said, he preferred the Amendment of the hon. Member for South Devon (Mr. Carpenter Garnier), in the interests of the tenants, to that of the hon. Member for Mid Lincolnshire (Mr. Chaplin), because it was well known that there were arrears of rent, and that these arrears of rent were being paid up by instalments, and because he believed that the extension of time would enable the tenants to go on paying these instalments, and, perhaps, retain possession of their holdings. He was certainly of opinion that an extension of time for one year would be a good thing.

Sir JOSEPH PEASE said, there was this much in the suggestion of the hon. Member for Mid Lincolnshire—that it met a practical difficulty. He suggested that the hon. Member for South Devon (Mr. Carpenter Garnier) should withdraw his Amendment, with a view to qualifying it in the sense indicated by the hon. Gentleman opposite.

Mr. ACLAND said, he ventured to add his approval of the suggestion of the hon. Member for Mid Lincolnshire. His reason was that many tradesmen to whom farmers were indebted were not aware to what extent the landlord could come down on the tenant; and the result of the clause, as it stood, would be to bring down upon the tenants not only trustees and persons having the care of property, but also the tradesmen who had accounts against them.

Mr. GREGORY said, he believed the Amendment practically carried out the opinions and the intentions of Parties on both sides of the House—namely, that due security should be given for existing arrears. He thought it would be advisable that the tenants should have some further time to make arrangements, otherwise it would be absolutely necessary for the owners to press for the outstanding arrears between the passing of the Act and the 1st of January next. But he considered it most necessary that, with regard to the sale of this year's crops, the tenants should not be compelled to force them into the market and sell them at a considerable loss. It was the practice of factors and others to take advantage of the necessities of the tenant in paying his rent, and the consequence of that was that directly the crops were got in the prices went down; and, therefore, he said, with regard to stock, corn, or other produce of the farm, that it was most desirable to enable the tenants to realize them on proper terms. The effect of the Amendment would be to give further time for the settlement of arrears, which was a matter of great convenience to the tenant. The question was, whether it was fair and reasonable, under the circumstances, to give some extension of credit to the tenant in arrear, so that he might not be forced to make bad bargains to meet the demands of the landlords, and in order that the landlords, particularly when in a fiduciary position as trustees or corporate bodies, should not be compelled at once to resort to extreme measures of law?

Mr. HENEAGE said, he hoped the Government would accept the Amendment suggested by the hon. Member for Mid Lincolnshire, which entirely removed his objection to the Amendment of the hon. Member for South Devon. He did not think it mattered whether the clause came into operation on the passing of the Act, or on the 1st of January, 1884, as long as the suggestion of his hon. Friend was adopted.

Mr. CARPENTER GARNIER said, if the Government would accept the suggestion of the hon. Member for Mid Lincolnshire, he would ask leave to withdraw his Amendment.

Mr. DODSON said, he could not accept the Amendment of the hon. Member for South Devon for the reason he had already stated. He thought the principle contained in the words suggested by the hon. Member for Mid Lincolnshire was a good one, in so far as it would continue for a year the term of credit for arrears due and recoverable at the time of the passing of the Act. He had some hesitation in accepting the words themselves, which might go further than was intended; and he would suggest to his hon. Friend that they should not be pressed then, but that they should be again brought up on Report.

MR. CHAPLIN said, undoubtedly, he should not quarrel with the right hon. Gentleman about words, as he understood him to accept, on behalf of the Government, the principle of his proposal.

Amendment, by leave, *withdrawn.*

SIR JOSEPH PEASE said, the Amendment he was about to move would carry into effect the recommendation of the Committee which sat last year to consider the question of distress. The recommendation of that Committee was that the right of distraint should be restricted to one year's rent, and that it should only be exercised after six months' rent had become due. The majority of the Committee were in favour of that recommendation, and he believed it was also supported by many Members of that House. He thought his Amendment expressed the object of the clause more plainly and intelligibly than the words in the Bill. The clause, of course, gave 12 months for distraint; but he pointed out that, after that point had been settled by the Committee, they came to the conclusion that if distraint were made after the last half-yearly portion of rent became due, it would not be in the interest of the tenant, landlord, or general creditor that the credit should continue for a longer period than six months. He begged to move the Amendment standing in his name.

Amendment proposed,

In page 7, line 14, leave out all words after "for" to the end of the Clause, and insert—"More than one year's rent; and proceedings for such distraint must be commenced within six months of the day on which such rent on the last payment to be made in respect thereof became due."—(*Sir Joseph Pease.*)

Question proposed, "That those words be there inserted."

MR. J. LOWTHER said, he did not think the hon. Gentleman opposite had quite realized that on most estates the rent was not collected until three months after it became due. The effect of the Amendment would be to make distress compulsory, perhaps within two or three months of the rent becoming due. This was clearly not in the interest of the tenants, and he hoped the right hon. Gentleman in charge of the Bill would not accede to it, but that he would give his very careful consideration to the Amendment further down on the Paper, which proposed to extend the period within which a landlord might distrain from one year to two.

MR. GREGORY said, it was his custom only to receive his rents once a-year; but the Amendment of his hon. Friend the Member for Durham (Sir Joseph Pease) would compel him to collect them half-yearly, because he could only put in distress for the half-year that became due. It would be an unusual thing in his neighbourhood to collect the rents half-yearly, and he knew many large estates in Kent where the same custom prevailed. The effect of the Amendment proposed would, in this respect, be very hard upon the tenants.

MR. DODSON said, the Amendment of the hon. Member for Durham was intended to carry out, literally, the recommendation of the Select Committee, the effect of which, if it were carried out, would be that the landlord could never secure more than half-a-year's arrears. He would point out to the Committee the effect of the clause as it stood. Suppose that he had a half-year's rent due to him at Lady Day, and another half-year's rent due at Michaelmas, 1883; he could allow those two half-years' rents, being one year's rent together, to remain in arrear up to one day short of Lady Day, 1884, and then he could destrain for one year's rent, because every part of it had become due within one year. If they were to say that the rent should be collected within six months, the effect would be, as regarded that half-year due at Lady Day, that he would not be able to collect it after Michaelmas, 1883; therefore, practically, he would not be able to collect more than half-a-year's rent. But the effect of the clause, as it stood, would be to carry out the recommendation, and what was, no doubt, the intention, of the

Select Committee — namely, that the owners should be allowed to distrain for one year's rent, and no more. As the clause was drawn, he would be compelled to distrain within one year from the time at which the first half-year's rent became due.

Mr. BIDDELL said, as a Member of the Committee referred to by the right hon. Gentleman, he begged to say that he openly dissented from the recommendation with regard to distress at six months. He did not think there was any necessity for this stipulation at all, because, when they limited the amount of rent to be distrained for, practically they limited the time within which they could put in the distress. He agreed that the Amendment would operate harshly in the case of landlords whose rent, as the hon. Member for East Sussex (Mr. Gregory) said, was collected yearly.

Sir HENRY HOLLAND said, he would point out that this clause was identical with the 51st section of the Irish Act relating to distress; and, so far as he could ascertain, no difficulty had arisen in that country in the working of that section. What he desired was to get a distinct statement from the Government as to the construction they put upon this clause; and he was glad to find that the Chancellor of the Duchy of Lancaster held clearly that a landlord would have practically six months after the last half-year's rent became due within which to distrain; in other words, that if half-a-year's rent became due on the 29th September, 1882, and another half-year's rent in the following March, the landlord could distrain for those two half-years' rent at any time up to the 28th September, 1883. He was aware that a different view had been taken upon this point, which was, doubtless, the reason of the Amendment now under consideration. It was clear now that, though the rent was, in fact, accruing due from day to day, up to September, 1882, in the case suggested, it was not till the whole of that half-year's rent was due—namely, on the 29th September, 1882—that the time began to run.

Mr. DODSON said, he rose to acknowledge that the Government were greatly indebted to the hon. Baronet the Member for Midhurst (Sir Henry Holland) for the wording of this clause, which was wholly taken from the Bill introduced by him. The Government had carefully considered the way in which the clause should be drawn, to see whether they could improve upon the hon. Gentleman's wording; but they had come to the conclusion that improvement was impossible, and they had accordingly adopted the clause as it stood. The construction placed on the clause by the Government was to this effect. If the landlord had a half-year's rent due on Lady Day, 1883, and a half-year's rent due at Michaelmas, he might allow these two half-years' rent to wait until one day short of Lady Day, 1884, and then distrain for two half-years' rent. That was distraining for one year's rent, the first half of which became due at Lady Day, 1883.

Sir JOSEPH PEASE said, from the statement of the right hon. Gentleman, it appeared there was very little difference between the clause and the Amendment proposed.

Mr. DODSON said, it appeared, then, that he and the hon. Member were agreed in principle; nevertheless, he preferred the words in the Bill, as being much clearer than those of the Amendment.

Mr. R. H. PAGET said, it appeared to him that the Committee were all agreed as to what it was desirable should be done. In his district it was usual to have an agreement which reserved the rent to be paid at each quarter-day; and he would ask the right hon. Gentleman whether the explanation he had given held good with regard to agreements which reserved the rent in the manner he had described?

Sir JOSEPH PEASE said, if the Committee had arrived at the conclusion that the words of the clause were as plain as those which he wished to substitute for them, he was quite ready to acquiesce in that opinion. But he had proposed the Amendment because he thought the wording of the clause was indistinct, and he had sought to improve it.

Sir MATHEW WHITE-RIDLEY said, that owing to the manner in which rents were payable in his district, landlords would find themselves in very considerable difficulty. If the clause passed in its present form, it would be necessary to put in execution almost before the rent became by custom payable.

MR. WHITBREAD said, in cases where rent was payable every three months, it would not ordinarily be collected for the first three months unless the words "due and ordinarily payable" were in the agreement.

MR. R. H. PAGET said, he would repeat the question with reference to agreements which reserved the rent to be paid at quarter-day. Would it be necessary to alter those agreements to provide for the payment of the rent half-yearly?

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, in cases where the rent was payable in December, March, June, and September, the landlord could distrain down to the following December. He did not quite understand the point which the hon. Gentleman wished him to reply upon.

MR. R. H. PAGET said, the right hon. Gentleman (Mr. Dodson) had stated that if a half-year's rent were due at Lady Day, 1883, and a second half-year's rent at Michaelmas, 1883, the landlord could distrain until within one day short of Lady Day, 1884. The point on which he desired information was this. If the rent were payable quarterly, must the landlord distrain at Christmas and March?

THE SOLICITOR GENERAL (Sir FARRER HERCHELL) signified dissent.

MR. J. LOWTHER said, there was no doubt that if the Government intended that there should be the right of distress for one year from the date the rent became due, they had, practically, curtailed the time to some six or eight months. The hon. Baronet the Member for South Durham (Sir Joseph Pease) had pointed out that the rents in that district were due on the old Lady Day. He would also be aware that, practically, on most estates they were not collected for some considerable time afterwards. He trusted the right hon. Gentleman, with the aid of his legal advisers, would take into consideration a form of words that would obviate the difficulty which might arise in this case.

MR. WHITBREAD wished to point out that if a tenant were in arrear for a whole year's rent, under ordinary custom that rent would be received three months after the expiration of the year; therefore, if the landlord could distrain for a year's rent under this clause, he could, practically, only distrain for three quarters of a year's rent. He hoped his right hon. Friend would make this matter clear on Report.

MR. FLOYER said, it was quite clear that where rents were payable quarterly and collected half-yearly, the landlord would only be able to get three quarters of a year's rent under the clause.

MR. DODSON said, he thought the point that it was the custom, on many estates, to give a certain amount of grace in the collection of rents might be met by a proviso at the end of the clause, to the effect that where it appeared to be the ordinary practice of the estate by agreement between landlord and tenant that the rent should be payable some time after it became legally due, there should be a corresponding extension of time. He would not bind himself to the actual words, but would take the matter into consideration.

Amendment, by leave, *withdrawn.*

MR. BLENNERHASSETT said, he desired, by the Amendment he was about to move, to give effect to a Resolution arrived at by the House not more than two years ago, and which received the support of hon. and right hon. Gentlemen on the Treasury Bench; amongst them, the Secretary of State for the Home Department, who, on that occasion, said he was prepared to support the Resolution, and would have been also ready to support a Bill dealing with the Law of Distress. It was with feelings of disappointment that he saw that the Government had dealt with the question of distress by way of legal compromise, instead of the abolition of a mischievous law. He believed that the alterations which the Bill made in the Law of Distress removed some of those scandals with which they were occasionally astonished; but, at the same time, it utterly failed to touch the points which he and his hon. Friends objected to. They objected to the Law of Distress, because it was a highly exceptional privilege altogether opposed to the general principles of our law, and because it was an old law derived from a state of society that had entirely passed away. The Law of Distress sprang into existence at a time when the agricultural interests in the country stood upon very different conditions. The Law of Distress in its ancient form bore no resemblance to its present shape. He did not think it desirable to occupy the time of the Committee by going into the history of that law, although it would be an exceedingly interesting subject; but he would remind the Committee that the Law of Distress was enforced by the most arbitrary, unjust, and severe proceedings. He ventured to say that it stood alone in the legal system of the country, in so far as it allowed a man to take the law into his own hands, simply on account of a certain right arising out of the Law of Property. This question had been before a Select Committee, which came to the conclusion that the Law of Distress, by the way in which it was enforced, inflicted great hardship on tenants. In former years, when the subject was under discussion in that House, a great deal was heard about hypothecations, and matters of that kind, which he did not now propose to go into. He thought he was justified in assuming that the law was entirely exceptional in our legal system so far as it gave a preferential right to the landlord over all other creditors. One of the main reasons why they objected to the Law of Distraint, and asked for its abolition, was that it impaired the credit of the farmer, because it gave a preferential security to one particular class of creditors, while it diminished the security of all the others. But it was always said, in reply to that argument, that although the Law of Distress might operate unfavourably to the tenant with regard to bankers and merchants, on the other hand, it improved the credit of the farmer with the landlord, and enabled the landlord to stand by him year after year, and show him an amount of kindness and consideration, and that, by abolishing the Law of Distress, they would destroy the advantage which the tenant enjoyed through the forbearance of his landlord. Again, it was urged against the abolition of the Law of Distress that the existing law enabled persons who would not otherwise be accepted as farmers to get farms; and it was said that the law should be retained for the sake of an industrious class of men with small capital. It seemed to him that it would be a most unfortunate thing to lay down the principle that the Law of Distress should continue for a reason of that kind; and it was upon that ground that they believed the law to be injurious to the community at large. He put forward this Amendment as a protest against the action of the Government in not logically and consistently acting upon a principle which they themselves had accepted. It was a very great pity that the Government had not dealt with this question once for all, because he believed that the farmers throughout the country would not be satisfied while this law, founded upon an obsolete state of things, was allowed to remain on the Statute Book. For these reasons he asked the Government, even at the eleventh hour, to accept the Amendment which he now begged to move.

Amendment proposed, in page 7, line 14, leave out all after "rent."—(*Mr. Blennerhassett.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. DODSON said, he hoped the Committee would not think it necessary to enter into a long debate on this Amendment. He was not himself over favourable to the Law of Distress in its present form; but he could not disguise from himself the fact that there existed a great diversity of opinion as to its merits on the part of those who were concerned in it. The Government had recently before them the Report of two Bodies who sat to inquire into the subject—namely, the Royal Commission on Agriculture, and another Committee, presided over by his right hon. Friend the Member for Ripon (Mr. Goschen), both of which Bodies concurred in recommending, not the abolition, but the modification, of the Law of Distress—that was to say, the limitation of the power of distress to a specified period. Accordingly, the Government had limited the power of distress to one year. He was not going to enter on all the arguments bearing upon this question; but he would shortly state two of them. The argument which they heard generally in favour of the abolition of the Law of Distress was that it enabled a landlord to accept a tenant with little capital, because he could trust to the power of distress for the payment of his rent. The other argument was that it gave an unjust preference to the landlord over the creditor. Well, both the evils to which those arguments applied were reduced to a minimum by limiting the distress to one year. In the first place, when the landlord knew that he could only distrain for one year's rent, he would not be so ready to accept tenants with small capital; secondly, other persons would be able to measure the credit which they gave to the tenant, because they would know that the landlord's preferential claim through the power of distress was limited to one year's rent. Without going into the subject any further, he contended that the Reports of the two Commissions constituted a complete justification for the Government in proposing this clause, which he trusted the Committee would allow to be retained in its present form.

MR. J. W. BARCLAY said, this was one of the most important questions dealt with in the Bill, and he thought it should be fairly placed before the Committee. He was willing to admit that the amendment of the law introduced by the Government would, to a certain extent, be favourable to the farmer's creditors; but he said that it did not constitute any advantage to the tenant himself; indeed, it seemed to place him in a worse position than he occupied before. The complaint of the tenant farmers was that the Law of Distress induced landlords to take tenants with capital inadequate for the farms which they wished to occupy, the result being that that those tenants offered a larger rent in order to induce the landlords to accept them. The landlord having done that, the law stepped in and gave him a guarantee before all the other creditors of the tenant for the payment of that excessive rent. He was entirely in favour of the poor man getting a farm in proportion to the capital which he possessed; but there was no kindness in giving a man a farm larger than his capital justified, because the practice could have no other effect than to get the man into difficulties. It was in this way that capital was driven away from the land. He said it would have been far more creditable to the Government not to have touched the question of distraint at all, than to have brought in this compromise, which was really detrimental to the tenant farmers, while, at the same time, it disappointed the expectations which had been raised amongst that class. He could not understand the change that had come over the Government since the time when they supported the Resolution of the hon. Member who had just moved the abolition of the Law of Distress.

MR. JAMES HOWARD said, he agreed with the right hon. Gentleman the Chancellor of the Duchy of Lancaster in deprecating any prolongation of the discussion on the Law of Distress, because he foresaw the uselessness of argument. Anyone having sat in that House for a length of time must know that in matters of this kind the House was entirely dominated by landlords. Now, when the Government supported the Motion of his hon. Friend the Member for Kerry (Mr. Blennerhassett), he presumed that that support rested upon some intelligible basis, and that when the Prime Minister assured the farmers of England that the Law of Distress was a law of severity which could not be justified, the right hon. Gentleman had some ground for expressing that opinion. Had anything happened since that time to alter the character of the law in question? The subject had been discussed over and over again; and, as far as he was aware, it stood in precisely the same condition as when the Government supported the Motion of his hon. Friend, and the Prime Minister expressed the opinion to which he had just alluded. Had the Government changed its opinion, because a Royal Commission and a Select Committee, composed in the main of landowners, expressed themselves in favour of maintaining the Law of Distress, restricting it to one year? He was forced to the conclusion that the Government had taken their stand upon the opinion expressed by two Bodies obviously favourable to the landlords. He would ask the Committee whether, if this law were not in existence, any Government, Conservative or Liberal, would have dared to propose its introduction—would they have dared to propose a measure conferring a class privilege of the worst kind? They would have found such a proposal denounced by all classes in the country. They had heard a great deal upon the doctrine of freedom of contract, both out-of-doors as well as in the House; but landlords and owners of real property were not prepared to depend upon freedom of contract for the payment or recovery of rent; they wanted the protection of an exceptional law, and abandoned the principle of freedom of contract. He considered that the Committee by its action was preparing for the circumstances which would attend the advent of Henry George and his followers. He (Mr J. Howard) was opposed to the advent of Henry George. He was opposed to the principles Henry George advocated; and it was on that ground, and because he wished to stave off the occasion for revolution, that he supported this Amendment.

Mr. GUY DAWNAY said, he sincerely hoped that this Amendment would be pressed to a Division, and that the country would have a chance of seeing, in the black and white of the Division List, the names of each of those who supported the Amendment, and who, on a point which the farmers themselves were well qualified to judge, were ready to write themselves down as the worst enemies of that class. With the plausible absurdity of the sitting tenant fallacy, it might be possible to impose on the ignorance and discontent of a section of the agricultural community; but on this point, as regarded the abolition of the Law of Distress, the miscalled Farmers' Alliance were obliged at last to cast off the sheep's clothing of pseudo-friendship for the farmer, and to show themselves in their true colours. The matter had been thoroughly sifted, both by a Select Committee appointed for that purpose, and by the Duke of Richmond's Committee on Agriculture; and there was absolutely no evidence in favour of the view of those who would abolish the Law of Distress; while to-day the Committee had heard nothing new upon the question. As the Representative of a constituency which, he believed, contained a larger number of tenant farmers than any other constituency in the country, he could honestly say that to his views on this subject did he attribute his presence on the Conservative Benches. He did not intend to repeat the well-known arguments on the subject. They all knew the manner in which the abolition of the law would operate against the small tenant farmer; and they all knew that it was not a landlord's question, because the landlord had various means of protecting himself. As regarded the belief that the abolition of the law would work in favour of the general creditor, he would only remind the Committee that last year the hon. Gentleman the Member for Cardigan (Mr. D. Davies) had said that he was a creditor of agriculturists each year to the extent of thousands of pounds, and that his losses had never been more than £10 per year. It was from the big farmers, the money-lenders, and the agricultural implement makers that this agitation sprung. The large farmer saw in this proposal a prospect of being able to add smaller farms to his own at decreased rent, owing to diminished competition. The money-lender knew perfectly well that, if the Law of Distress were abolished, the farmer would be driven to borrow money from him at a high rate of interest, instead of, as now, receiving a credit of many months from his landlord; and the agricultural implement maker knew full well that big farmers meant large capital, and the ability to invest freely in expensive agricultural implements. He (Mr. Guy Dawnay) was at a loss to understand how anyone who pretended to have an interest in the welfare of the smaller tenant farmers could support an Amendment for the abolition of the Law of Distress. The acknowledged injustice of the present system, under which a landlord was able to exercise his power of distraint for the long period of six years, and over certain properties not the property of the tenant, was effectually removed by the present measure; but he trusted that, with regard to the present sweeping and pernicious Amendment, the country would note the quarter from which it emanated, and that the Committee would show its appreciation, both of object and subject, by rejecting it by an overwhelming majority.

Mr. SHAW LEFEVRE said, he did not propose to prolong the discussion, but merely wished to explain the suggestion which had been put forward by the hon. Member for Bedfordshire (Mr. J. Howard), that the Government in this matter had taken their view solely from the landlords. On the second reading of the Bill, he (Mr. Shaw Lefevre) stated that in his opinion a large majority of tenant farmers at the present time were opposed altogether to the total abolition of the Law of Distress. Everything he had heard since then confirmed that view. There was no doubt that the hon. Gentleman the Member for Bedfordshire represented the view of a very small section of tenant farmers. Although there might be many theoretical views in favour of total abolition, yet he (Mr. Shaw Lefevre) believed that if they attempted to carry out that view it would be attended with very disastrous results. He need hardly remind the House of what had already been stated in the course of the debate—namely, that a large number of tenant farmers were in arrears with their rent, owing to agricultural depression. Now, if it were known that Parliament were contemplating the total abolition of the Law of Distress, he believed that great pressure would be brought to bear, and that distress would be levied immediately. Holding the view that tenant farmers as a class were not favourable to the views on this matter of the hon. Gentleman the Member for Bedfordshire, he hoped the Committee would not assent to the Amendment.

MR. JAMES HOWARD said, he hoped the Committee would bear with him for a few moments while he offered some observations upon the remarks which had just been made by the hon. Gentleman the Member for the North Riding of Yorkshire (Mr. Guy Dawnay) and by the right hon. Gentleman the First Commissioner of Works (Mr. Shaw Lefevre). He admitted that there was a difference of opinion among tenant farmers upon this subject, and he had never disguised that fact either from himself or from the Committee. He had, however, attended as many meetings of farmers up and down the country as any hon. Member, and he had had as many opportunities of judging of the opinions held by tenant farmers. He had addressed scores of meetings at which the question of the Law of Distress had been raised, and he could only remember one occasion on which a tenant farmer had stood forward to advocate the continuance of the Law of Distress. He had, however, known scores of farmers advocate the total abolition of the Law of Distress. The hon. Gentleman the Member for the North Riding of Yorkshire had referred to what he called the want of evidence in favour of the proposed abolition. Now, he (Mr. J. Howard) had been a Member of the Select Committee which sat on this question, and one intelligent farmer after another—including the Gentleman who contested the North Riding of Yorkshire, at the last election, with the hon. Gentleman (Mr. Guy Dawnay)—conclusively proved to his (Mr. J. Howard's) mind, that the Law of Distress led to rent being raised to an artificial standard, that it impaired the credit of the farmer with the banker and with the trader, and that it had the effect of repelling capital from the land. Now, the hon. Gentleman the Member for the North Riding of Yorkshire had alluded to the trade in which he (Mr. J. Howard) was engaged. If the hon. Gentleman, or any other hon. Gentleman, imagined that he (Mr. J. Howard) was ashamed of his calling, they were very much mistaken. He was proud of being an agricultural implement maker, proud of the advantages which his class had conferred on the agriculture of this country, and upon the agriculture of the world. He was still more proud of the various ways in which his class had lightened the toil of humanity; and, therefore, do not let hon. Members suppose that these allusions to his business, although displaying want of taste, were annoying to him. As a matter of fact, the hon. Gentleman the Member for the North Riding of Yorkshire showed by his speech how little he knew of the question on which he was talking. If the hon. Member knew anything at all about the trade, he would know that the great agricultural implement makers had really no relations with the farmers; their relations were with the middle men. To show how little the great agricultural implement manufacturers were concerned in the abolition of the Law of Distress, when the charge was first made that this agitation against the Law of Distress was got up by agricultural implement makers in their own interest, he ascertained what the losses of his own firm were in the shape of bad debts. He found that they did not amount altogether to ½ per cent, and he had compared notes with other implement manufacturers, and he found that their experience corresponded with his own; the extent to which their interests would be affected by the proposed abolition was infinitesimal. The hon. Gentleman (Mr. Dawnay) had said that he had advanced nothing new upon this subject. He (Mr. J. Howard) might retort that charge, and say that if the hon. Gentleman would tell them what natural right the landowners, the most opulent class of the community, had to these exceptional privileges, he would be advancing something new. He (Mr. J. Howard) had often propounded this question, but had never had an answer.

Question put.

The Committee *divided*:—Ayes 207, Noes 58: Majority 149.—(Div. List, No. 224.)

LORD BURGHLEY proposed, in line 15, to leave out "one year," and insert "two years." He said that the Law of Distress was instituted in the interest of agriculturists generally, and if they cut it down to the short period of 12 months, they did not inflict harm particularly upon the tenant and the landlord in cases where they were both solvent, but they did create a burden upon the interests of agriculture generally. It was quite impossible for hon. Members to shut their eyes to the fact that agriculture did not depend upon a 12 months' system. If a tenant had only to have 12 months' credit wherewith to work his farm, he would stand in a very poor position as compared with tenants of former days, who had very long credit at their disposal. Hon. Members knew full well the low condition to which agriculture had arrived in consequence of the late bad seasons; and it was impossible for them not to know that, owing to the Law of Distress system for six years, many insolvent tenants had been able to carry on their farms through the bad times, and that now they were gradually righting themselves. There was a class of tenant attention to whom had not been as yet called, and that was the class who now occupied their farms, having nothing at their disposal at all, except what they were given by the kindness of their landlords, to keep the farms going as best they could. How would such a class of tenants exist if a 12 months' system of distress only prevailed? He begged to move the Amendment which stood in his name.

Amendment proposed, in page 7, line 15, leave out "one year," and insert "two years."—(*Lord Burghley.*)

Question proposed, "That the words 'one year' stand part of the Clause."

MR. SHAW LEFEVRE said, the Committee must recollect that, in the course of the earlier part of the debate, many hon. Members expressed themselves on the subject, and stated that it was only on very rare occasions that distress had been levied for more than two years. If this Amendment were adopted, the Committee practically would be doing nothing; it would be practically no change whatever. The proposal of the Government was that distress should be reduced to 12 months, and in favour of that view they had the Report of the Committee of the House of Commons which sat last year. That Committee was one of the most important which ever sat on agricultural questions. It was presided over by the right hon. Gentleman the Member for Ripon (Mr. Goschen), and it reported unanimously in favour of reducing the Law of Distress to one year. The noble Lord (Lord Burghley) compared the condition of the farmers of the present day with that of the farmers of former days. It would be most undesirable that farmers should take two years' credit for the purpose of working their farms. If that were the only ground on which the Law of Distress could be maintained, it would appear to him to be a weak argument in its favour. It was one of the strongest arguments against the proposal. If farmers were to obtain credit indirectly in this way—if they were to be enabled to get into arrear for two years for the purpose of enabling them to work their farms, it certainly appeared to him to be an argument against the proposal of the noble Lord, rather than an argument in its favour. All he could say was, that he hoped hon. Members would adhere to the recommendation of the Committee of last year, and stand by the proposal in the Bill.

MR. CHAPLIN said, he should support the Amendment; but, after the question had been so extensively discussed, he did not propose to detain the Committee any length of time with regard to it. What they ought to endeavour to arrive at was this—to give the landlord an opportunity of extending to the tenant the utmost latitude that was possible in bad times compatible with the best interest of the tenant himself. He meant by that, that it was not to the interest of the tenant to allow him to run so far into arrear as to become hopelessly involved and in such a condition as to be unable to extricate himself again from his difficulties. They should give a tenant as much latitude as possible short of forcing him into a position of this kind. They should give him sufficient latitude to enable him when good times recurred to clear off his liabilities. Two years, it seemed to him, should be sufficient time to enable the tenant to recover his position, although he did not think it would be wise to go beyond two years. It appeared to him that this was the only logical ground upon which they could defend the Law of Distress. The Bill proposed to limit the period to one year; but he did not think that was a sufficiently long period, as it would very often oblige landlords in their own interest to step in and claim arrears, greatly to the disadvantage of the farmer, and when it would be more convenient to all parties concerned to be able to allow the tenant another year, so as to avail himself of a recurrence of good times to extricate himself from his difficulties. Reference had been made to the Select Committee and the Royal Commission. He (Mr. Chaplin) did not know how far the labours of the Select Committee might have extended; but of this he was sure that, undoubtedly, an enormous amount of evidence was taken on this question by the Royal Commission; and speaking from memory, because he had not the evidence before him, he believed the farmers were, with very few exceptions — he might say practically unanimous — in favour of retaining the Law of Distress in a modified farm. The farmers took this view in their own interests. The period that seemed to commend itself generally to their views was two years, and not a shorter time than that.

SIR HENRY HOLLAND said, he desired to state that in the Bill which he had introduced last year upon this subject, he had fixed the limit at two years. But since then he had made further injury into the subject, and he thought, upon the whole, that tenant farmers, and, in many cases, landlords, preferred one year to the limit of two years. The Committee of 1882 had also reported in favour of one year, and the evidence before them was strongly in favour of the shorter time. In making the change to one year in the Bill which he introduced this year, he was also influenced by the hope that the opposition to the Law of Distress would be, if not put an end to, at all events greatly diminished, if the right to destrain was so limited. He would only add that this clause was the same in terms as the 51st section of the Irish Distress Act, 23 & 24 *Vict.* c. 154; and, therefore, as uniformity in the legislation of the two countries was desirable, so far as was practicable, the adoption of the clause in this Bill would be a step in that direction.

MR. JAMES HOWARD said, that having voted against the proposal for enabling the landlord to distrain for one year's arrears, he felt he could not consistently vote for an Amendment enabling the landlord to distrain for two years' arrears. If the Law of Distress was not to be abolished, he would much rather that it should remain as it was than that it should be modified in the manner proposed by the noble Lord (Lord Burghley). He believed the Amendment would be of no benefit to the tenant farmers; and, seeing that the Government were committed to the retention of the proposal in the clause, he should abstain from voting on this occasion, and if he had any influence with hon. Members around him he should certainly advise them to follow his example.

SIR BALDWYN LEIGHTON said, he did not wish to discuss the question at any length; but he would point out that unless this Amendment were adopted, distress for tithe would remain at two years, and distress under the Bill would be for one year only; also, where the landlord paid the tithe and merged it in the rent, he would be able to distrain for two years for one portion, and for only one year for the other part. That would be unequal and anomalous.

MR. AKERS-DOUGLAS said, he could not support the Amendment of his noble Friend (Lord Burghley), believing that one year was the best period. He had the honour of serving on the Committee of last year, the majority of which were in favour of one year as against two. The constituency he had the honour to represent was in favour of the shorter period, and the county in which that constituency was situated was the one in which the agitation against theLaw of Distress first began, and where the subject had been most thoroughly considered. There were other reasons beyond those laid down by the hon. Member for Midhurst (Sir Henry Holland) why they should stick to one year, one of which was that when there was a meeting of creditors or proceedings under bankruptcy, a landlord could only distrain for one year's rent.

Mr. DUCKHAM said, he had had the honour to serve on the Select Committee of last year, and they were unanimously of opinion—except those Members who were in favour of the total abolition of the Law of Distress—that the period should be one year. He trusted that no alteration would be made in the proposal of the clause.

Mr. J. LOWTHER said, he hoped his noble Friend (Lord Burghley) would bring this matter to a Division. The hon. Member for Midhurst had mentioned that he originally proposed two years in his Bill, and that he subsequently came to the opinion that one year was better than two. Well, he would point out that he never knew any subject in which public opinion in agricultural circles had so steadily changed as it had done on the Law of Distress. Some two or three years ago a clause in favour of the entire abolition of the Law of Distress would have been carried by the solid vote of hon. Members opposite representing farming constituencies, and would have been supported by not a few hon. Members sitting on the Opposition side of the House. If Her Majesty's Government would question hon. Members representing agricultural constituencies upon this point, they would find from those hon. Gentlemen that those constituencies had of late entirely changed their views upon this subject. The fallacies that passed muster at one time had been one by one removed; and he thought that now it would be found that there was a general prevalence of opinion in favour of a two years' distress.

Mr. J. W. BARCLAY said, that the greatest evil of the Law of Distress was that it would lead to undue competition for farms. But, however, if the Law of Distress was to be continued, it would be more advantageous to the farmer that the period should be two years than that it should be one. The great objection he had to the Law of Distress was in regard to its effect of raising the rent of tenant farmers, and he considered that to restrict it to one year would only give the landlords more reason for being sharp with the tenants than they had at present. It would be of no benefit to the farmer to limit it to one year, and for that reason he could not vote upon the question.

Colonel KINGSCOTE said, that having heard the evidence taken before the Royal Commission, he wished to add his testimony to the fact that tenant farmers, were strongly of opinion that the Law of Distress should not be abolished. That fact came out very strongly before the Commission from witnesses who were entirely of the tenant farmer class. As to whether the limit should be one or two years, the Commission had come to the conclusion that the longer period would be by far the best. He was not very strongly of that opinion himself; but still, having gathered evidence upon the subject, he wished to add his testimony to the fact that the tenant farmers of the country did not wish to see the Law of Distress abolished.

Sir WALTER B. BARTTELOT said, he wished to put in a plea on behalf of the tenant farmers—the small tenant farmers, and not the large ones, as the latter could do with the Law of Distress as it at present stood on the Bill. He wished to put in a plea on behalf of men who had struggled into the position of tenant farmers from the position of farm labourers, who hon. Members sitting below the Gangway on the Ministerial side of the House were so anxious to see in the occupation of the land. On behalf of these people he urged upon the Committee that it would be more to their benefit to fix the period at two years than to retain it at one. Supposing a landlord was not able to let a holding to a tenant of this kind without some valuation as to improvements. If there was a valuation upon the holding it would be allowed to stand against the rent, and the tenant having two years allowed him would be able gradually to pay the rent and clear off the valuation. In all probability the tenant would not be able to pay the valuation at once, as he would have to expend his small stock of money in buying cattle and horses and farming tackle. He would be naturally anxious to struggle on, and, being a working man earning his subsistence by his own labour, he would be able to pay off the valuation by putting extra labour into his farm. It was clear that to such a man two years would be better than one to enable him to pay off the whole debt in this way.

MR. DODSON said, he should not have risen to address the Committee but for the argument of the hon. and gallant Gentleman who had just sat down in favour of the period of two years. He would draw the attention of hon. Members to the singular fact that the name of the hon. Baronet (Sir Walter B. Barttelot) was on the back of the Bill of the hon. Member for Midhurst (Sir Henry Holland), which Bill fixed the term at one year.

SIR WALTER B. BARTTELOT said, he must interrupt the right hon. Gentleman (Mr. Dodson). It was true his name was on the back of the Bill of the hon. Member for Midhurst; but it had been put there on the distinct understanding that he (Sir Walter B. Barttelot) should propose and vote for a period of two years instead of one year.

MR. DODSON: Then I congratulate the hon. and gallant Gentleman on having made a precedent unknown in the annals of Parliament.

SIR WALTER B. BARTTELOT: I must interrupt the right hon. Gentleman again. I think the right hon. Gentleman must be aware of the fact that the period in the Bill was two years. The hon. Baronet (Sir Henry Holland) came to me and said—"You won't take your name from the back of the Bill if the period is altered to a year?" And I replied—"No; I will not do so if I am allowed to vote for a period of two years."

MR. DODSON: So the hon. and gallant Baronet said—"No; I will keep my name on provided I am allowed to run with the hare and hunt with the hounds." The hon. Member for Forfarshire (Mr. J. W. Barclay) said that the greatest evil of the Law of Distress was that it led to undue competition for farms; and yet he argued that the period should be two years rather than one. I must point out that so far as there is a tendency to undue competition, the longer the period the greater will be that competition. I have only one other point to call attention to. We have upon this question of two years and one year, the opinion of the Royal Commission on the one side, and the recommendation of the Committee of the House on the other. Well, the Committee was appointed specially to inquire into this particular subject; whereas the Royal Commission only went into it amongst a host of other matters. Therefore, if we are to form an opinion between the two, I must say that the conclusion of the Committee appears to me to be the weightier.

MR. KNIGHT said, he had attended a meeting on the subject of this Bill of the Chamber of Agriculture at Worcester. When they had come to this provision, he had intimated his intention of voting for two years, and when he did so there was a general cheer all along his line.

COLONEL RUGGLES - BRISE said, there had been a very strong opinion in the Committee in favour of one year; and, so far as he had been enabled to gather the opinion out-of-doors, that term received the most general support. He trusted, therefore, that the noble Lord (Lord Burghley) would not divide the Committee upon his Amendment.

Question put.

The Committee *divided:*—Ayes 88; Noes 32: Majority 56.—(Div. List, No. 225.)

Clause *agreed to,* and *added* to the Bill.

Clause 16 (Limitation of distress in respect of things to be distrained).

MR. CHAPLIN said, he wished, in line 19, to move, after the word "tenant," to insert—

> "And notice has been given to the landlord that such stock is not the property of the tenant."

He thought it only reasonable, if the distress was to be limited in this way, that when the stock upon a farm did not belong to the tenant, the landlord's attention should be drawn to the fact. If this were not done, a landlord might be for some time erroneously under the impression that his tenant was a man of considerable means, when all the time that tenant's stock might belong to somebody else.

Amendment proposed,

> In page 7, line 19, after "tenant," insert "and notice has been given to the landlord that such stock is not the property of the tenant."—(*Mr. Chaplin.*)

Question proposed, "That those words be there inserted."

MR. DODSON said, he did not know how this would work. Who was to give the notice?

Mr. CHAPLIN: The tenant.

Mr. DODSON said, the tenant would not take the trouble to do it. Why should he?

Mr. J. LOWTHER said, he did not agree with the right hon. Gentleman (Mr. Dodson) in this matter. The Bill proposed to afford the tenant facilities he did not now possess for obtaining cattle in some parts of the country for agistment; and he thought it only fair, that if this security of the landlord was to be limited, the landlord should be notified when the stock was not the property of the tenant. The right hon. Gentleman asked why the tenant should notify to the landlord? He should do it for this reason, that information might be conveyed to persons who put their cattle on a farmer's land as to the position of that farmer, so that their property might not be seized for the payment of his debts. The tenant had every inducement to give the notice to the landlord which the hon. Member (Mr. Chaplin) suggested. Probably the right hon. Gentleman opposite had not considered that point. The Attorney General seemed to object to this view; but if he had any knowledge on this subject, he would know that a great grievance had been felt in regard to the persons who let their cattle to go to the farms of other people as to their being placed in an unfair position. The Amendment would not cast much trouble upon the tenant; but it would prevent—and this was a point which had not been referred to—the risk of fraudulent transfers of cattle in moments of difficulty to third parties. Where a tenant was in a serious difficulty, if he were inclined to be fraudulent, he would be very likely to make over his cattle to a third party, by means with which the Committee were familiar, and which he need not dwell upon in detail. There should be some protection afforded to those who needed protection in this matter, and the landlord should be notified when that which to all outward appearance was a security was really nothing of the kind.

Mr. DODSON said, that this Amendment would in no way meet the case of fraudulent transfers.

Mr. J. LOWTHER said, that if a tenant purposed making away with his property by fraudulent transfer, the requirement of notice would defeat that purpose. In the same way, if cattle or horses upon a farm belonged to some person other than the tenant, it was not asking anything extraordinary of the tenant that he should give notice to the landlord, because, if he did not give notice, the cattle would be liable to distraint. If he himself were to let cattle or horses go on to another man's farm, he should insist on notice being given to prevent their being swept away to pay another man's debts. The right hon. Gentleman might think this unnecessary, or might disapprove of it; but he could not understand his saying there would be no inducement to give a specified notice, for there would be every inducement. If the tenant wished to devote his land to pasture for other people's cattle, it would be absolutely necessary for him that he should give notice that the cattle were not liable for other people's debts. He hoped the Government would undertake further to consider this point.

Mr. BIDDELL said, he did not think this would be of any beneficial or practical use to the landlord, for there was nothing to prevent a tenant who was in difficulties combining with a dealer to take over the cattle in his name, and then give notice to the landlord that it was the dealer's cattle. If notice was to be given to the landlord, it ought to be given to the other creditors also, because everything on the farm was secured to the landlord. He was satisfied that the Amendment would have injurious effects.

Mr. CHAPLIN said, he thought the argument of the hon. Member was in favour of the abolition of the Law of Distress altogether; but, as this was a minor point in the Bill, he would not press the Amendment.

Amendment, by leave, *withdrawn.*

Sir HENRY HOLLAND proposed to add, after the word "feeding," in line 29, the following words:—

> "Provided always, that so long as any portion of such live stock shall remain on the said holding the right to distrain such portion shall continue to the full extent of the price originally agreed to be paid for the feeding of the whole of such live stock, or if part of such price has been bonâ fide paid to the tenant under the agreement, then to the full extent of the price then remaining unpaid."

He said that this Proviso was substantially taken from the Hypothec Amendment Act, 30 & 31 *Vict.* c. 42, s. 5, and the object which he had in proposing it was two-fold. In the first place, it was only reasonable that if the owner of the live stock removed some part of it from the tenant's holding, the remaining part should be subject to the same liability as attached to the whole; and, in the second place, it seemed only just and reasonable that if, under the terms of the agistment agreement, the owner of the stock, as was frequently the case, had made *bonâ fide* payment to the tenant on account of the whole price originally agreed upon, he should not be called upon or be liable to pay to the landlord the whole of the price originally agreed upon, or have his stock distrained, but that he should in such case only be liable for the part unpaid. He hoped the Government would accept this Proviso.

Amendment proposed,

In line 29, to add, at the end of the Clause, "Provided always, that so long as any portion of such live stock shall remain on the said holding the right to distrain such portion shall continue to the full extent of the amount originally agreed to be paid for the feeding of the whole of such live stock, or if part of such price has been bonâ fide paid to the tenant under the agreement, then to the full extent of the price remaining unpaid."—(*Sir Henry Holland.*)

Question proposed, "That those words be there added."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he thought the proposed addition would be desirable, and would make clear what otherwise might be left open to doubt. He would, therefore, accept the Amendment.

Question put and *agreed to.*

LORD BURGHLEY (on behalf of Sir JOSEPH PEASE) proposed to insert, in page 7, line 31, after "tenant," the words—

"Having upon it, or upon one or more of the main parts thereof, the name of the owner."

He thought this was a very necessary Amendment, for when the implements belonging to the tenant had to be distinguished from the hired implements, it would be a great advantage to have the names of owners who supplied agricultural implements.

Amendment proposed,

In page 7, line 31, after "tenant," to insert, "Having upon it, or upon one or more of the main parts thereof, the name of the owner."—(*Lord Burghley.*)

Question proposed, "That those words be there inserted."

MR. DODSON said, he could not see any special advantage in this proposal. It would involve a good deal of trouble, and would give no security against fraud.

MR. WARTON said, he approved of the Amendment, believing that it would be a great advantage to have the maker's or the owner's name on the implements. People who had valuable articles had them all marked for their protection, and it was much more necessary to have protection for property on a farm. That the argument of trouble should be advanced by a Minister showed what a wretched pitch this Bill had reached.

COLONEL RUGGLES-BRISE said, he thought there was something in the Amendment. It was the habit of many manufacturers to lend implements to farmers, to be paid for in three or four years; and it would be well that their name should be on the implements until the expiration of that period.

MR. ACLAND said, he hoped the Government would not agree to the Admendment, for it was distinctly inexpedient, and would not effect its intended object. He believed the effect of it would be that fraudulent persons would be enabled to act in collusion, for there would be some ground for supposing that the presence of the name was sufficient proof of the ownership. In all cases he believed it was the law that the person whose property an article was had the burden of proof upon him; but this Amendment would, he believed, practically alter that presumption.

SIR BALDWYN LEIGHTON said, he thought there was a great deal to be said in favour of this Amendment. It was the custom in many parts of the country for manufacturers to lend implements and machines, to be paid for by instalments, and this clause was drawn for their protection. There was something to be said in favour of making these things distrainable; but, on the whole, he thought it would be for the advantage of agriculture that that should not be done; it would, in fact, be a concession to freedom in agriculture. He would appeal to his noble Friend to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Mr. CHAPLIN said, he wished to move an Amendment which he thought was deserving of consideration. He was informed that there was a custom in vogue by which machines were lent upon terms which were exceedingly arbitrary. They did not purchase the machines at once, and, in the event of difficulties on the part of the tenant, not only were the machines seized, but the tenant forfeited all the instalments he had paid. That was a harsh system, which ought to be checked.

Amendment proposed,

In page 7, line 31, after "tenant," to insert "except where a tenant hires upon what is known as the hire and purchase system, and has entered into a contract to purchase."—(*Mr. Chaplin.*)

Question proposed, "That those words be there inserted."

Sir HENRY HOLLAND said, he thought the Amendment was not needed. An agreement of the kind referred to by the hon. Member for Mid Lincolnshire (Mr. Chaplin) was, in truth, a contract of sale, and the property in the article passed; but the clause only applied to machinery which was on the premises of the tenant under an agreement "for the hire or use thereof."

Mr. HENEAGE said, he hoped the Government would take this point into consideration.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he could not assent to the Amendment, because it would import what was known as the "hire and purchase" system. If there was a contract for the purchase of property, the property would pass to the tenant, even although there would be a right to the tenant to take it back if the money was not paid.

Mr. CHAPLIN said, he had proposed the Amendment to bring the matter under notice, and he should be satisfied if the Government would consider it.

Amendment, by leave, *withdrawn.*

Sir HENRY HOLLAND proposed to insert, in line 33, after the word "business," the following words:—

"And live stock of all kinds which is the bonâ fide property of a person other than the tenant, and is on the premises solely for purposes of breeding."

He need only observe that this provision was in both the Bills on Distress which he had the honour to bring before the House, and that it had been twice approved of on the second reading of those Bills, and in Committee on one of them. The Committee on the Law of Distress, which reported last year, had also distinctly approved this provision.

Mr. DUCKHAM suggested an Amendment to substitute "for breeding purposes" for the words "for purposes of breeding."

Sir HENRY HOLLAND said, he would agree to this alteration.

Amendment proposed,

In page 7, line 23, after "business," to insert "and live stock of all kinds which is the bonâ fide property of a person other than the tenant, and is on the premises of the tenant solely for breeding purposes."—(*Sir Henry Holland.*)

Question proposed, "That those words be there inserted."

Mr. DODSON said, the Government were ready to accept the words of the Amendment.

Question put, and *agreed to.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 17 (Remedy for wrongful distress under this Act).

Amendment proposed, in page 7, to leave out Sub-sections (*a*) and (*b*).—(*Mr. Biddell.*)

Question proposed, "That the Sub-sections proposed to be left out stand part of the Clause."

Mr. DODSON said, he could not understand a proposal to leave out Sub-sections A and B, and yet retain Sub-section C. Sub-section C was a general guide, and he thought it would assist the Court in the construction of the Act if the preceding sub-sections were retained, because they indicated the matter the Court would have to deal with.

Amendment, by leave, *withdrawn.*

Mr. WAUGH said, the clause was intended to remedy cases of distraint on, and yet to leave on the farms, stock which belonged to other persons. The Court would generally be composed of magistrates, who, as a rule, were landlords, and the questions to be determined by them were questions between landlords and tenants. He could not help thinking that the jurisdiction in these matters should be given to a different tribunal, and he could find no tribunal better than the County Court. In the County Court matters would be determined with regard to sets-off, and that would remedy some of the difficulties of tenants. He, therefore, proposed to provide that these matters should be referred to County Courts.

Amendment proposed,

In page 8, line 1, leave out from "by" to end of Clause, and insert "the County Court by way of interpleader and the provisions of the County Courts Acts relating to interpleader shall apply thereto as if they were re-enacted herein mutatis mutandis."—(*Mr. Waugh.*)

Question proposed, "That the words proposed to be let out stand part of the Clause."

MR. STAVELEY HILL said, he quite agreed that the County Court would form a better tribunal than a Court of Summary Jurisdiction; but there was the difficulty that one of the points to be considered was the restoration of live cattle. A County Court might not be sitting for four or six weeks; but the magistrates would sit once a-week or even twice a-week, or they could sit at any time. Therefore, much as he should be inclined to think that the County Court would be the better Court, there would be this delay, and the Bill was, on the whole, better as it stood.

MR. DODDS said, there was a question of expense involved in this matter. The hon. Member opposite had said the Magistrates' Court would be constantly sitting; but in his county the magistrates only sat once a-fortnight. He hoped the Government would accept the Amendment, as the hon. Member (Mr. Waugh) had had great experience in these matters, and his evidence before the Select Committee on the Law of Distress showed that he had a clearer view on the subject than almost any other witness.

MR. PUGH said, he trusted the Government would accept the Amendment. There could not possibly be any doubt about the desirability of having a tribunal which would be satisfactory to the parties concerned. In his opinion the tribunal which it was proposed to make use of under the Bill would not prove satisfactory. Very difficult questions of law would arise with regard to distress, and he did not think it fair that the whole branch of the law should be referred to magistrates in the manner intended. Without in the least wishing to treat the magistracy with the slightest disrespect, he could not look upon them as a fitting tribunal to deal with such questions as those which would arise under this clause. It must be recollected that the majority of magistrates were landlords. He did not wish to insinuate that they would be biassed on that account; but, as the Court to deal with the matters which would arise under this clause, they would certainly not give satisfaction to the tenant, because they would not inspire confidence. On these grounds, he trusted the Government would assent to the Amendment.

MR. CHAPLIN said, he trusted that the Government would adhere to the clause as it stood. Nothing whatever had been said to meet the weighty objections urged against the Amendment by his hon. Friend (Mr. Staveley Hill). No doubt, it was well that when questions of this kind arose they should be determined as soon as possible. The hon. Gentleman the Member for Stockton (Mr. Dodds) had said that the magistrates in his borough only met once a-fortnight. That, however, was an exceptional state of things. As it was desirable that the matters arising under the clause should be settled promptly, he hoped the Government would not accept the Amendment.

MR. DUCKHAM said, he believed that, under the law as it at present stood, the Registrar of a County Court took security for replevy. Surely he ought to do the same for live cattle under the Law of Distress as he did for replevy. He much preferred the County Court to a Court of Summary Jurisdiction. Whatever was decided upon, he (Mr. Duckham) hoped that the provisions of this Bill would be so settled that a landlord would not be able to distrain for the whole amount of rent due to him, and thus place the tenant under the necessity of bringing an action for compensation for improvements under the Act. If the tenant were to be placed in such a position, in many cases the benefit of the Act would be completely destroyed.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, there was no doubt that in any question of this kind one had to consider what would be the most convenient course to adopt. He quite admitted that, other things being equal, he should prefer the County Court to a Court of Summary Jurisdiction; but one had to bear in mind that it would be expedient, if possible, to give a cheaper and an easier remedy. Whether the two tribunals might be equal with regard to cheapness or not was a matter to be determined; but certainly, as regarded speed, the advantage was in favour of the Court of Summary Jurisdiction. The clause was not compulsory, and took no right away from the tenant. The tenant retained all his rights with respect to excessive distress or illegal distress, and it was not proposed that he should take his case before a Court of Summary Jurisdiction, but merely that he should have the option of doing so if he thought proper. In fact, all that was done was to give the tenant the option of that remedy as distinguished from any other remedy. This being the case, surely they were conferring an advantage on the tenant, because they allowed him to sue in the County Court if he liked, while, if he preferred, he might get speedy justice elsewhere.

Question put.

The Committee *divided*:—Ayes 46; Noes 28: Majority 18.—(Div. List, No. 226.)

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

Clause 18 (Extension of certiorari) *agreed to*.

Clause 19 (Amendment of Act of 57 George 3, c. 93, and of the Schedule of that Act).

Mr. WAUGH said, there seemed to be certain defects in this clause. It was provided that—

> "The limit of twenty pounds fixed by the first section of an Act passed in the fifty-seventh year of the reign of His Majesty King George the Third, Chapter ninety-three, shall in the case of an holding to which this Act applies be raised and be taken to be fifty pounds."

Now, he considered that the matter might have been very well left as it was in the old Act, as far as £20. The clause then went on to say—

> "And the allowance for a man in possession shall in the like case be a sum not exceeding five shillings per day, instead of the sum of two shillings and sixpence as provided by the Schedule of the said Act."

It would thus be seen that there was nothing allowed for the levying of the distress. He was sure no broker could be obtained who would levy up to £50 for 5*s*. Then, again, the clause did not go far enough, for it ought to extend not only to distresses of £50, but to all distresses. As far as his knowledge extended, there was no means whatever of taxing the charges of brokers and bailiffs and their men in possession; but he intended to propose a method by which their charges could be taxed. What he meant to propose was, to leave out this clause and insert in its place a provision to regulate the costs of distress, not only up to £50, but to any extent. If hon. Members would look at the new clause, which stood on the Paper in his name, they would see that he proposed to allow for the levying of a distress—

> "Three per centum on any sum exceeding twenty pounds and not exceeding fifty pounds. Two and a half per centum on any sum exceeding fifty pounds."

The charges made on distresses were in some cases most exorbitant. It sometimes happened that after a distress was levied and the landlord and tenant came together, they made some compromise. For such a case, he proposed to provide—

> "Such costs and charges, in case the parties differ, to be taxed by the Registrar of the County Court of the district in which the distress is made."

If this proposal were accepted, it would afford protection to the poor tenant, who at present had no protection whatever. The present system led to nothing more nor less than simple extortion on the part of the brokers. Brokers knew full well that no action could be brought against them except for excessive distress, and this they knew really amounted to nothing, as the remedy was worse than the disease. He begged to move that the clause be omitted.

Amendment proposed, to leave out Clause 19.—(*Mr. Waugh.*)

Question proposed, "That Clause 19 stand part of the Bill."

Sir HENRY HOLLAND said, that he had introduced a similar clause in his Distress Bill of this year, in deference to the recommendations in the Report of the Committee of 1882. But, looking to the necessity of protecting the tenant against the extortionate expenses of these proceedings, he was disposed to support the hon. Member for Cockermouth (Mr. Waugh) in going further than was provided by this clause, and in regulating the expenses in cases above £50. Care would have to be taken in fixing the different amounts in the Schedule; but he hoped the Government would undertake to look into this matter, and thus put an end to a scandalous state of things, which bore very hardly upon a poor tenant.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the question, of course, was one, to a considerable extent, of detail. In some degree, what was suggested by the hon. Gentleman the Member for Cockermouth was proposed by the clause as it stood. The clause proposed that, as to all sums up to £50, the amount of expenses charged should be the same as that allowed by the Act of George III., with the exception that the charge for the man in possession should be increased from 2*s.* 6*d.* to 5*s.* It would be impossible for the Government off-hand to accept the scale which his hon. Friend proposed. Any proposal of that sort ought to be very carefully considered. If the Committee thought that it would be the best plan to omit the present clause, and to put in another one subsequently, they would be glad to do so. The Schedule of the hon. Member, however, could not be accepted, because, in some respects, it would allow even higher charges than those which were now made.

MR. WAUGH said, his hon. and learned Friend must remember that, with respect to sums of above £50, the Government made no arrangement at all. He should be extremely glad if the present clause were omitted, and a new clause brought up, with such a Schedule of charges as the Government might consider fair.

MR. DUCKHAM said, that this was a most important matter; and to give an idea of its importance he thought he need only read an account of the expenses of a distress which was levied last year in his neighbourhood. The distress was levied for £1,317. The charges for the levy were £59; for the possession by the bailiff, £11 16*s.* 6*d.*; for the appraiser, at 6*d.* in the pound, £34; and auctioneer's commission, £65. The costs of the distress, exclusive of the auctioneer's commission, were, therefore, in round numbers, £105, and, including that commission, £170.

Question put, and *negatived.*

Clause *struck out.*

Clause 20 (Repeal of 2 W. &. M., c. 5, s. 2, as to appraisement and sale at public auction) *agreed to.*

Clause 21 (Extension of time to replevy at request of tenant).

MR. DUCKHAM begged to draw the attention of the Committee to the case which he brought before them yesterday upon Clause 6. The right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Dodson) had said that the point he introduced on Clause 6 must be brought forward when the Committee had the question of the Law of Distress under consideration.

THE CHAIRMAN: Does the hon. Member propose any Amendment to Clause 21?

MR. DUCKHAM: No.

THE CHAIRMAN: Then the hon. Member will not be in Order in addressing the Committee at this point.

Clause *agreed to*, and *ordered* to stand part of the Bill.

PART III.

(*General Provisions.*)

Clause 22 (Commencement of Act).

MR. BIDDELL said, he wished to move to leave out "the first day of January, one thousand eight hundred and eighty-four," and to insert "the twenty-ninth day of September, one thousand eight hundred and eighty-three." He here suggested that the Act should commence sooner than was proposed by the Government; and he made his proposal for the reason that the agricultural year never commenced in the month of January.

Amendment proposed,

In page 9, line 10, leave out "the first day of January, one thousand eight hundred and eighty-four," and insert "the twenty-ninth day of September, one thousand eight hundred and eighty-three."—(*Mr. Biddell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. DODSON said, he had no objection to the proposal of his hon. Friend (Mr. Biddell), except that he thought it would be attended with considerable practical inconvenience in this way. They had now reached the 24th of July, and though he was sanguine that the measure would receive the Royal Assent next month, yet he could not anticipate that it would become law before some further time had elapsed. If the Amendment were adopted, the interval between receiving the Royal Assent and the time at which the Act would come into operation would be exceedingly short.

Mr. CHAPLIN said, he saw great objection to the proposal, looking at the time at which it was customary for landlords and tenants to enter into their agreements. It would be almost impossible for them to make their arrangements by the 29th of September of the present year.

Mr. JAMES HOWARD said, it would be open to tenants and landlords, at any time after the passing of the Act, to enter into agreements; and he therefore hoped his hon. Friend would press the Amendment. It would be much more convenient that the Act should come into operation at that time when the great bulk of the tenancies in England commenced. He would also point out that the Act itself fixed two periods. The Law of Distress, as the Bill was drawn, was to come into operation on the Royal Assent being given to the Act; but that was not the date fixed for the other portion of the Act to come into operation. As he understood it, the Government had consented to consider, between now and the Report, at what date the provision with respect to the Law of Distress should come into operation; and he saw no reason or advantage in the Act commencing on the 1st of January next year; but there would be great advantage in its coming into operation on the 29th of September.

Mr. ACLAND said, his hon. Friend (Mr. Biddell) had told them that there would be great convenience in the Act coming into force on one of the half-yearly days. Well, in a general way he could imagine that there might be reasons why this should be so; but he was utterly at a loss to know what those reasons were. He could not understand what practical difference it could make in any way whether the Act came into operation in January or on the 29th of September, or on Lady Day. The sooner it came into operation in reason the better; but surely there was considerable force in what the right hon. Gentleman had said—namely, that they did not know that the Bill would have the Royal Assent before the beginning of the month of September. Possibly, for aught they knew, it might not receive the Royal Assent until the middle of September; and surely it was too much to expect that all the people who would be interested in the working of the Act, such as responsible agents, lawyers, and others, would be able to render themselves familiar in so short a space of time with the questions of law which would arise. They should have several weeks, at least, of absolute leisure in which to become acquainted with all the details and the points which were likely to have to be settled.

Mr. JAMES HOWARD said, he would point out one reason why the Amendment should be adopted. If the Act did not come into operation until January, then the tenant who wanted to carry out drainage works under it would find it too late, at any rate for this year, for him to do it. Drainage works should be commenced in November. Therefore, unless the Bill came into operation in September, they would lose a year. That was one reason why the Amendment should be adopted, and, he had no doubt, other Members would be able to point out other reasons.

Sir BALDWYN LEIGHTON suggested that the hon. Member (Mr. Biddell) would save the time of the Committee by withdrawing the Amendment with regard to drainage. With regard to what fell from the last speaker, everyone familiar with agricultural operations knew that it would be as easy to commence drainage in January as in November.

Mr. BIDDELL said, of one thing he was perfectly sure—namely, that no worse period could be fixed than that laid down in the Bill. If the right hon. Gentleman (Mr. Dodson) could not see his way to accept the proposal which he (Mr. Biddell) made, it would be advisable to accept April as the period, as in that month a large number of tenancies began. That would be a month in which landlords and tenants would be much more likely to begin the agricultural year than the 1st of January. Under the circumstances, however, he would withdraw the Amendment, reserving to himself the right of bringing up the matter again on Report, when he saw what the Government intended to do in regard to arrears of rent.

Amendment, by leave, *withdrawn.*

Clause *agreed to,* and *ordered* to stand part of the Bill.

Clause 23 (Exception of non-agricultural and small holdings).

MR. J. W. BARCLAY said, the question he had to raise was one of great importance, not only to the farmers, but also to the labouring class, and a great deal of difficulty would arise in endeavouring to define what "agricultural" meant. The first question which would crop up would be, was a market garden "agricultural?" According to his view, the word "agricultural" should be interpreted to include market gardens; and for this reason he had, after considerable discussion of the subject, been unable to find any line of demarcation between a market garden and a farm. Many farms in the neighbourhood of London were carried on very much as market gardens; but if it should be found that the word "agricultural" did not cover market gardens they were put in this difficulty—that a farm which at present came under the Act would cease to be under it if the farmer converted any portion of it into a market garden. The clause provided that—

> "Nothing in the Act shall apply to a holding that is not either wholly agricultural or wholly pastoral, or in part agricultural and as to the residue pastoral."

Now, if it were let for market gardens, or was not agricultural, it would follow that on a farm, say, of 100 acres of land, if 10 acres of the worst portion of it had been converted into a market garden, the whole holding would be outside the Act. It seemed to him to be of very great importance indeed that the Act should be clear and explicit. If market gardens were not to be included under the term "agricultural," then farmers ought to know it, and should not be led away and tempted into market gardening, or converting portions of their farms into market gardens, if they were to lose by it benefits such as were to be conferred upon them under this Act. He did not know precisely what the view of the Government was; but he thought it would be most unkind of them, and certainly on the part of the Prime Minister, to exclude market gardens from the operations of this measure. He (Mr. J. W. Barclay) recollected very well that in one of his memorable speeches delivered during the Mid Lothian campaign the right hon. Gentleman the Prime Minister recommended the farmers to direct their attention more and more to the conversion of their farms into market gardens. That advice he (Mr. J. W. Barclay) believed to have been very sound; and it would surely be a very poor return to make to the farmers of Mid Lothian for having taken that advice—and he knew that a number of them had taken that advice—if they found that the effect of it would be to exclude them from the operation of the Act. So much for the question as it affected the farmers and market gardeners. But there was another class which would be very seriously affected by the interpretation to be put upon this clause, and that was the labouring class—the farm labourers. They very frequently heard a great deal about the willingness of hon. Members to do something for the farm labourers. Those Members would now have an opportunity of showing the earnestness of their desire to benefit the agricultural labourers, as they would be able to confer upon them, as well as upon the farmers, the benefits of this measure. This matter was of very great importance to the agricultural labourers and to the farmers, and indirectly, no doubt, of very great importance also to the landlord. Complaints were continually being made about the rise of labourers' wages throughout the country; and, in England and Scotland particularly, they were told a great deal about the inefficient work which the labour gave for those increased wages. Everybody was complaining—[An hon. MEMBER: No, no!] Well, he was glad, at any rate, to hear there was one exception; but he was sorry to say that in Scotland and England generally complaints were made amongst a good many farmers, and certainly amongst the farmers to whom he had spoken on the question, that the labourer did not give so much for his wages now as he used to. That was very intelligible. The position of the agricultural labourer had been, form any years past, particularly in England and Scotland, a very wretched one; and the consequence was that those men who were a little above their fellows left farming to take occupations in the towns, so that there had been a continual process of selection going on. All the better labourers had either left the country, or had betaken themselves to more profitable occupations in the towns. That seemed to him to be an intelligible explanation of the process of deterioration which had been going on in the quality of the farm labourers of which they had heard so much during the last six years. He (Mr. J. W .Barclay), as a farmer, having labourers on his own farm, was perfectly willing and desirous that they should obtain the same benefits from the measure in proportion to those he himself was able to obtain from it. If the labourer improved his piece of garden ground, or his allotment which was granted him by the farmer, he was surely as much entitled to compensation for any improvements effected upon it as the farmer; and, to his (Mr. J. W. Barclay's) mind, it would be to the interest of the farmer to give him such compensation. If the farmer could not see his way to giving that compensation voluntarily, he ought to be compelled to give it under the Bill, just as much as the landlord was compelled to give it to his tenant. For these reasons it was that he sought to substitute the word "cultivated" for the word "agricultural." It seemed to him there would be less ambiguity about the word "cultivated" than there would be about the word "agricultural." Every man in the occupation of land would then, in respect of that part which was cultivated, be entitled to the benefits of the Bill. He had an Amendment to follow, which was to the effect that the Bill should apply to allotments of less than two acres, which was the limit in the measure. At any rate, the present Amendment was one which should recommend itself strongly to all those who were in favour of giving the benefits of the Bill to the higher forms of cultivation of land, commonly known as market gardening, and of giving its benefits to the agricultural labourer. In conclusion, he wished to invite the attention of the right hon. Gentleman (Mr. Dodson) especially to the point he had raised at the beginning of his remarks, which was this—that if he held that market gardening was not agricultural, what would be the position of a farmer holding 100 acres for the purpose of farming, but devoting 10 acres of it to the raising of market garden produce? According to his reading of the clause, a farmer, by so doing, would exclude himself from the benefit of the Act, because in the words of the clause the farm would not be "either wholly agricultural or wholly pastoral, or in part agricultural and as to the residue pastoral." If it was held that market gardening was not agricultural, it would be an absurd position for the Committee to take to pass a Bill which would have the effect of discouraging the higher class of agriculture—namely, the production of the higher qualities of food, and which was one of the greatest hopes of British agriculture for the future. He thought the right hon. Gentleman (Mr. Dodson) would find it impossible to lay down any clear line of definition between agriculture and market gardening. If the right hon. Gentleman intended to include market gardening in this Bill, it would be better to substitute the word "cultivated" for the word "agricultural" which he (Mr. J. W. Barclay) proposed.

Amendment proposed, in page 9, line 14, leave out "agricultural," and insert "cultivated."—(*Mr. J. W. Barclay.*)

Question proposed, "That the word proposed to be left out stand part of the Clause."

SIR HARRY VERNEY said, he could not hear the observations of the hon. Gentleman who had just sat down without rising in his place to state that he was of an opposite opinion, and that our agricultural labourers, at the present moment, were as efficient as they were 50 or 60 years ago. He had just let 300 or 400 acres for harvesting to a body of labourers; and, judging from their work in former years, including the last, he knew that they would do the work as well as their fathers and grandfathers had done for him 50 or 60 years since — quite as honestly and thoroughly. There were some reasons, no doubt, which had diminished the amount of work to be obtained from the labourers. At one time, every farmer had two or three agricultural labourers living in his house, taking their meals with the farmer's family, and getting to work at regular hours under the eye and supervision of the farmer himself. Under that system the labourers were probably longer at work than when living in their own cottages. Now they had allotments, and raised some produce for their own families; but he was quite sure that even these, when working for a good landlord, would fulfil their duty just as conscientiously and thoroughly as though they were working for themselves. His bailiff had often told him that they did so, and he saw it himself. He was confident the agricultural labourers, when well treated, were just as good as ever they were.

MR. GREGORY said, he confessed he did not quite understand on what ground the hon. Member for Forfarshire (Mr. J. W. Barclay) drew this distinction between agricultural land and land cultivated for the purpose of market gardens. It appeared to him (Mr. Gregory) to be incontestable that "agricultural" land included market gardens. It appeared to him that the cultivation of a field, whether it was for the production of corn, or hay, or market garden produce, was one and the same thing. He should take it that agricultural would be in contradistinction to horticultural, which latter word would imply simply a plot where the land was used for the growing of flowers. It seemed to him that market gardens would be covered by the word "agricultural." If the word "agricultural" was taken out, and the word "cultivated" inserted, it would lead to considerable ambiguity and difficulty in construing the clause, which would run—

> "Nothing in this Act shall apply to a holding that is not either wholly cultivated or wholly pastoral, or in part cultivated and as to the residue pastoral, or to any holding that is of less extent than two acres.

If there was any part of the holding which was not cultivated—that was to say, if there was a small piece of waste land connected with the holding, he doubted whether the Act would apply to that holding at all. If they referred to the Schedule of the Act, they would find in Part I the making of gardens was one of the operations to which the Act applied. That, of course, would include market gardens; so that, under the provisions of the Bill, as they at present stood, the word "agricultural" would apply to market gardens. The hon. Member for Forfarshire seemed to him to be really raising a difficulty which did not exist.

MR. JAMES HOWARD said, he agreed with the hon. Member for East Sussex (Mr. Gregory) in the belief that the Bill could be construed along with the Schedule as applying to market gardens. He would point out to the hon. Member for Forfarshire that the word "agricultural" was one of very wide import, and was one which had been considerably widened of late years. What the hon. Member meant was that a farm should be wholly cultivated in tillage, or partly in tillage and partly pastoral. Tillage was a Saxon term, and, if adopted in the clause, would remove any difficulty which might be felt with regard to the inclusion of market gardens.

MR. DODSON said, he hoped the hon. Member for Forfarshire would not think it necessary to press his Amendment to a Division. The definition of "agricultural" in this Bill was the same as that in the Agricultural Holdings Act of 1875; and, under that Act, no difficulty had ever arisen on the point suggested by the hon. Member. The word "agricultural" was not only a word perfectly well known and understood, as well as any Saxon word in the language, but it was adopted in previous Acts of Parliament, and it had acquired a fixed meaning from the decisions of the Courts. The hon. Member put a question as to whether, if a farmer turned part of his holding into a market garden for the growing of vegetables for the consumption by man instead of by animals, his entire holding would be excluded from the operation of the Act? Well, he (Mr. Dodson) hardly thought it necessary to answer such a question as that. The clause should be allowed to remain as it stood.

MR. JESSE COLLINGS said, that, suppose a farmer occupied five or six acres of land as a garden, would he have the same benefits under the Act as another farmer? If he would, the question would be settled. It ought, however, to be clearly understood what the position of such a person would be.

MR. J. W. BARCLAY said, it did not appear to him very plain that the right hon. Gentleman knew whether market gardens would be included under the word "agricultural" or not. It was important that these gardens should be included, and he was not disposed to take the statement of the Members of the Treasury Bench on the subject. [*Cries of* "Oh, oh!"] Well, he merely meant he was not inclined to accept the interpretation of the law of those sitting on the Treasury Bench. He was justified in refusing to accept the interpretation of right hon. Gentlemen sitting in that quarter by what had already taken place. He had, on one occasion, stated that a certain clause would have a certain effect, and the right hon. and learned Gentleman the Home Secretary (Sir William Harcourt) had denied it; but the point had since been decided in favour of his (Mr. J. W. Barclay's) contention. If the word "agricultural" really included market gardens, it did not appear to him that the Government would have much difficulty in making the matter more clear than it was at present. Out-of-doors a considerable amount of discussion had taken place on this point, and great difference of opinion had arisen as to whether market gardens were included or not. It would be much more simple to have the matter decided now, instead of waiting to have it settled by some protracted lawsuit. No doubt, the Schedule of the Bill dealt with the making of gardens, but it did not deal with market gardens; and there was all the difference in the world between the two. The right hon. Gentleman (Mr. Dodson) had appealed to the Agricultural Holdings Act, and had said that the word "agricultural" was one well known to the law, and that the definition in the Agricultural Holdings Act of 1875 had been settled by decisions in the Courts. Could the right hon. Gentleman refer to any case that had been decided under the Act of 1875? He had asked the hon. Member for Bedfordshire (Mr. J. Howard) to find out whether any case had been decided under that Act; and the hon. Member had advertised in *The Standard* newspaper, asking if anyone would be good enough to quote a case, or to refer him to a case, in which there had been such a decision, but no reply had been received to that advertisement. It was, therefore, absurd to appeal to the Act of 1875, since there had been no decisions under it, so far as it could be ascertained. Seeing the Prime Minister now in his place, he (Mr. J. W. Barclay) would appeal to him to make this clause as clear and distinct as possible, seeing that the question was a very important one to many of the right hon. Gentleman's constituents in Mid Lothian. The question was, whether under the word "agricultural" was included market gardening? If it was, he hoped the Government would make it clear in the Bill, and if it was not the farmers ought to know it.

Mr. JESSE COLLINGS said, he thought they ought to have an answer from the right hon. Gentleman on this point.

Mr. DODSON said, with regard to the construction placed on the word "agricultural," the word was not only in the Agricultural Holdings Act of 1875, but also in the Land Act of 1870, under which Act it had been interpreted by the Law Courts. What the hon. Gentleman wished was that holdings which were horticultural, or partly horticultural, should not wholly be excluded from the objects of the Bill; and there could be no objection to putting in words to carry out that object.

Mr. J. W. BARCLAY said, he was very much obliged to the right hon. Gentleman for the concession he was prepared to make on this matter, which, he thought, would give great satisfaction to a great many people. He (Mr. J. W. Barclay) would propose to withdraw his Amendment, and would subsequently move to insert, after the word "agricultural," the word "horticultural."

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 9, line 14, after "agricultural," insert "or horticultural."—(*Mr. J. W. Barclay.*)

Question proposed, "That those words be there inserted."

Mr. CHAPLIN said, he was bound to say that he thought the insertion of the word "horticultural" in a Bill, the object of which was to give compensation to tenants for improvements in agricultural holdings, was really something like an absurdity. He hoped the Government would reconsider this question, particularly because the compensation provided under the Bill related only to farming operations. He apprehended, though he was not very well acquainted with the mode in which cultivation was carried on in market gardens, or with horticultural occupations, that the compensation which was provided for agricultural holdings would not be applicable or beneficial to tenants who were carrying on purely horticultural operations; and he, therefore, thought they had better stick to the word "agricultural." If any case in which a horticultural occupation was concerned was so serious as to render legislation necessary, it was one which should be dealt with by itself, in a separate Bill, on its own merits.

MR. GREGORY said, the Bill, if these words were inserted in it, would have a tendency to exclude market gardens altogether. The hon. Member evidently meant holdings pastoral, horticultural, or agricultural, or partly pastoral, horticultural, or agricultural. Market gardens might not be partly one or the other, and unless they were wholly one or the other they would not come under the operation of the clause.

MR. DICK-PEDDIE said, the hon. Member for East Sussex (Mr. Gregory) had not observed that the difficulty might be got over by the rest of the clause, which included holdings partly pastoral.

MR. E. STANHOPE thought it absurd to adopt the proposed Amendment; and he, therefore, hoped that it would not be pressed.

VISCOUNT FOLKESTONE said, that when the hon. Gentleman (Mr. E. Stanhope) rose, he (Viscount Folkestone) had been going to refer to a case which was very much to the point. He happened to have a friend who resided near London, and who had a piece of land of within easy reach by road which he used as a garden for flowers, and grew nothing but flowers in the garden. What he wanted to know was, whether that piece of land, being used as a garden, would come under the provisions of this Bill; and, if so, were they to conclude that the garden was an agricultural holding? It seemed to him (Viscount Folkestone) that if the Government were to extend the provisions of this Bill to market gardens, it would be quite fair for him to ask them also to add a clause extending it to household property. He (Viscount Folkstone) had improved the house he occupied, and should be very glad if, at the expiration of his lease, under the provisions of this Bill, he would be able to obtain compensation from the landlord for those improvements.

MR. JESSE COLLINGS said, that in the neighbourhood of Warwick they would find a large number of tenants farming from 10 to 20 acres of land, or, rather, cultivating these plots as what might be called market gardens. These people were yearly tenants, and what he wished to know was, whether they would be subject to the benefits of this measure or not? If the word "agricultural" would cover them, well and good; but if not, he thought some words should be inserted to entitle them to the benefits which it was the object of this Bill to confer.

COLONEL STANLEY said, he also felt the difficulty that some other hon. Gentlemen seemed to entertain as to the interpolation of this word "horticultural" in a Bill which was obviously passed to apply to something other than horticulture. Would not the places the hon. Member for Ipswich (Mr. Jesse Collings) had mentioned be included under the words making of gardens, the planting of orchards, and so forth? He could not help thinking it was out of his exceeding good nature that the right hon. Gentleman (Mr. Dodson) had given way to the insertion of this word "horticultural." He (Colonel Stanley) was not aware that hitherto any question had arisen as to the exclusion of market gardens from agricultural holdings. If the right hon. Gentleman remained constant to his opinion that market gardens were covered by the provisions of the Bill, it would be much better to leave out the words it was proposed should be inserted.

MR. GRANTHAM said, he was surprised that the hon. Member for Bedfordshire (Mr. J. Howard) had stated that there was no case to be found as having arisen under the Agricultural Holdings Act of 1875.

MR. JAMES HOWARD: I did not say that no case had arisen. My hon. Friend the Member for Forfarshire (Mr. J. W. Barclay) stated that I had endeavoured, by advertisement and other means, to obtain information of a case, but had failed.

MR. GRANTHAM said, he understood the hon. Member to say he had advertised for cases, and that no answer had been received. He thought it would be better to leave the clause as it stood than to adopt any of the suggested Amendments.

Mr. WARTON said, he hoped the right hon. Gentleman would carefully reconsider his decision as to "horticulture." It seemed to him (Mr. Warton) that the right hon. Gentleman was about to commit an error in accepting this Amendment too easily. It was quite clear that it did exclude something, because it specifically stated "That nothing in this Act shall apply to a holding which is not" something or other. It was intended to exclude all holdings which were not "wholly agricultural or wholly pastoral, or in part agricultural and as to the residue pastoral"—it was intended to exclude all holdings that were not really agricultural in the common sense of the word. If they were to accept the word "horticultural" they would have to construct the section in this way—"Nothing in this Act shall apply to a holding that is not wholly agricultural, or wholly horticultural, or wholly pastoral, or which consists of any two of these kinds or all of them together." That was what it came to. To insert the word "horticultural" would be contrary to the whole spirit of the clause, and it seemed to him that they would be landed in a whole sea of absurdities if they accepted this Amendment. The object of the section was to limit the holdings to which the measure applied to those really within the scope and design of all its provisions—to limit the Bill to holdings that were agricultural or pastoral; but he (Mr. Warton) would not go on, as he saw the Prime Minister was anxious to explain his views to the Committee.

Mr. DODSON said, to remove the difficulties as to the word "horticultural," he would propose the clause should run as follows:—

> "Nothing in this Act shall apply to a holding that is not either wholly agricultural or wholly pastoral, or in part agricultural and as to the residue pastoral, or in whole or in part cultivated as a market garden."

Mr. J. W. BARCLAY said, that would be perfectly satisfactory to him; and he would beg leave to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed,

> In page 9, line 15, after the word "pastoral," to insert the words "or in whole or in part cultivated as a market garden."—(*Mr. Dodson.*)

Question, "That those words be there inserted," put, and *agreed to.*

Mr. JESSE COLLINGS said, the next Amendment was one standing in his name, to leave out all the words of the clause after the word "pastoral;" but since the adoption of the right hon. Gentleman's Amendment, the terms of his (Mr. Jesse Collings's) proposal would have to be altered to leaving out "all the words after the word 'garden,'" so as to get rid of the words "or to any holding that is of less extent than two acres." The object of the Amendment was to enable occupiers of small holdings, who were mostly labourers, to enjoy the benefits of the Act.

Sir HERBERT MAXWELL said, he had an Amendment before that of the hon. Member for Ipswich (Mr. Jesse Collings). It was, after the word "is," to insert "valued at less than £4."

The CHAIRMAN: The Amendment of the hon. Member for Ipswich comes in after the word "garden," and, therefore, has precedence of that of the hon. Baronet.

Mr. JESSE COLLINGS said, his Amendment was very important, as it would affect a very large number of people, and would remove a grievance which was felt in a great many quarters. The hon. Member for Buckingham (Sir Harry Verney) had spoken of good agricultural labourers of the South of England. Well, a part of the livelihood of many of these people depended upon the small allotments which were granted to them. As a rule, when the labourers came into possession of their allotments those allotments were in very bad order. The labourers got the land into good order, and kept it in good cultivation, and effected many improvements upon it; and yet the landlord could throw them over at any time. The landlord was a kind of terror to such people in many parts of the country. Very often, after the labourers had spent many years upon their holdings, and devoted a great deal of time to their improvements, and had spent a considerable amount of their little savings in manure, and so forth, they were turned off, at short notice, without getting a penny for the improvements they had effected. That seemed to him to be very unfair. There was a case within his own knowledge where a considerable tract of land was let to a number of labourers; it had been stony, and altogether waste land; but the men to whom it was let put labour upon it for some years, and at last got it into good condition; and almost as soon as they had brought it to such a state that it yielded good crops, it was taken away from them without compensation; all the parts were thrown together, and a large piece of valuable, well-cultivated land was the result. The hon. Member for Mid Lincolnshire (Mr. Chaplin) had accused many hon. Members on the Ministerial side of the House below the Gangway of predatory habits; but it seemed to him, in cases such as that he had cited, the habits of some landlords, backed up by laws they had made themselves, were predatory enough, at any rate. The landlords would have to find out before long that a great many people considered some of their habits predatory, and were determined that they should alter them. He would ask the Prime Minister whether it was not fair that farm labourers or small occupiers should be protected, as well as persons farming large tracts of land? He hardly thought that hon. Members on the other side of the House could raise any reasonable objection to removing from the Bill the limitation of two acres. Two acres was a large piece of ground; and a man might spend a great deal of time upon it, or even upon a less quantity, in bringing it into a good state of cultivation; and he might plant a great many fruit trees upon it, as an hon. Member below him remarked. Why should not the cultivator in a case of that kind have the benefit of the Act? If his Amendment were adopted, it would have a further effect, as it would put a stop to the great injustice sometimes practised upon agricultural labourers by their landlords, who continually held over them their power of eviction. By threatening the exercise of that power, in many rural districts in the country the agricultural community were coerced into doing that which was distasteful to them—they were terrorized over. He had known small occupiers threatened with eviction, and absolutely turned out of their holdings, for such a thing as doing a little work on a Sunday. If there was some compensation to be paid to these people before they could be removed evictions would not be likely to take place for trivial cases. He trusted the right hon. Gentleman (Mr. Dodson) would accept the Amendment.

Amendment proposed, in page 9, line 15, to leave out the words "or to any holding that is of less extent than two acres."—(*Mr. Jesse Collings.*)

Question proposed, "That the words 'or to any holding that is' stand part of the Clause."

COLONEL RUGGLES-BRISE said, he did not often agree with the hon. Member opposite; but, on the present occasion, he must say he concurred in his view. He had known many cases where labourers had greatly improved their small holdings — holdings, say, of an acre or an acre and a-half—and he did not see any reason why they should not be allowed the benefits of the Bill. His attention had been drawn to this question by an incident which happened only the other day. A woman had come to him and asked for his advice under the following circumstances. She said that her landlady had given her notice to leave her house and garden of half an acre at Michaelmas. It had been in the occupation of the family for over 100 years, and many improvements had been effected upon it; her husband, for instance, having erected piggeries and planted apple trees. The woman wished to know whether her landlady had it in her power to take possession of these piggeries and apple trees without compensating her? He (Colonel Ruggles-Brise) had been bound to inform the poor woman that, as the law stood, the landlady was able to seize these improvements if she chose. That had seemed to him to be a very hard case. He did not say that compensation would necessarily have been given if this Bill had been law; but he still thought the case was a hard one, and that labourers, under somewhat similar conditions, should be protected under the measure.

MR. JAMES HOWARD said, he must congratulate the hon. and gallant Member for South Essex (Colonel Ruggles-Brise) upon having made so liberal a speech. After the consent of the Government to introduce the words which had just been adopted, there was all the more necessity for the excision of these words "or to any holding of no less extent than two acres." He had contended just now that the clause should be read in connection with the Schedule, and what did the Schedule say? Why, it referred to the making of gardens.

Well, a holding of two acres would certainly be a large garden, and surely it would not be the design of the framers of the Bill to exclude from the benefits of the Bill the occupier of a garden of two or one, or even of half an acre. He could corroborate what had fallen from the hon. and gallant Member for South Essex as to these cases of hardship, for he himself remembered some years ago a labourer in his own village, who had a small holding which he had cultivated with great skill, and planted with strawberries and fruit trees, being called on suddenly to leave, and being unable to claim compensation for the results of his labours from the landlord. He hoped that, in the interest of the agricultural labourers of the country, the Government would consent to the excision of these words.

Mr. D. DAVIES said, he thought these words should be struck out, because some people might spend as much money in improvements upon two acres of land as others would spend in improving 100 acres. He himself occupied a small piece of land upon which he kept several men at work who were constantly applying to him for money for manures, and so forth; he did not know how much that small plot of land did not cost him every year.

Mr. KNIGHT said, he considered that if small plots were to be taken in, some limit should be put to the valuation, because the valuation of the small plots of ground might cost as much as that of the large farms. If small plots were to be included, there ought to be some arrangement that the valuation should not exceed a given amount. In the wild district in which he lived, there were a great many garden plots of land not worth more than £20 an acre. It was very necessary that the valuation of these small plots should be managed without an expensive arbitration.

Mr. WIGGIN said, he hoped the Government would consent to adopt the suggestion made by previous speakers. The hon. Gentleman the Member for Ipswich (Mr. Jesse Collings) would bear him out, when he said that in the neighbourhood of Birmingham there were an immense number of small gardens cultivated by artizans in their leisure hours. A great deal of time, money, energy, and ability, was spent in the cultivation of these plots; and it would be a most unjust and unfair thing if these artizans were deprived of their little possessions without any compensation for any improvements they might have made.

Mr. E. STANHOPE said, he hoped the Government would not think of accepting this Amendment. They were agreed that small tenants were just as much entitled to be compensated as large tenants, and he was quite satisfied that in the majority of cases they did obtain compensation now. The hon. Gentleman who had just spoken was anxious that poor men who held garden plots should not suffer in respect of any improvements they might make. He (Mr. Stanhope) was also anxious that they should not lose the benefit of their improvements; but if it were thought right that such people should be compensated, it would be better that a separate clause should be inserted in the Bill in order to meet their case. If the Government were going, in this Bill, to deal with the case of holdings of less than two acres in extent they would get into a condition of enormous confusion. A vital distinction existed between the case of these gardens and the cases the Committee had been dealing with. Hitherto they had dealt with yearly holdings; but now it was proposed to introduce weekly tenancies into the Bill. In the case of yearly tenancies all tenants understood exactly what the position was, and they made preparations accordingly. Both landlord and tenant perfectly well understood that if, at the end of a given term, the tenant received notice to quit, he would be entitled to claim compensation. The tenant would take care he was in a position to produce proper evidence, and the landlord was able to exercise watchful care over what the tenant was doing. In the case of weekly tenancies, however, it would be almost impossible to employ the present system of estimating the amount of compensation to be paid. He, therefore, hoped the Government would not accept the Amendment.

Mr. ACLAND said, that, thoroughly as he appreciated the motives of the hon. Gentleman who had moved this Amendment, and the motives of those who supported his proposal, he agreed with what had fallen from the hon. Gentleman who had just sat down. He was convinced that if the proposed Amendment was incorporated in the

Bill there would be very great difficulty in inducing some landowners to break up their property into small holdings. Many men would be unwilling to lay themselves open to all the difficulties which would surround them if this Amendment were accepted, and they had many small holdings on their estates. He (Mr. Acland) was persuaded the Government would be perfectly ready to deal with any proposal which was intended to remedy any real injustice with regard to the holders of small gardens. Nothing was more important in this country than the encouragement of the system of letting small plots of land as gardens; but he was confident that the proposal would rather prevent, than encourage the extension of, that system.

MR. DODSON said, the Government would be prepared to accept the Amendment, leaving out the limit of area; but not so as to let in weekly holdings. If they looked at the Interpretation Clause they would see that—

> "'Contract of tenancy' means a letting of or agreement for the letting of land for a term of years, or for lives, or for lives and years, or from year to year, or at will."

The words "or at will" should be omitted. Hon. Members knew what improvements were. It was not very often that a tenant holding land under two acres would make any of the improvements contained in the Bill. If, in any case, he did, he (Mr. Dodson) did not see why he should not be entitled to compensation just as much as a larger tenant.

MR. E. STANHOPE said, he did not think that what the right hon. Gentleman the Chancellor of the Duchy suggested met the point raised by the hon. Gentleman the Member for East Cornwall (Mr. Acland). The hon. Gentleman pointed out that the effect would be to diminish the temptation which landowners now had to let land in allotments. He was glad to say that the willingness to let land in allotments was extending; but he feared that if this Amendment were adopted the system would be put an end to.

SIR GABRIEL GOLDNEY said, he was one of those who had encouraged the letting of land in allotments; but he was satisfied that if the principle suggested were adopted the system of letting land in small holdings would be very greatly checked. The holders of garden plots made their money by growing early crops. The land was let in small plots in order that it might be cultivated, and that the produce might be sold to the manufacturing population at the best advantage. The holders of the plots brought manure on to the land, and cultivated it in the best way they could. If once they allowed these men to make claims for compensation, he was persuaded they would do a great amount of harm to the general body of the labouring population, because landlords would in that case very soon be found to revert to the system of large holdings.

MR. HENEAGE said, he considered that the Amendment would work very injuriously to the interests of the labourer. In the North of England it was a very common practice to let half an acre or a quarter of an acre, with a cottage, for a nominal rent. In some cases it was given to the labourers as a matter of course; and if the landlords were going to be put to the expense of a valuation every time there was a change of labourers — and they knew the labourers flitted frequently every year— it would be absolutely necessary that some rent should be charged for the holdings, if it was only to pay for the expense of the valuations. There was another instance which he might give. A very large number of farmers in Lancashire and Yorkshire held cottages in connection with their farms. These cottages were let to the labourers, and garden ground allotted to them on the farms, and were included in their weekly hiring; in fact, the privilege of living in one of them was part of the pay the men received for the work they did. Was it to be understood that when there was no more work for the labourers, and they were required to leave the cottages, that the tenant farmer should be put to all the expense of a valuation? If so, gardens would become the exception, and the labourers injured by this Amendment.

VISCOUNT FOLKESTONE said, he understood that, under the Interpretation Clause, weekly lettings would not be affected by the Bill. Allotments were not always weekly lettings; but he particularly desired to know what allotments would come under the phrase, "or at will?"

MR. J. W. BARCLAY said, that if a piece of land were not let from year to year it would be most unjust to turn a man out just when his crop was ripe without giving him compensation. His hon. Friend (Mr. Heneage) had referred to the case of cottages with gardens being let from week to week. The letting might be nominally from week to week; but if a man put any value upon his garden, he must have the enjoyment of the cottage for six months, at least, during which he could reap his crops. If the land should be wanted for anything, and he should be turned out before he reaped his crop, in all fairness he ought to be compensated. He (Mr. J. W. Barclay) did not see anything in this Amendment which could in any way prejudice the interests of the labourers. He thought it would be a very good thing if the labourer knew that the House of Commons took so much interest in him as to make provision in that Bill for his welfare. There was now an opportunity to do something for the labourers of the country, and he hoped hon. Members would avail themselves of it.

Colonel STANLEY said, he had no desire to speak in opposition to the spirit of the Amendment. He entirely concurred in that spirit, and he believed he would even go further than some of his hon. Friends in the direction indicated by the Amendment. At the same time, he could not disguise the fact that they might be led into considerable difficulty if they adopted the proposal as it stood. The hon. Member for East Cornwall (Mr. Acland) pointed out very ably one of the effects which were likely to result from the adoption of the Amendment. The system of allotment was not one of which they knew very much in the county in which he lived. In Lancashire servants were mostly engaged on the farm for half-a-year, and there was not so large a number of cottages as in many other parts of the country. In cases where a farm which had attached to it a certain number of cottages was let, it appeared to him that considerable difficulty would arise if the Amendment were agreed to. It would be a question for the landlord to consider whether he would be liable to have claims made against him by people whom he did not himself bring on the land, but who were actually employed by the farmer to whom he let the holding on which the cottages stood. Perhaps one of the Law Officers of the Crown would inform the Committee whether the words "tenant at will" in any way modified the "yearly tenancies," to which they understood the proposal of the right hon. Gentleman the Chancellor of the Duchy of Lancaster was intended to apply. It seemed to him that the Government were, perhaps, going further than they thought they were in taking away the limit of two acres. If they did take away that limit, where was it intended that they should stop? It must be remembered that valuers would have to be employed in reference to all these small plots, and that very likely the expenses of valuation would be larger than the amount of the compensation granted. He feared that one serious result of the Amendment, if agreed to, would be the abandonment of allotments and the merging of them in greater holdings. He hoped that if the Government were inclined to assent to this proposal they would, at least, take time to consider the terms they meant to attach to it.

Mr. JESSE COLLINGS said, it was very possible indeed to raise objections to any Amendment. The question, however, in the present case, was simply whether equal justice should be meted out to the poor man and to the rich man. There appeared to be a general wish to do the labourers good; but the good must be done in the labourers' fashion, if it was to be appreciated. This was a question which affected thousands of the labouring classes. He knew nothing about Yorkshire; but he knew a great deal about most counties in the Southern part of England, and he knew that there the labouring classes were subject, at the present time, to great injustice, through being liable to be turned off at any time from allotments which they had enjoyed for years. The noble Lord (Viscount Folkestone) seemed to wish that a man holding under weekly tenancies might be turned off at the will of the landlord. This would involve the confiscation of all his crops, and of everything he had put into the land. It was unfair that a small tenant should be liable to be turned out of his holding, without compensation, at a week's notice. He knew a case in which a man was said to be a bad character because he frequented a public-house. He had paid his rent, and the crops undoubtedly belonged to him; but he got notice, and had to leave. Was it not unjust that a man should be turned out of his holding in this way because another man, who happened to be his landlord, chose to consider he was a bad character? Such a state of things would not be permitted with regard to the farmer, and he hoped it would not be allowed with regard to the labourer. He hoped that hon. Gentlemen who expressed themselves as being so anxious to benefit the labourers would benefit them in the way the labourers wished. Of course, when the labourers were enfranchised, he and his hon. Friends would have a very easy task in urging such proposals as this upon the House of Commons. He intended to go to a Division on the subject, unless the right hon. Gentleman could assure him that the thousands of poor men to whom these allotments were a very great consideration, standing, as they often did, between them and actual starvation, would have their interests respected.

Mr. DODSON said, that when he threw out to the Committee the suggestion that they should omit the words as to the limit of the area, his remarks were accompanied with the condition that the tenancies affected by the Bill should be year and year tenancies, or those extending over longer periods. Now, the hon. Member who had just sat down talked of weekly and monthly tenancies. It was perfectly clear that the provisions of the Bill were totally inapplicable to tenancies of that kind; and he (Mr. Dodson) could not undertake to accept a proposal such as was now made. He would, however, still be willing to agree to the Amendment, subject to the omission of the words he mentioned. He had thrown out the suggestion, thinking it would be one which would be generally acceptable to the Committee.

Mr. CHAPLIN said, he saw so many practical difficulties in connection with the Amendment that he hoped the Government would reconsider the question, or, at all events, postpone its further consideration until they arrived at the stage of Report. He desired to ask one question which had occurred to him during the discussion. As the hon. Member for Great Grimsby (Mr. Heneage) pointed out, in some parts of the country cottages with considerable gardens were let free of rent; but they were let to the tenants occupying the farms. In such a case, he should like to know who was to be responsible for the compensation which was to be given under the Bill to the persons who cultivated these small gardens? Was the landlord or the tenant to be responsible for the compensation to be paid in case the gardens had been anywise improved? He certainly believed that men would infinitely prefer to take the gardens without any compensation rather than not have them at all. The tendency of this Amendment would be to prevent landlords, as the hon. Gentleman the Member for Cornwall (Mr. Acland) had pointed out, conferring upon the labouring classes a boon which was so much appreciated. This proposition had been sprung upon the Committee without notice, and it appeared to him that in discussing the Amendment they were mixing up two things which were wholly distinct from each other. On the one hand, they had been dealing with agricultural allotments pure and simple; and, on the other hand, they were asked to insert in the Bill a provision giving compensation to people who occupied allotments or possessed common labourers' cottage gardens. In his opinion, if they accepted the Amendment, they would find themselves landed in great difficulties, many of which would come at a moment's notice, and so be impossible to foresee. He, therefore, hoped the Government would postpone the consideration of this question till a later period of their deliberations, and that, at all events, they would not now commit themselves to the principle contained in the Amendment.

Mr. BUCHANAN said, he hoped the hon. Gentleman the Member for Ipswich (Mr. Jesse Collings) would accept the suggestion of the Government. Although that suggestion was not everything that might be desired, still it was very fair. There was one observation he should like to make, in consequence of the arguments used by the hon. Gentleman the Member for East Cornwall (Mr. Acland), and the hon. Gentleman the Member for Mid Lincolnshire (Mr. Chaplin). Those hon. Gentlemen had said that the effect of accepting this Amendment would be to render the landlords less willing to portion out their land into small holdings, because of the trouble it would entail upon them. Such an argument, however, must work the other way also; for if, in accordance with this Bill, those who occupied small tenancies were to get benefits, there would be a much greater demand for small tenancies, and, as a natural consequence, the value of land would be greatly increased.

Sir GABRIEL GOLDNEY wished to answer the observation made by the hon. Gentleman the Member for Ipswich to the effect that small holders were turned out, lost their crops, and so suffered great detriment and injury. He (Sir Gabriel Goldney) had had considerable experience with reference to the allotment of land in garden plots; and he knew of no case where a man having a garden crop did not, according to the custom of the country, get the fair value of that growing crop if he happened to leave his holding. He had known scores of instances where men had refused compensation; but they had been put in the County Court, and the County Court had always held that a man was entitled to the fair value of a crop when he quitted his tenancy. What he feared, as regarded this Amendment, was that small holders and the occupiers of cottage gardens would be tempted to claim for small quantities of manure that they might have put on the land for the purpose of increasing the market stuff which they grew upon it. The holders of these small plots of land invariably sold off the produce, which was not the case as regarded the farmers. The latter sold their corn and straw and other produce, and, in return for some of it, bought manures, which they used on the farm, with the view of keeping up the fertility of the soil. If they accepted this Amendment they would deter landowners from allowing their land to be let in small holdings, because if they had a number of small lettings they would be kept in a perpetual state of ferment all their lives.

Sir GEORGE CAMPBELL said, it seemed to him that the speech of the hon. Baronet (Sir Gabriel Goldney) was one of the strongest that could have been made in favour of the Amendment. The hon. Baronet had told them that in his part of the country the holders of small plots of land did get compensation according to the custom of the country. It must be remembered that the custom of the part of the country to which the hon. Gentleman belonged was not universal—that it was confined, in fact, to certain counties. The object of this Bill was to render universal throughout the country that which prevailed in certain counties. He thought that, as the Bill stood, the *onus* was properly thrown on hon. Members who wished small holdings to be exempted to show that small holdings were such that they ought not to be compensated. He trusted his hon. Friend (Mr. Jesse Collings) would accept the proposal of the Government.

Mr. E. STANHOPE said, it appeared that they were discussing two distinct questions. Gardens were frequently let by the week or by the month; but, as a rule, allotments were let by the year. The Government had said they would meet the case of weekly and monthly lettings of cottage gardens, not by accepting the Amendment as it was at present framed, but by accepting it subject to the omission of the limitation of two acres, and that then they would bring up words to provide that the provisions of the Act should not apply to weekly and monthly tenancies. He thought that even the Amendment suggested by the Government would lead to endless difficulties. The case of the holders was undoubtedly a strong one, and unless the Government were very careful they would find that their provisions would not last as long as would be desired.

Mr. JESSE COLLINGS said, he thought the right hon. Gentleman could scarcely complain that this Amendment had been sprung upon him, for it had been on the Paper for a considerable time. As to the good nature of landlords, it consisted generally of charging a rent of £4 or £5 an acre.

Sir GABRIEL GOLDNEY said, the allotments were nearly all under £2.

Mr. JESSE COLLINGS said, that, as he understood, the Amendment was agreed upon so far as leaving out these words; but the right hon. Gentleman had stated truly that many of these allotments were held for years, and yet they were subject to a week's or a month's notice. Therefore, if only those allotments, held upon a yearly tenancy, were to come in then, not one in a thousand would be affected by the alteration. But he accepted the Amendment of the Government, and on Clause 28 he would raise a further question, and endeavour to obtain his object.

Mr. DODSON wished to know whether the hon. Member accepted the proposal the Government had made or not, because unless he was prepared to accept it entirely the Government would withdraw it.

VISCOUNT FOLKESTONE said, the hon. Member had asked for bread and got a stone. The Government were prepared to accept this Amendment, with the Proviso that it should only apply to holdings held from year to year. The gardens attached to these cottages were to be left to the tenants who took the farms on lease or on a year to year tenancy. Farmers let these cottages to labourers as weekly or monthly holdings; and, therefore, the result of the Amendment, with the alteration proposed by the Government, would be that when a farmer left a farm he would be able to claim compensation from the landlord for the good cultivation of the cottage gardens; and, that having been carried out by the labourers, they themselves would be prevented from getting any compensation for their own labour, and would not come under the Bill in consequence of the cottages being held by them as weekly or monthly holdings. The result of the Amendment, as altered by the Government, would be that the farmers would get the benefit of the compensation of which the hon. Member wished the labourers to have the benefit.

MR. LYULPH STANLEY said, he thought the offer of the Government, under the circumstances, a harsh one. Because the hon. Member for Ipswich (Mr. Jesse Collings) had refused to accept it, and threatened a further Amendment on Clause 28, the Government, he thought, should allow those who would support them on both clauses to have a chance of accepting the Amendment. The proposal of the Government did not enable a cottager who held from a farmer, and who, therefore, could be turned out when the farmer ceased to employ him, to get compensation; but, still, there were many persons holding cottages who would be benefited by this clause, because they held their cottages on yearly tenancies.

COLONEL STANLEY said, that in the case of a cottage let with a farm, the occupant of the cottage might be the servant of the farmer, and the landlord would have no control over it. The Government held that under that arrangement the landlord would be liable for compensation, and he was to join in the valuation when it was taken. But was it to be the landlord or the farmer from whom the small tenants were to hold?

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the right hon. and gallant Gentleman referred to a person holding one of these cottages by the week or month, and not by the year. In that case, as the Government proposed to deal with the matter, there would be no claim for compensation, because the tenant would not be a yearly tenant.

COLONEL STANLEY: But suppose the cottager is a yearly tenant?

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL): If he is a yearly tenant, then, undoubtedly, the farmer who had the cottage with the farm would be liable.

Question put.

The Committee *divided:* — Ayes 48; Noes 143: Majority 95. — (Div. List, No. 227.)

MR. BOLTON said, he had an Amendment to propose which he thought explained itself; but the necessity of the Amendment might not be absolutely clear to hon. Members. Railway Companies were never allowed to hold surplus land; but they were allowed to hold land for purposes connected with their undertaking, and they could for a time use them for purposes other than those for which they possessed them. For example, land obtained compulsorily for the purpose of increasing their siding accommodation, or making coal depôts, was frequently let for grassing, or some such purpose, until they required it for its original purpose. The plots were let for short terms, probably for a year, and at low rents; but, under this Bill, the Companies would be subject to having to pay compensation considerably in excess of the rent received. Therefore, unless these lands were excluded from the operation of the Act, they would probably become a cause of loss to the Companies; and for that reason he would move his Amendment.

Amendment proposed,

In page 9, line 16, after "acres," insert "or to any holding acquired and held by any Railway Company or Companies under the provisions of any Act of Parliament."—(*Mr. Bolton.*)

Question proposed, "That those words be there inserted."

Mr. DODSON said, he was unable to accept this Amendment, for he could not see how they were to draw a distinction between Railway Companies and any other holders.

Mr. WIGGIN said, these surplus lands were only let for short periods until they were required for the use of the railway; and he thought it would be only fair that the Companies should be able to let these lands without being called upon to pay compensation. If that was not allowed, these lands would be a loss to the community during the time when tenants might cultivate the lands and grow crops for the benefit of individuals. If the clause remained as it was, the Railway Companies must refuse to let these lands, and they would then lie waste; and he hoped the Government would accept the Amendment.

Mr. CHAPLIN said, this Amendment was an admirable illustration of the wisdom of the Government in accepting the last Amendment. He admitted that he felt a sort of malicious satisfaction at seeing the hon. Member placed in his present difficulty in consequence of the Amendment which had been just carried, and which he had supported by his vote.

Mr. JAMES HOWARD said, that the Midland Railway Company had had in their possession for many years a tract of land at Bedford, and said he failed to see why Railway Companies should not come within the range of this Bill in the same way as other landed proprietors.

Mr. BOLTON thought the right hon. Gentleman (Mr. Dodson) scarcely seemed to realize his duty. Hon. Members opposed the Amendment because they imagined it would benefit the Railway Companies; but the fact was that it would benefit the public. But he did not wish to detain the Committee, and would, therefore, withdraw the Amendment.

Question put, and *negatived.*

Amendment proposed,

In page 9, at end of Clause, add—"Nevertheless, the sections relating to recovery of rent shall apply to rents of houses and other real property."—(*Mr. Biddell.*)

Question proposed, "That those words be there added."

Mr. DODSON said, this Amendment ought to have been moved earlier, and he was not prepared to accept it.

Question put, and *negatived.*

Mr. E. STANHOPE said, that before this clause was agreed to he had a question to ask, especially as the whole structure of the Bill had been altered in the last two hours. It had been extended in a manner which there was no reason to expect. Everyone who had left the House had gone away under the belief that the contested parts of the Bill were disposed of; but, to the surprise of the Committee, the Government had introduced Amendments which had extended the provisions of the Bill in various directions. In the first place, Railway Companies were to be inconvenienced by all their surplus lands being subject to the Bill. He wished them joy of all the proceedings they would have to go through in respect to compensation likely to be claimed by tenants; and he thought those who represented Railway Companies, and who had thought fit to support the Amendment, had only themselves to thank. He hoped tenant farmers would also note the vital change which had taken place contrary to their interests. It had been pointed out that there were a large number of cottages and cottage gardens let to farmers, and subsequently relet on monthly or yearly tenancies to labourers; and also that compensation would have to be paid to labourers when they left these cottages by the farmers, and not by the landlords. That was a matter which the tenant farmers would have to consider; and, in the third place, the Committee had found out that, in regard to allotments, those who let land in allotments were to be liable to all the provisions of this Bill. At least, they ought to know the limits of the changes that had been made; and he wished to ask the Government whether they were prepared to adhere to the determination they had expressed, and to take steps to exclude from the Bill weekly and monthly holdings?

The SOLICITOR GENERAL (Sir Farrer Herschell) said, that the Government intended distinctly to adhere to their determination, and to move an Amendment in the clause dealing with the definition of a tenant. As to the Railway Companies, that was a matter which was absolutely untouched by the discussion about two acres, because the hon. Member behind him informed him that if the two acres had remained, that would have been no good, because the lands let by the Railway Company generally exceeded two acres. As to the other matter, when the right hon. Gentleman said the Committee had been taken by surprise, the Amendment was down on the Paper. The Government had taken Amendments from the other side of the House, and had been abused by this side for doing so; but the Committee could not suppose that the Government were blind and deaf as to Amendments. If they thought any Amendment desirable they were prepared to listen, and, if need be, to yield; and, therefore, he did not think there was any ground for complaint. They intended to adhere distinctly to their undertaking.

Mr. E. STANHOPE said, there was good reason for his question, for the right hon. Gentleman (Mr. Dodson) stated that if the hon. Member persisted in his Amendment, it was doubtful whether the Government would adhere to their determination.

Mr. KNIGHT said, there were tens of thousands of labourers who had been living as yearly tenants for many years; but there would be few yearly tenants left if the Amendment of the right hon. Gentleman was adhered to. They would all get notice to quit, and would be made weekly or monthly tenants; and getting rid of allotments would do more harm to the agricultural labourers than it was possible to conceive.

Clause, as amended, *agreed to*, and *ordered to* stand part of the Bill.

Clause 24 (Avoidance of agreement inconsistent with Act) *agreed to.*

Clause 25 (Right of tenant in respect of improvement purchased from outgoing tenant) *agreed to.*

Clause 26 (Compensation under this Act to be exclusive).

Colonel RUGGLES-BRISE said, he was under the impression that if the clause was carried out it would have a harassing effect on the operations of the land bailiff, as carried out in his county; and he wished to ask the Government what would be the effect of this clause on Clause 60 of the Agricultural Holdings Act, which was incorporated in this Bill, for it seemed to him that the one contradicted the other? Clause 26 said the tenant should not claim compensation by custom or otherwise for any improvement which was liable to compensation under this Act; but Clause 60 of the Act of 1875 said—

> "Except in this Act expressed, nothing in this Act shall take away or permanently or injuriously affect any power, right, or remedy under any custom of the country."

Therefore, it seemed to him that the one affected the other, and he should be glad to know how that was?

Mr. DODSON said, there was no inconsistency between the two clauses. Clause 26 excluded compensation in this way, that a tenant should not be allowed to claim under custom compensation for improvements for which he was authorized to claim compensation under the Act. Section 60, which was incorporated, said—

> "Except as in this Act expressed, nothing in this Act shall take away or permanently or injuriously affect any power, right, or remedy under any custom of the country."

Colonel RUGGLES-BRISE said, his difficulty was that if a tenant was entitled to compensation under the Act he could not also claim under custom.

Mr. DODSON said, that was so. It was expressly provided that if a person was entitled to compensation under the Act he was not entitled to compensation under custom.

Clause *agreed to*, and *ordered* to stand part of the Bill.

Clause 27 (Provision as to change of tenancy) *agreed to.*

Clause 28 (Interpretation Clause).

Mr. JESSE COLLINGS moved, after "year," to insert "or for any shorter term." He said he moved this Amendment in order that the large number of persons whom he had already described should not lose the benefit of the Act. Another reason was that under the Allotment Extension Act of last year there were something like 250,000 acres of charity land in England and Wales to be let in allotments, and it rested with the Trustees and Charity Commissioners whether they should let the land under that Act at six or twelve months' notice. Practically, the land would be let from year to year; otherwise it would be of no use for the tenant to cultivate it;

but by inserting the words "three or six months' notice," the holders would be deprived of all the benefit of the Act. Although there might be some inconvenience in theory in accepting his Amendment; he did not think there would be in practice; while, on the other hand, unless it was accepted there would be great inconvenience and a great deal of suffering in the case of men holding these allotments. He knew of a case in which a man had a large tract of land, which he let in portions to a number of agricultural labourerss. As soon as these men had cleared the land from stones and got it into good condition the owner took it all away, and began to cultivate it himself, thus appropriating all the labour of those men. As this clause stood such men would not be protected in any way from that kind of proceeding; but by the words he proposed they would be protected. He could not see that there was any objection to them, and he thought the House ought to be as careful of the interests of these poorer people as of any other.

Amendment proposed, in page 10, line 16, after the words "year to year," to insert the words "or for any shorter term."—(*Mr. Jesse Collings.*)

Question proposed, "That those words be there inserted."

Mr. DODSON said, he could not assent to the Amendment.

Mr. J. W. BARCLAY said, he thought the Committee might accept this Amendment, for it was of very great importance to the agricultural interests of the country to encourage labourers. He was advised that the scarcity of labour in the country was very serious indeed, and the consequence was that wages had increased 25 per cent. If it was the fact that many of these labourers held from week to week or month to month, great injustice would be done to these labourers by being turned out of their cottages after they had put crops into the land. Fair equity to the labourers would secure them such compensation as was provided under the Act; and he thought the House would be very glad to manifest some practical sympathy with them.

Mr. JAMES HOWARD said, a tenant-at-will meant a tenant on sufferance, who could be turned out at the will of the landlord; and, therefore, the proposal of the hon. Member applied to tenants who were not so secure as others. There was a great deal in this Amendment to recommend it to the Committee.

Mr. ILLINGWORTH asked the right hon. Gentleman (Mr. Dodson) to give some reason why large proprietors were being protected, and those to whom the landlords let the land, and who cultivated the land, were not? They might suffer less than other tenants, because they had less to lose; but that was no reason why they should not have the same security.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, the Government had only accepted the Amendment of the hon. Member for Ipswich (Mr. Jesse Collings) to the 23rd clause on the terms that it should be limited to tenancies from year to year. That being the arrangement come to, the hon. Member said he could not accept it, and the Government were now only standing by it, as several hon. Members had urged them to do.

Mr. JESSE COLLINGS said, the agricultural labourers had not had much of the attention of the Committee—not so much as they would get in three years' time; while landlords and tenants could not have too much of the time of this law-giving Assembly. Labourers were rarely mentioned, although they were our true farmers, after all. They spent their lives on the land, but got the least out of it, and had the hardest lot of all. He, therefore, urged the necessity of accepting this Amendment, to which there were no objections. The right hon. Gentleman in charge of the Bill had simply said it could not be accepted; but he advanced no practical objection whatsoever to it. The great objection to the Amendment was that there were a large number of allotments which would probably be withdrawn if this Amendment was passed; but he thought the right hon. Gentleman, if he had the will, might easily find some means by which those allotments might be excluded from the operation of the Amendment. Why keep in the words "at will," if the words "weeks'" or "months'" or "half-year's" notice were not admitted. He would ask the hon. Member for Cornwall (Mr. Acland) or his father (Sir Thomas Acland), if he knew of allotments subject to a year's notice? And he ventured to say the hon.

Member did not know of one. He believed it would be difficult to find any rule which obtained under the Allotments Act, by which a tenant had a year's notice, and in cases where the allotments were let under a year's notice, they would get no benefit from this Bill. He had known very hard cases, in which men had been turned off their allotments for insufficient causes, and had lost the fruits of years of labour. He hoped the Government would accept the Amendment to prevent such injustice. If they did not, he should divide in order to show the country what all these provisions meant.

Mr. AKERS-DOUGLAS stated that in a great many villages there was a considerable quantity of land let out for the benefit of the people in the village, and not to make a profit. The letting of allotments was not always attended with any considerable profit; but, in many cases, the holders made the most of the good feeling of the landlord. He did not think allotment land was let out in every instance for the benefit of the landlord; it was frequently let for the benefit of the tenants only, and, therefore, he thought it would be monstrous if this Amendment was accepted.

Mr. C. SEELY (*Nottingham*) said, he was one of those who disapproved of this Bill altogether; but he did not see why the benefits which the measure proposed to confer should not be extended to labourers with small holdings as well as to ordinary agricultural tenants. He thought it would be a great mistake not to provide for the benefit of the labourer as well as the tenant.

Question put.

The Committee *divided:*—Ayes 21; Noes 214: Majority 193.—(Div. List, No. 228.)

Amendment proposed,

In page 10, line 25, after "landlord," to insert "for a term of years, or for lives, or for lives and years, or from year to year."—(*The Solicitor General.*)

Question proposed, "That those words be there inserted."

Sir BALDWYN LEIGHTON asked whether, under these words, a tenant who was a sub-tenant would be excluded?

The SOLICITOR GENERAL (Sir Farrer Herschell) said, the landlord did not let in these cases.

Mr. WARTON wished to know why a tenant should not be a tenant-at-will as well as a cottager? There were many landlords who let cottages for no rent at all, and who did not expect any rent; and in that case he wished to know whether, if it were so, there would be any inconsistuency between the two sections, because the context seemed to indicate tenancy at will? Did the Solicitor General intend to omit the words "at will;" and, if so, had his attention been called to the fact that there were many persons who were in possession and were strictly tenants-at-will?

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he thought it desirable not to leave these words out at present. He should, of course, consider the words; but one could not see at once how they would affect the whole Bill. He would bear the matter in mind, and, if necessary, omit the words on Report.

Question put, and *agreed to.*

Mr. PUGH moved to insert, in line 25, after "landlord," the words "and quitting includes receiving notice to quit." This condition, entitling to compensation, was an entirely new condition, and had no place in the Act of 1875. He was aware that many of the arguments on the Amendment to the 1st clause were applicable here, and he should not advance them now. All he wished to point out was that some Amendment here was clearly necessary, because, as the clause stood, the tenant would only be entitled to quit his holding. In that case, no right would accrue to him, and he would not be entitled to anything at all. He was in hopes the Government would agree to this Amendment. If it met with their approval, he should be glad to put in another place a provision to the effect that payment should not be made until a subsequent period.

The CHAIRMAN said, the hon. Member could not move the Amendment after the word "landlord," but he could move it at the end of the last Amendment.

Amendment proposed, in page 10, line 35, after the last Amendment, insert "and quitting includes receiving notice to quit."—(*Mr. Pugh.*)

Question proposed, "That those words be there inserted."

Mr. SHAW LEFEVRE could not accept the Amendment.

Question put, and *negatived.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 29 (Repeal of Act of 1875).

Mr. DODSON said, this was one of the clauses concerning which Notice had been given by the hon. Member for East Sussex (Mr. Gregory), and one which he (Mr. Dodson) had agreed to amend on re-commitment, when the clauses of the Act of 1875 which were to be retained in this Bill should be fully set forth.

Clause, *agreed to,* and *ordered* to stand part of the Bill.

Clause 30 (Short title of Act) *agreed to.*

Clause 31 (Limits of Act) *agreed to.*

Sir HERBERT MAXWELL said, he wished to propose a new clause, to the effect that where compensation was claimed under Part III. of the Schedule, the landlord might require a description of the materials used. The object of the clause was to give the landlord that which he thought he might fairly claim—namely, the power of satisfying himself as to the quality of the manures, artificial or otherwise, or the quality of the feeding stuffs that have been used on the holding. Not only should the landlord be in the position to require information as to the kind of materials used when called upon to compensate the tenant for them, but it was desirable to pass a provision requiring the tenant to give the information, in order that the tenant himself might be saved from imposition. He had had before him, the other day, the tables of the analysis which had been undertaken by the Agricultural Society in Scotland. A professional analyst had analyzed certain manures sold by companies of manure manufacturers and manure dealers to tenant farmers in the neighbourhood, and the report of the analyst was very striking in more than one respect. It showed that in some cases farmers had been called upon to pay £9 or £10 a-ton for manures, the intrinsic value of which did not exceed £4 or £5 a-ton. Well, under this clause, not only would the landlord be protected against imposition, voluntarily or involuntarily, on the part of the tenant, but the tenant would be protected by the fact that the landlord would have power to take samples of the manure for analysis by a competent analytical chemist. He (Sir Herbert Maxwell) trusted that the right hon. Gentleman (Mr. Dodson) would be able to see his way, if not to accept this clause as it stood, at all events to give the landlord some power of satisfying himself as to the nature of the stuff to be put on the land for which he was afterwards to be called upon to pay compensation; but not only that, but as to the mode and time of its application. It would be observed that, under this clause, during the currency of the lease it was not proposed to interfere with the manures to be applied. The clause would not apply until within the last five years of the lease, when it was provided that the description should be given to the landlord during the last rotation of crops previous to the termination of the lease. Where there was no lease, a landlord might require a description of the manures at any time during the tenancy. It seemed to him (Sir Herbert Maxwell) that this clause would be a great advantage to both landlord and tenant.

New Clause :—

(Where compensation is claimed under Part III. of Schedule, landlord may require description of materials used.)

"Where compensation may be claimed for any operation under the third part of the Schedule, it shall be competent for the landlord or his agent at any time during the last rotation of crops previous to the termination of the lease, or in the case of a yearly tenancy then at any time during the same, to notify to the tenant in writing his intention to satisfy himself as to the quality of the material to be used or applied, and of the mode and time of its use or application, and, upon receiving such notification, the tenant shall be bound to inform the landlord or his agent, not less than fourteen days before the commencement of such use or application, of his intention to use or apply such material, and shall give facilities to the landlord or his agent to visit and inspect such material, to satisfy himself as to its proper use and application, and to take samples for analysis by a competent analytical chemist, such analysis to be taken into account in awarding compensation under this Act. No claim for compensation under the third part of the Schedule shall be considered unless the provisions of this section shall have been complied with,"—(*Sir Herbert Maxwell,*)

—*brought up,* and read a first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. DODSON said, this clause very much resembled, if it was not quite the same, an Amendment of which the hon. Member for Shoreham (Mr. Loder), who was unfortunately absent from the House, had given Notice, and which was moved last night, in his absence, by the hon. and learned Member for Bridport (Mr. Warton). As he understood it, in a year to year tenancy a tenant would never be able to apply manure without first giving notice to the landlord.

SIR HERBERT MAXWELL: Yes, if required to do so.

MR. DODSON: Yes, if required to do so; and then the manures it was proposed to use were to be submitted to an analytical chemist. As he (Mr. Dodson) had stated last night, this Amendment was one which appeared to be drawn up mainly in the interest of analytical chemists. It would give those gentlemen a great deal of employment. He was not prepared to accede to the proposal, as every landlord would have the means of protecting himself which he now possessed under the customs of the country.

Question put, and *negatived.*

MR. HENEAGE said, he had to propose a new Clause, after Clause 5, as follows:—

(Landlord to have compensation in case of waste by tenant.)

"Where a tenant commits or permits waste, or commits a breach of a covenant or other agreement, the landlord shall be entitled, within two years after such waste or breach, and before the termination of the tenancy, to claim compensation in manner hereinafter mentioned in respect of such waste or breach. Every such claim shall be made by notice in writing served upon the tenant, and setting forth the particulars of the same; and, in case the landlord and tenant do not agree to such claim within one month after the service of such notice, the difference shall be settled by a reference in like manner as differences in relation to the payment of compensation to tenants, subject to and in accordance with the compensation provisions of this Act. Provided always, That in case of a reference the award may prescribe the mode and time of payment of any compensation thereunder, and the terms and conditions (if any) upon which the tenant may be relieved from the payment of such compensation or any part thereof."

The subject was discussed fully last night, so that he would not occupy the time of the Committee by going into it at any length. Two Amendments to it were to be proposed by the hon. Member for Surrey (Mr. Brodrick)—namely, to leave out, from line 2, "within two years of such waste or breach and before," and to insert "at any time before or at." Also, in line 10, to leave out from "Provided" to end of the Amendment. His (Mr. Heneage's) object in making this proposal was, that when the waste took place the landlord might at once call the attention of the tenant to it, and so, probably, put a stop to it. If the tenant did not put a stop to the waste or deterioration, an arbitrator might be appealed to without waiting until the end of the four years, at the end of which period, in all probability, it would be forgotten how the land was situated when the waste was committed. With these few words he begged to move the Amendment.

New Clause (Landlord to have compensation in case of waste by tenant,)—(*Mr. Heneage,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. DODSON said, that, as he understood the proposed clause, the effect of it would be to give a direct claim for waste to the owner under the Bill, and not a mere set-off of a claim for waste against compensation claimed by the tenant, such as had been provided for by the Bill. If that were the case, it was an alteration of the law on the subject of waste in favour of the landlord. Furthermore, as he understood it, it would make a year-to-year tenant liable for permissive waste, which he was not liable for at the present moment. There was a distinction between active and permissive waste; leaseholders only were liable for permissive waste, and as he (Mr. Dodson) read the clause it would incidentally extend the clause in that respect also. As this provision was one to alter the law in regard to waste in either or both of these matters he had pointed out, the Government were not prepared to accept it, as they did not intend to make any alteration in the Law of Waste in the interests of the landlord. If, however, he misunderstood the proposition, and it was not one that altered the law, then it appeared to him there was no need for it, because it contained nothing that could not be inserted in the covenant of an agreement or lease. It appeared to him that the clause either went beyond the intention of the Bill, or that it was unnecessary.

MR. BRODRICK said, he hoped the Government would reconsider their decision in this matter. He believed there was a general feeling amongst the landlords of the country that the general provisions of this Bill were not sufficient to guard their property against deterioration by waste. The provisions of the measure were entirely directed to according tenants compensation for the improvements they made, and to give the landlords an adequate set-off. What the right hon. Gentleman asked them to do was to wait until the end of the tenancy to assess deterioration, and by waiting so long it might be found, when the witnesses were called, it was almost impossible for the landlord to satisfy any arbitrator that the waste had been committed. It was obvious to anyone who had any knowledge of husbandry that the most difficult thing in the world to decide was the question of the waste committed, especially when it referred to matters that might have occurred some months, or even a year or two before; and he did, therefore, sincerely hope that in the interest of fairness the right hon. Gentleman and the Government, as they had done so much to strengthen the position of the tenant in performing improvements on his holding, would give the landlords who had to pay for those improvements some power of preserving their property when the tenants quitted their holdings. The right hon. Gentleman (Mr. Dodson) had stated that in the case of a year-to-year tenant permissive waste was recognized by this clause. If that were an innovation in the law, no doubt his hon. Friend (Mr. Heneage) would withdraw that portion of the clause. He (Mr. Brodrick) would ask the hon. Member to do so. It might be said the clause was unduly stringent; but it gave a landlord what was obviously fair and just as a set-off to that which was given to the tenant. To allow him to assess the waste that might take place on his property could not be called too stringent. The right hon. Gentleman had not given them a particle of argument why this power should not be given to the landlord, except that it was a new power. Well, the Bill gave a new power in the case of the tenant; and, that being so, why should it not give a new power in the case of the landlord? He hoped the hon. Member (Mr. Heneage) would press the matter to a Division, because he believed the arguments against it from the Front Bench opposite were absolutely inadequate, and most unsatisfactory. If the Bill was not strengthened in this particular, he believed its progress would be seriously interfered with. On the 6th clause, hon. Members had been anxious not to put down Amendments which they might have put down and had discussed, because they thought they would have had no difficulty in passing such a clause as the present.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he could not help thinking there was some misapprehension on the part of the hon. Gentleman who had just spoken that the clause would alter the law——

MR. HENEAGE, interrupting, said, he should be prepared to strike out "permissive waste."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, then it came to this, that where the tenant committed waste the landlord should be entitled, within two years after such waste, to claim compensation. But the landlord could do that now—that was the law of the land. They did not give fresh power to the landlord by passing these words; in fact, they would limit the landlord's power to the extent of enacting that the landlord should only be entitled to compensation in respect of waste within two years after it had occurred, and before the termination of the tenancy. All this clause would do would be to provide that, in the case of a reference, the award might describe the mode and time of payment of any compensation thereunder, and the terms and conditions, if any, on which the tenant might be relieved from payment of such compensation, or any part thereof.

MR. HENEAGE said, he intended to omit that part of the clause.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL): Be it so, then the clause did not alter the law one bit; it said the landlord should be entitled to compensation for waste, and the law said that already. The hon. Member would gain nothing by the insertion of this clause. The clause provided that in these cases the claim might be settled by arbitration; but it was always open to agree by arbitration—a clause could be inserted in any agreement to the effect that claims of this kind should be settled by arbitration. The hon. Gentleman opposite said the Government were unreasonable in refusing to accept this Amendment; but it seemed to him (the Solicitor General) that if they did accept it they would be giving nothing whatever to the landlord, and would only be throwing a doubt on what the landlord possessed in point of law at the present moment. [Mr. Brodrick: No, no.] He (the Solicitor General) was of a contrary opinion, and believed that it always threw doubt on a settled thing if, for the first time, they put it into an Act of Parliament. People grew fearful that it was some kind of limitation, and doubts and difficulties arose. On the whole, unless the Committee were prepared to give a new right, it would be better to leave this matter alone.

Mr. GREGORY said, the question was pretty fully discussed yesterday, and it was generally recognized that the object of the proposal was to give the landlord a set-off against the claims of the tenant; and the effect of it would be to give another remedy for waste, in addition to that already provided by law, which was much more simple and effective. The clause would have the effect of complicating the matter, and would drive the landlord into a reference to an arbitrator to obtain compensation, instead of enabling him to take a direct course, which it was competent for him to do.

Mr. JAMES HOWARD said, there were two objects which seemed to him to be desirable. The first was to prevent deterioration and waste going on year after year until the determination of the tenancy, and the next was to give the landlord more summary powers to prevent waste and deterioration. With these objects in view, he had given Notice of a new clause by which landlords would be empowered to apply to the County Court, not only to stop waste and deterioration upon the holding, but to stop any act of the tenant which would be injurious to the estate. He ventured to think that such summary power as his clause would give was far more desirable than an expensive suit such as the landlord could bring under the existing Common Law. He trusted the hon. Member for Great Grimsby (Mr. Heneage) would withdraw this clause, and that the clause which he had now drawn attention to would receive favourable consideration at the hands of the Government. There was a great deal to be said from the point of view of those who urged that whatever might be law with regard to tenancies should appear on the face of the Act. The Solicitor General (Sir Farrer Herschell) had told them that certain things which did not appear on the face of the Bill were Common Law, and so forth. He understood this Bill to be a codification of the law with regard to tenancies. Certainly it professed to be so, though he had no doubt it would prove very different from what it professed to be. However, it had hitherto been recommended to Parliament on the ground that it was a codification of the existing law. The other day there was a good deal of reference to another Act, the provisions of which the right hon. Gentleman (Mr. Dodson) undertook to embody in this Bill. He referred to the Act of 1875. A good deal of what was urged, they were told, was already law. He was glad to hear it; but it would certainly be wise that it should be included in the Bill.

Mr. SHAW LEFEVRE said, that if they were to introduce all the laws relating to landlord and tenant into this Bill, they would have a very large and unwieldy Act. It would, however, as a matter of fact, be impossible to incorporate all the laws respecting landlord and tenant into the Bill.

Question put, and *negatived.*

Mr. GREGORY proposed to insert, after Clause 8, the following Clause:—

(Provision in case of trustees).

Where the landlord is a person entitled to receive the rents and profits of any holding as trustee or in any character otherwise than for his own benefit the amount due from such landlord in respect of compensation under this Act or in respect of compensation authorised by this Act to be substituted for compensation under this Act shall be charged and recovered as follows and not otherwise (that is to say):

(1.) The amount so due shall not be recoverable personally against such landlord nor shall he be under any liability to pay such amount but the same shall be a charge on and recoverable against the holding only;

(2.) Such landlord shall either before or after having paid to the tenant the amount due to him be entitled to obtain from the county court a charge on the holding to the amount of the sum required to be paid or which has been paid as the case may be to the tenant;

(3.) If such landlord neglect or fail within one month after the tenant has quitted his holding to pay to the tenant the amount due to him then after the expiration of such one month the tenant shall be entitled to obtain from the county court in favour of himself his executors administrators and assigns a charge on the holding to the amount of the sum due to him and of all costs properly incurred by him in obtaining the charge or in raising the amount due thereunder;

(4.) The court shall on proof of the tenant's title to have a charge made in his favour make an order charging the holding with payment of the amount of the charge including costs in like manner and form as in case of a charge which a landlord is entitled to obtain.

He had given Notice of other clauses, which, he believed, would be taken up by the right hon. Gentleman (Mr. Dodson) at a subsequent stage of the Bill; and therefore he would not now move them. The clause he now moved was not in the Act of 1875. Under the Bill as it stood the tenant, on obtaining this award, would be entitled immediately to obtain compensation from his landlord, and the landlord would be bound to pay it down there and then. In the case of trustees this might involve very great personal liability. The trustees of an estate might be what were called the legal owners of the property, and they would be responsible under the terms of the lease. It often happened, however, that trustees had no funds in their hands out of which to pay compensation; but they would have to provide the funds in some way or other out of their own pockets, because they would be liable to an action by the tenant. This would be very hard in the case of gentlemen acting in the capacity of trustees, whose liabilities as trustees were already very heavy. What he ventured to suggest was, that the liability should be transferred to the holding itself, and that the claim should be recoverable against the property. His Amendment enabled this to be done, because it provided that unless the landlord paid the compensation within a month, the tenants should be entitled to obtain a charge upon the property.

New Clause (Provision in case of trustees,)—(*Mr. Gregory,*)—*brought up,* and read a first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

Mr. DODSON said, it appeared to him that the proposal of his hon. Friend (Mr. Gregory) was a very just and reasonable one. As far as he understood the clause, it gave effect, very properly, to what the hon. Gentleman had stated. He must, however, speak with a certain amount of reservation, which his hon. Friend would understand. He was prepared to agree to the clause if the Committee was disposed to accept it, and between this and Report they would examine it very carefully and see if it required any alteration.

Question put, and *agreed to.*

Clause *added* to the Bill.

Mr. HENEAGE proposed to insert, after Clause 11, the following Clause:—

"When, by any Act of Parliament, deed, or other instrument, a lease of a holding is authorised to be made, provided that the best rent, or reservation in the nature of rent, is by such lease reserved, then, whenever any lease of a holding is, under such authority, made to the tenant of the same, it shall not be necessary, in estimating such rent or reservation, to take into account, against the tenant, the increase (if any) in the value of such holding arising from any improvements made or paid for by him on such holding."

New Clause (*Mr. Heneage*) *brought up,* and read a first time.

Motion made, and Question proposed, "That the Clause be read a second time."

Mr. DODSON said, he considered that the clause might need consideration as to its form; but its object was a right one, and the Government were prepared to agree to it.

Question put, and *agreed to.*

Clause *added* to the Bill.

Mr. WAUGH proposed to insert, in lieu of Clause 19, the following Clause:—

"No person whatsoever making any distress for rent on a holding to which this Act applies, when the sum demanded and due shall exceed the sum of twenty pounds for or in respect of such rent, shall be entitled to any other or more costs and charges for and in respect of such distress or any matter or thing done therein than such as are fixed and set forth in the fourth part of the Schedule hereto."

New Clause (*Mr. Waugh*) *brought up*, and read a first time.

Motion made, and Question, "That this Clause be read a second time," put, and *agreed to.*

Mr. STORY-MASKELYNE proposed the following Clause in page 10 :—

> "If the landlord's interest in a holding, subject to a contract of tenancy from year to year or at will is transferred by sale or otherwise, or transmitted on death or otherwise, the terms of tenancy shall not be altered without the consent of the tenant until the expiration of two years from the date of the transference or transmission."

The clause was one which the Government had given their assent to by anticipation. Its object was, that anyone coming into a property either by inheritance or by purchase should not be able at once to pounce upon the tenants and turn them out, until he had had an opportunity of looking round and making their acquaintance, and until the tenants themselves knew the position in which they stood with regard to their new landlord. The clause invaded no existing right, and he hoped the Committee would allow it to be added to the Bill without discussion.

New Clause (*Mr. Story-Maskelyne*) *brought up*, and read a first time.

Motion made, and Question proposed, "That the Clause be read a second time."

Mr. A. J. BALFOUR said, the hon. Gentleman had not advocated the adoption of the clause on the ground that it was beneficial to the tenant. In point of fact, the clause was simply intended to prevent an owner of property making a fool of himself.

Mr. STORY-MASKELYNE said, that what he meant was that the tenant should be protected from anything like arbitrary action on the part of his landlord. He certainly had advised the adoption of the clause from the point of view of the landlord's interest, because he thought that that was the line of argument which would be most likely to weigh with the Committee.

Mr. A. J. BALFOUR said, he understood that it was intended by the Amendment to prevent a man who came into possession of property doing whatever he chose with the property until two years had elapsed. He hoped the Government would not agree to such a proposal.

Sir THOMAS ACLAND said, that the clause had been before the public for five years. It was originally introduced in the Tenants' Compensation Bill, and there was nothing which would give more satisfaction to tenant farmers than that they should be protected against the arbitrary conduct of a new agent or a new landlord. All that was desired was that the tenant should have time to make terms with a new landlord. He earnestly hoped the Committee would adopt the clause. The only objection that seemed to be raised against it was that it would very much depreciate the value of property. Of course it would; but it must be remembered that a man who wished to sell his land should not be allowed, at the same time, to sell manures which the tenant had put into the land.

Mr. HENEAGE said, he understood that the right hon. Gentleman (Mr. Dodson) accepted the spirit of the Amendment some time ago.

Mr. CHAPLIN said, that when the hon. Baronet (Sir Thomas Acland) remarked that the landlord would be prevented from selling the manures the tenant had put on the land, he forgot that the tenant had power to claim compensation for those manures.

Mr. PEMBERTON said, he considered this a distinct invasion of the right of the landlord to sell his own property. The hon. Gentleman (Mr. Story-Maskelyne) had said the clause was intended to prevent the tenant being robbed of the value of his manures. But the tenant would have precisely the same remedy against the new landlord as against the old. Therefore, to restrict the right of the landlord to sell his property, or to prevent his successor occupying the land himself, if he chose, seemed the most monstrous proposition that was ever brought forward in the House of Commons.

Mr. J. LOWTHER said, they had been told that land was to be a marketable commodity; but the present proposition was certainly one which, if agreed to, would place a special disability upon those who acquired land in open market. The hon. Baronet the Member for North Devon (Sir Thomas

Acland) said that the clause had been before the public for five years, and that it was first introduced into the Tenants' Compensation Bill. What Bill was that, pray?

SIR THOMAS ACLAND said, it was the Bill he had moved in 1875, and which he had constantly brought before the House since.

MR. J. LOWTHER said, he thought the hon. Baronet had referred to some measure which had become law. The hon. Baronet, however, had not told them that his proposal had met with no favour in the House. He (Mr. J. Lowther) did not think the Government would be disposed to encourage exceptional legislation of that kind.

MR. DODSON said, there were many objections to the insertion of the clause in an Act, though it might be a very proper and considerate one for an owner to introduce into an agreement. If, however, it were made law, he could very well see that serious difficulties might arise from its adoption in the case of the landlord dying or selling his property under certain circumstances. The more he consided the clause the less it seemed desirable that it should be adopted.

Question put, and *negatived.*

MR. SLAGG begged to move the following new Clause—

(Division of holding for building purposes.)

"Nothing in this Act shall apply to prevent any landlord from taking under any contract, agreement, or covenant entered into with the tenant, the whole or any part of any holding with the object of conveyancing or demising the same to any person or persons willing to enter into covenants for the erection thereon of any buildings: Provided, That, in case of the whole of the holding being taken for such purpose the tenant shall be paid such compensation as he would have been entitled to under this Act, upon the determination of his tenancy by effluxion of time, and in case of part only of the holding being taken the compensation in respect of the entire holding shall be paid at the expiration of the tenancy of such part thereof as shall not be taken under this Clause unless otherwise agreed upon between the landlord and tenant."

New Clause (*Mr. Slagg*) *brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he understood the object of the clause was to give compensation to the tenant in respect of the land taken for building purposes at the expiration of the tenancy where the tenant remained in possession of the holding. He pointed out that a landlord might take a portion of the holding under agreement or covenant, and he apprehended that if the landlord was able so to take a portion of the holding the tenant would remain the tenant as to the rest of the holding. As to the part which he had to give up, that, he thought, was within the Bill. He would consider the matter, although he was not sure the clause would meet all cases that would arise.

MR. A. J. BALFOUR said, that in Scotland it was always in the power of the landlord to take land in plots for building purposes.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he saw no reason why a tenant should lose his compensation because a portion of his holding happened to be taken away from him for building purposes under an arrangement between himself and the landlord. If the hon. Member would withdraw the clause he would consider the matter before Report.

Clause, by leave, *withdrawn.*

SIR HENRY HOLLAND proposed the following new Clause to come in at end of Part II.—

(Bailiffs to be appointed by county court judges.)

"From and after the commencement of this Act no person shall act as a bailiff to levy any distress unless he shall be authorised to act as such by a certificate in writing under the hand of the judge of the county court having jurisdiction in the district in which the distress is levied; and every county court judge shall, on or before the thirty-first day of December, one thousand eight hundred and eighty-three, and afterwards from time to time as occasion shall require, appoint a competent number of fit and proper persons to act as such bailiffs as aforesaid in the district in which he has jurisdiction. If any person so appointed shall be proved to the satisfaction of the said judge to have been guilty of any extortion or other misconduct in the execution of his duty as a bailiff, he shall be liable to have his appointment summarily cancelled by the said judge."

He thought this a clause of some importance, as frequent complaints were made of the conduct of bailiffs, and he trusted the Government would accept it.

New Clause (Bailiffs to be appointed by county court judges)—(*Sir Henry*

Holland)—*brought up*, and read a first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. DODSON said, as the clause seemed a proper one to be introduced into the Bill, he would accept it, and, if necessary, amend it on Report.

Question put, and *agreed to.*

On the Motion of Sir HENRY HOLLAND, Amendment made, in the first line of the clause, after the word "bailiff," by inserting the words "under this Act."

Clause, as amended, *agreed to*, and *added* to the Bill.

MR. DUCKHAM said, he rose to ask leave to insert the following Clause :—

> "Any sum found due by the landlord to the tenant may be set off against any rent due to the landlord, and the landlord shall not be entitled to distrain for more than the balance due."

This clause was in accordance with the Report of the Select Committee of last year. It was unanimously resolved by that Committee that the Law of Distress, enabling the landlord to distrain for the amount of rent due without allowing for any counter claim, had given rise to some cases of great hardship, and that some provision should be made to meet that defect in the law. Evidence was given before the Committee of two cases of hardship which occurred in his own county. In one case the tenant had occupied a farm for a great many years, he had been at a very heavy expense and had considerably improved the farm, he was obliged by circumstances to give notice, and on a valuation being made it was found to be more than was due to the landlord. The tenant left his holding, and some time afterwards he was applied to for payment of his rent, but that he declined on the ground that there was a balance due to him. After correspondence had taken place between the lawyers, the man's wheat crop was seized and sold at public auction, although at that time the landlord was growing a crop of hops on the poles belonging to the tenant which he had not paid for; the inhabitants of the district were so disgusted with the treatment he received that they subscribed a sum of money, and an action was brought against the landlord at the Assizes, which, after the venue was changed to London, ended in favour of the tenant receiving a considerable sum of money. He begged to move the addition of the clause he had described to the Committee.

New Clause (*Mr. Duckham*) *brought up*, and read a first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

MR. DODSON said, he thought the Committee would see that they could not satisfactorily discuss so complicated a clause as that which the hon. Member had just announced without having Notice of it. Therefore, he would suggest to his hon. Friend its withdrawal in order that it might be put upon the Paper and considered on Report.

MR. J. LOWTHER said, he thought the proposal of the hon. Member a very good one; at the same time, he thought it would be better that it should be brought forward again on Report.

MR. DUCKHAM said, he was willing to yield to the suggestion that the clause should be withdrawn and brought forward again on Report, when he trusted it would receive the favourable consideration of Her Majesty's Government.

Motion, by leave, *withdrawn.*

SCHEDULE. PART I.

IMPROVEMENTS TO WHICH CONSENT OF LANDLORD IS REQUIRED.

MR. JAMES HOWARD said, he had had occasion, at the commencement of the discussions in Committee on this Bill, to point out the incomplete arrangement of the Schedule. He proposed to move that the words "formation of silos" be added to the Schedule. These were frequently in the form of an excavation in the ground, and they did not, therefore, come under the denomination of "erection or enlargement of buildings." He thought it absolutely necessary that silos should be included in the Schedule as one of the improvements for which the tenant was to be compensated.

Amendment proposed, to add, after the word "buildings," in line 1, the words "and the formation of silos."—(*Mr. J. Howard.*)

Question proposed, "That those words be there added."

Mr. STORER said, he did not think there was any necessity for this Amendment, because at present silos were quite experimental.

Mr. DODSON said, he thought the question of silos was not proper to the first line of the Schedule, and that it would be better to move it at the end of Part I.

Amendment, by leave, *withdrawn.*

Mr. JAMES HOWARD said, he believed silos were destined to bring about a very important change in the agricultural interest, and that it was absolutely necessary to make provision for them. Seeing that the consent of the landlord was necessary to their formation, he trusted the Committee would assent to their being included in the Schedule, and he would now move the Amendment he had just withdrawn at the end of Part I.

Amendment proposed, in Schedule, at the end of Part I., to add the words "formation of silos."—(*Mr. J. Howard.*)

Question proposed, "That those words be there added."

Mr. DODSON hoped the Committee would not occupy a long time in discussing this. So far as he was concerned, if an enterprizing tenant wished to farm silos, and the owner consented, he did not see why he should not be entitled to do so. He was perfectly willing to accept the Amendment.

Question put, and *agreed to.*

Sir BALDWYN LEIGHTON said, he proposed to add, at the end of 1st Part—"(13.) Embankments and sluices against floods." He did not wish to take up time unnecessarily, if the right hon. Gentleman had considered this sufficiently; if not, he was quite ready to explain why he introduced it.

Amendment proposed, in Schedule 1, Part I., at end, to add—"(13.) Embankments and sluices against floods."

Question proposed, "That those words be there added."

Mr. DODSON said, he would accept the Amendment.

Question put, and *agreed to.*

Mr. JAMES HOWARD wished to add to the Schedule the planting of fruit. If it was necessary to provide compensation, then it was necessary to include this item, for in many districts it was an important industry. What he wished to include was bush fruit and currant trees, such as were not included in the term "orchard." He had looked through the Schedule, and failed to see that any provision of the kind was made. Agriculturists were constantly exhorted to increase the production of fruit, and in some of the Southern and Western counties, it was a considerable item, and he hoped the Committee would see the importance of it.

Amendment proposed, at end of Schedule, to add "planting of fruit-trees."—(*Mr. J. Howard.*)

Question proposed, "That those words be there added."

Mr. DODSON said, he should have though this was unnecessary, because he should consider it was included in the "planting of orchards or making of gardens;" but if there was any doubt about that, if "orchard" could be held to be confined to any particular kind of tree, he did not see any objection to the Amendment.

Mr. STORER said, if the words "and fruit trees," were inserted after "orchards," that would meet the case.

Mr. PEMBERTON asked, did the hon. Member mean to include every kind of tree—"gooseberries," for instance; and, if so, why should "strawberries" be left out? He suggested to the hon. Member for Bedfordshire that the words should be "cranberries, strawberries, raspberries, gooseberries, or any other berries."

Question put, and *negatived.*

Mr. DUCKHAM said, the Committee had provided for the making of fences; but there was a heavy item sometimes for the removal of old hedge-rows. It was desirable also to provide for the removal of boulders and rocks, which sometimes occasioned a heavy outlay; this ought to be added to the Schedule.

PART II.

Improvements in respect of which Notice to Landlord is not required.

Mr. STORER said, the object of the Amendment he had placed on the Paper was to allow drainage when not costing more than £20 to come under Part I. of the Schedule. He did not insist on the particular figure of £20—perhaps £10 would do; the object being that the tenant should not drain without the sanction of the landlord. In many parts of the country it was the custom for landlord and tenant to do the work between them, the landlord finding the tiles and the tenant putting them in, but subject to the supervision of the landlord or someone appointed by him. He had known drainage work done by a tenant in an inferior manner, but in such a manner that no valuer, when the tenant went out, could tell whether it was well done or not. He hoped the Government would accept the Amendment. It seemed to be the general opinion that a tenant should not be allowed to drain any land indiscriminately without the consent of the landlord; but the tenant would, under the Amendment, be allowed to do anything to the extent of £20, and this was only reasonable, because it might be necessary to repair a drain or outfall quickly, and this might be required to be done almost before the consent of the landlord could be obtained.

Amendment proposed, in page 12, line 18, to leave out Part II., and insert "Drainage where the total sum expended amounts to more than twenty pounds."—(*Mr. Storer.*)

Question proposed, "That Part II. stand part of the Schedule."

MR. A. J. BALFOUR said, he should have been tempted to vote with the hon. Member had the Bill remained in the same condition in which it had entered Committee; but protection had been given the landlord by two Amendments which had been inserted—the one, the Amendment to the 1st clause which he had moved, and which he understood the Government would endeavour to dispose of at another stage; and, in the second place, there was the protection of the rate of interest the landlord might charge if he did the work himself. As the Bill was brought in, the tenant could do the work himself or compel the landlord to do it; but now a landlord, if he disapproved of the system the tenant meant to adopt, would be at liberty to do it in his own way, and to charge a rate of interest to the tenant for so doing. The landlord, therefore, would be sufficiently protected, and he hoped the hon. Member would not press his Amendment to a Division.

MR. DODSON said, he would not follow the hon. Gentleman into his argument; but he must not suppose he admitted what was said because he did not controvert it now. The whole of this question was amply discussed on Clause 4, and he hoped the hon. Member would not insist upon the Committee going over the same ground again; and, in fact, it appeared to him it would not be in Order to do so.

SIR BALDWYN LEIGHTON said, it appeared to him that, under the circumstances, Part II. was absolutely necessary; and he appealed to his hon. Friend not to press his Amendment, as otherwise he should support the Government clause as it stood, if it came to a vote.

Amendment, by leave, *withdrawn.*

PART III.

IMPROVEMENTS TO WHICH CONSENT OF LANDLORD IS NOT REQUIRED.

MR. STORER said, his next Amendment was directed to a practical object, and it was, he thought, quite necessary. The hon. and learned Member for Bridport moved an Amendment something of the same nature earlier, but withdrew it because it could be dealt with in the Schedule. The Amendment was merely to secure the landlord from paying for manure of a worthless character, such as artificial manure often was, and in this direction it would serve as a guide to the valuer.

Amendment proposed, in page 12, line 31, after "manure," insert "of fully and generally recognized value."—(*Mr. Storer.*)

Question proposed, "That those words be there inserted."

MR. DODSON said, to insert this Amendment would be to needlessly encumber the Act with words that would have no force in them for the protection of the landlord. If manure was to be paid for according to its value, it was obvious the valuer would have to ascertain if it was of good value.

MR. STORER said, he thought it extremely necessary to have that pointed out. It was very well known in business that quantities of valueless artificial manures were palmed off upon tenants, and valuers ought to be made aware of that; it would strengthen their case.

Question put, and *negatived.*

Mr. STORER said, the addition which he next had to propose was necessary in relation to consumption by animals of feeding stuffs not produced on the holding, and, without it, a tenant might be unfairly treated. It was obvious that feeding stuffs might pass through horses on the holding as well as through cattle, sheep, or pigs. Many farmers devoted themselves very much to the breeding and rearing of horses for sale, and it seemed only right that this should be taken into consideration in reference to unexhausted improvements.

Amendment proposed, in page 12, line 32, after "by," insert "horses."—(*Mr. Storer.*)

Question proposed, "That the word 'horses' be there inserted."

Mr. CHAPLIN said, he hoped his hon. Friend would not press this Amendment, and he would tell him why. Under the Schedule "corn" was included. It was undoubtedly among the feeding stuffs for which compensation was to be given, and though a farmer might keep many horses, he might keep them for other purposes than those of the farm. Farmers sometimes kept hunters and carriage horses. That being so, it was impossible to discriminate between the classes of horses consuming the food, and it would be unreasonable to give compensation in respect to horses kept for luxury only. Under the Lincolnshire custom corn was carefully excluded in the Schedule, for the very reason that horses were liable to be used in that way.

Mr. JAMES HOWARD said, he should support the Amendment. In the Fen country during the winter months a farmer would often have one yard filled with young cart horses, and another with bullocks. It appeared to him most unjust that the referee called upon to value the improvements on the holding should take into consideration the corn, the cake, and other things consumed by the bullocks, and not take into account the same feeding stuffs consumed by these growing horses. He was surprised to hear the hon. Member for Mid Lincolnshire (Mr. Chaplin) take exception to the Amendment, knowing the great interest in the breeding of horses taken by his county. The breeding and rearing of cart horses was becoming a very important industry, and large numbers were being exported, and every encouragement should be given to the pursuit. He hoped the hon. Member, with faith in the justice of the provision, would press the Amendment to a Division.

Mr. CROPPER said, he thought it would be a great absurdity to make a charge on account of keep for horses kept for luxury, or which were let out for hire in carts or waggons, and all such would come in under the Amendment.

Mr. J. W. BARCLAY said, the fact was that the corn consumed on the farm by horses was produced on the farm.

Question put.

The Committee *divided*:—Ayes 32; Noes 104: Majority 72.—(Div. List, No. 239.)

Sir HUSSEY VIVIAN said, in the absence of his hon. Friend (Mr. Charles Phipps) he would move the Amendment standing in his name. As many hon. Members would know, at present a very large quantity of milk was often sold from the dairy on a farm. In former days cheese was made and the whey was given to the pigs, so that the farm benefited largely by the produce of this consumption of corn and cake by the cows. But when the milk was sold off the farm, the farm was deprived of that produce. It was, therefore, a question whether a landlord should be called upon to compensate for the consumption by milk cows whose produce was sold off the farm.

Amendment proposed, in page 12, line 32, after "cattle," insert "other than cows in milk."—(*Sir Hussey Vivian.*)

Question proposed, "That those words be there inserted."

Mr. DODSON said, he felt some difficulty in dealing with this Amendment. He did not see how the Amendment could be made applicable to mixed farms, farms not dairy farms, but where a tenant kept cattle, sheep, and pigs, and among the animals a certain number of cows. How was anyone to determine the extent and proportion of the consumption by cows? He should think the case would probably be this. If the land was to be perpetually "dairied," which was an exhaustive process, that would be a matter considered in adjusting the rent; or, if not, there could be some agreement by which the tenant, in consideration of this, would be liable to bring back manure, and if the tenant claimed compensation, the owner would have a set-off under Clause 6. He did not see his way to accept the Amendment; but he did not wish to pronounce dogmatically on the subject, for he had had no experience of land perpetually "dairied" in that way.

MR. STORER said, the Amendment, if accepted, would be another robbery of the tenant in addition to that just perpetrated.

MR. DUCKHAM said, if the Schedule included a scale of compensation, then it would be desirable to consider the Amendment proposed; but it would certainly be a matter for the valuer and for arbitration in valuing the manure made from different kinds of animals. If on a dairy farm, where all the milk was sold off, which was very impoverishing to the land, it would be known there was very little benefit to the land from the consumption of feeding stuffs, and the valuation would be made accordingly. The Amendment was quite unnecessary.

Amendment, by leave, *withdrawn.*

MR. STORER said, he wished to have corn and maize added to the Schedule after "cake," unless he was assured by the right hon. Gentleman these articles were covered by the words "other feeding stuffs." Hitherto corn had not been allowed for, but when, as now, it was at a low price, it was largely purchased for feeding stock.

Amendment proposed, in page 12, line 32, after "cake," insert "corn, maize."—(*Mr. Storer.*)

Question proposed, "That those words be there inserted."

MR. DODSON said, these words were included under the general term "feeding stuffs."

MR. STORER said, that was what he wished to elicit, and he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

MR. STORER said, he had another Amendment which completed the series. It was necessary that the valuer should be satisfied that the purchases were actually used for feeding purposes. Vouchers might be produced for the purchase, but the grain bought might have been used for seed or other purposes.

Amendment proposed, in page 12, line 33, after "holding," insert "and bonâ fide purchased and used for feeding purposes only."—(*Mr. Storer.*)

Question proposed, "That those words be there inserted."

MR. DODSON said, the words appeared to him to be wholly unnecessary. The words in the Schedule dealt with the consumption of feeding stuffs on the holding, and to add to that "used for feeding purposes only" was mere repetition. The *bonâ fide* purchase was a matter the valuer would have to see to.

MR. CHAPLIN said, there was some necessity for some words of the kind, seeing that now in the feeding stuffs for which compensation was to be given corn would be included, for undoubtedly the door was opened to a good deal of fraud. Take the case of a tenant who was dishonestly inclined and about to leave his farm, it would be impossible for the valuer to place any check on the amount claimed to be consumed. The hon. Member supplied an admirable argument against his first Amendment when he said if they give compensation for corn they must insist on it having been used for food and not used for seed or sold by the farmer. What was to prevent a farmer exchanging corn with another, all purchased and not produced on the farm, who was to say what was used on the holding? He doubted whether corn should not be excepted altogether, and he still reserved the right, if upon consideration he thought it right to do so, to move its omission on Report. It would be wise to accept some such words as were proposed by the Amendment.

MR. J. W. BARCLAY said, if corn were purchased among feeding stuffs and no corn was ground on the holding, assuredly it must be used for feeding purposes.

MR. TOMLINSON said, there still might be some doubt which words such as these would remove.

SIR THOMAS ACLAND said, fraudulent transactions might arise in connection with cake and any other feeding stuff.

MR. JAMES HOWARD said, this must be left to the judgment of the arbitrator. As to what the hon. Member for Mid Lincolnshire (Mr. Chaplin) said as to the elimination of corn from the feeding stuffs and the Lincolnshire custom, some two years ago, in discussing the hon. Member's own Bill, one of the principal farmers of that county had written to him (Mr. Howard) to say how unsatisfactory it was to the farmers of Lincolnshire that they were not allowed for corn, for when barley was so low in price it was a good deal used instead of cake, and it seemed unjust that those who purchased foreign cake were compensated for its consumption, while those who purchased home-grown corn were not.

MR. CHAPLIN said, he would ask the hon. Member whether he agreed that this compensation for corn did open the door to fraud? It undoubtedly would to an enormous extent. He knew perfectly well the gentleman to whom the hon. Member had referred, and he had often discussed the subject with him; but the view was far from being that of the Lincolnshire farmers, and the gentleman in question acknowledged the opinion was confined to himself. He owned a farm growing very little else than corn, and stood, therefore, in a very exceptional position.

COLONEL RUGGLES-BRISE said, he quite agreed with his hon. Friend that there might be instances of fraud; but the valuer, if he suspected any dishonesty, would look into the matter and examine witnesses. Such frauds required collusion, and strict inquiry would prevent it being carried on any considerable extent.

MR. JAMES HOWARD said, he did not wish to prolong the debate; but as he had been directly appealed to, he would say if a man was inclined to be a rogue in such matters, he could as easily exercise his roguery in reference to cake as to corn; but it would not be difficult to detect such roguery.

MR. STORER said, he fully understood that state of things, and his Amendment applied to all feeding stuffs. With the same object with which he moved his Amendment in reference to the value of manure, so here he wished to insert the words as a guide to the valuer. The valuer would have to take care there was no fraud. The hon. Member for Mid Lincolnshire justly said it was necessary to have some few words of this kind to guard the landlord against being imposed upon, making it absolutely necessary for the valuer to see that the corn was properly applied. It was very easy for a farmer to buy corn expressly for feeding purposes.

Question put, and *negatived.*

MR. WAUGH moved, in page 12, after line 32, to insert—

PART IV.

LEVYING DISTRESS.

"Three per centum on any sum exceeding £20 and not exceeding £50. Two and a half per centum on any sum exceeding £50. To bailiff for levy, £1 1*s.* 0*d.* To man in possession if boarded, 3*s.* 6*d.* per day; if not boarded 5*s.* per day. For advertisements the sum actually paid. To auctioneer—for sale, five pounds per centum on the sum realised not exceeding £100, and four per centum on any additional sum realised not exceeding £100, and on any sum exceeding £200 three per centum. A fraction of £1 to be in all cases considered £1. Reasonable costs and charges where distress is withdrawn or where no sale takes place, and for negotiations between landlord and tenant respecting the distress; such costs and charges, in case the parties differ, to be taxed by the Registrar of the County Court of the district in which the distress is made."

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the Government would assent to this for the present, holding themselves free to consider further upon Report.

Question put, and *agreed to.*

Bill *reported;* as amended, to be considered *To-morrow.*

FRIENDLY, &c. SOCIETIES (NOMINATIONS) BILL.—[BILL 246.]

(*Mr. Stuart-Wortley, Mr. Burt, Mr. Albert Grey, Mr. Northcote.*)

THIRD READING.

Order for Third Reading read, and *discharged.*

Bill *re-committed.*

Considered in Committee.

(In the Committee.)

Clause 1 (Extent and short title of the Act).

Amendment proposed, in page 1, line 19, leave out "nine," and insert "ten."—(*Mr. Hibbert.*)

Question proposed, "That the word 'nine' stand part of the Clause."

MR. BIGGAR moved to report Progaess. He did not object to going into Committee on the Bill; but his hon. Friend the Member for Cork (Mr. Parnell), had telegraphed to him asking what stage the Bill had reached and intimating that he was interested in an Amendment which he was anxious to bring forward, and he hoped to be in his place on Thursday. He (Mr. Biggar) was unable to put forward the reasons and arguments of his hon. Friend; but he simply asked the hon. Gentleman in charge of the Bill to consent to a postponement to Thursday.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

MR. STUART-WORTLEY said, he hoped the Committee would not consent to the Motion. It would be rather hard upon the promoters of the Bill that they should, after waiting for this, the last Order of the Day, postpone it, simply because the hon. Member for Cork did not find it worth his while to attend. The Motion for re-committal was duly given Notice of, and it was well known it was coming on.

MR. HEALY said, he did not think the hon. Gentleman would lose anything by assenting to the Motion. It was an unusual request he was aware, and he quite agreed that an hon. Member should be in his place when a Bill was called on in which he was interested. But an unusual course had been taken with the Bill, and Committee Amendments had been put down when the Bill had reached the stage of third reading. Why that should be done he did not understand. Amendments had been put down which hon. Members had not had an opportunity of seeing; and his hon. Friend might not have supposed that Amendments would be introduced when third reading was put down, so the request was not altogether unreasonable. The slight delay would not hinder the ultimate passage of the Bill; and the hon. Gentleman might accord this courtesy to the hon. Member for the City of Cork.

MR. COURTNEY said, of course, the determination of this question rested with the hon. Member for Sheffield (Mr. Stuart-Wortley); but he thought the latter had fair reason to complain of the stopping of the Bill now. The Amendments had been on the Paper for a week; and, as Members were well aware, the Bill, in its various stages, had been discussed, and had been a long time before the House. If the hon. Member for Sheffield consented, he should not object; but he thought a very slight case indeed had been made out for postponement.

MR. BIGGAR said, he had only that afternoon received a telegram from his hon. Friend asking what stage the Bill had reached; and he had wired back that it was down for third reading; and all he could do was to try to get it postponed to Thursday, when his hon. Friend would be present. He (Mr. Parnell) was interested in an Amendment in reference to some Savings Bank in Cork; and all that was asked was that he should have the opportunity of putting forward his views. If the hon. Member for the City of Cork should not attend on Thursday, no obstacle would be placed in the way of the Bill going through its remaining stages; and nothing would be lost by this, for if the Bill went through Committee to-night the Report stage would still have to be deferred to Thursday.

MR. STUART-WORTLEY said, the question was between the convenience of the Committee, the hon. Member for the City of Cork, and himself; and, without wishing in the slightest degree to be discourteous to the hon. Member for the City of Cork, he must point out that to postpone the Bill at all would be to postpone it for a fortnight, for he should not be able to be present for that time. It was most important in the conduct of the Bill to take the Committee stage at once; and the convenience of Members who were present when the Bill was known to be coming on ought to be considered before that of a Member who was absent.

MR. HEALY said, if the hon. Member carried the Bill through the present stage, he could not take the Report stage until Thursday, because his hon. and faithful Friend the Member for Cavan (Mr. Biggar) would block the Bill at once with a Notice. In point of fact, the hon. Member would be no farther advanced. There was reason, of course, in what he said—that the hon. Member for the City of Cork should be present if he had Amendments to move; but this request was urged merely as a matter of courtesy. In the absence of the hon. Member for Sheffield on Thursday, another of the Gentlemen whose names were on the back of the Bill might take charge of it.

MR. R. N. FOWLER said, he believed it was the duty of every Member to be present when the House was sitting; and it was no reason for postponing Business that an eminent Member of the House was away.

MR. BIGGAR said, he did not wish to be unreasonable, and he would not press the matter further. He would telegraph to his hon. Friend that the Report stage would be taken on Thursday, and would urge him to be in his place then.

Motion, by leave, *withdrawn.*

Question put, and *negatived.*

Amendment *agreed to.*

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 2 (Definition of Terms).

On the Motion of Mr. STUART-WORTLEY, Amendments made, in page 1, by leaving out lines 26 and 27; in page 2, by leaving out line 7; and in line 19, after "Bank," by inserting "or of a Trustee Savings Bank Insurance."

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 3 (38 & 39 Vict. c. 60. s. 15 (3), (4), 39 & 40 Vict. c. 45. s. 11 (5), (6), 39 & 40 Vict. c. 35. s. 10, 26 & 27 Vict. c. 87. ss. 41 to 43, and 45 & 46 Vict. c. 51. s. 6 (e), extended to sums not over £100).

On the Motion of Mr. STUART-WORTLEY, Amendment made, in page 2, line 28, after "1863," by inserting—

"Section ten of an Act passed in the seventh and eight years of the reign of Her present Majesty intituled 'An Act to amend the law relating to Savings Banks, and to the purchase of Government Annuities through the medium of Savings Banks.'"

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 4 (How a nomination may be made) *agreed to.*

Clause 5 (Nominations by savings bank depositors).

On the Motion of Mr. TOMLINSON, Amendment made, in page 2, line 27, by leaving out "to" and inserting "be."

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 6 (In 39 & 40 Vict. c. 45, s. 11 (5), (6), shares and interest extended to loans and deposits) *agreed to.*

Clause 7 (Provisions in case of intestacy and no nomination) *agreed to.*

Clause 8 (Provision for illegitimacy).

On the Motion of Mr. STUART-WORTLEY, Amendment made, in page 3, line 27, by leaving out "may" to "approve" in line 30.

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 9 (Payments made by directors under the power above given).

On the Motion of Mr. STUART-WORTLEY, Amendments made, in page 3, line 40, by leaving out "without prejudice to the remedy of;" and, in page 3, lines 41 and 42, by leaving out from "claimant" to end of Clause, and inserting—

"Shall have remedy for recovery of such money, so paid as aforesaid, against the person or persons who shall have received the same."

Clause, as amended, *agreed to,* and *ordered* to stand part of the Bill.

Clause 10 (Directors to give notice of interest nominated over £50 to the Commissioners of Inland Revenue).

On the Motion of Mr. STUART-WORTLEY, Amendment made, in page 4, line 5, by leaving out "or her."

On the Motion of Mr. TOMLINSON, Amendment made, in page 4, line 5, after the second "any," by inserting "society or."

Amendment proposed, in page 4, line 11, after "of," by inserting "probate or letters of administration or."—(*Mr. Stuart-Wortley.*)

Question proposed, "That those words be there inserted."

MR. COURTNEY said, he could not assent to this Amendment. It would take away a necessary defence of the Revenue in requiring, before a claim was made good, that the Trustees should require a stamped registered Legacy Duty receipt.

MR. STUART-WORTLEY said, it would not take away the protection to the Revenue, and the same arrangement was made in the Savings Bank Act.

The alternative was left; and it appeared to him that the production of the probate or letters of administration ought to be sufficient proof that it was the right person; and the fact of the probate having been given ought to be sufficient security that the Inland Revenue had been dealt with.

MR. TOMLINSON said, that a person taking out probate had the right to receive the money. If a rich person took it out, the fund to which he would go for expenses was the balance at the banker's; and he could not see why, when a person was in comparatively poor circumstances, an altogether different system should be enacted.

MR. WHITLEY said, he thought the Revenue was abundantly guarded by the alternative of legacy receipt or probate; and he did not see why the smaller cases should be dealt with under a different law.

Question put.

The Committee *divided:*—Ayes 14; Noes 23: Majority 9. — (Div. List, No. 230.)

On the Motion of Mr. STUART-WORTLEY, Amendment made, in page 4, line 25, after "making," by inserting "any."

Clause, as amended, *agreed to*, and *ordered* to stand part of the Bill.

MR. HIBBERT proposed, after Clause 10, to add the following new Clause:—

(Island of Jersey.)

"As respects the Island of Jersey, the following provision shall have effect. When any sum of money becomes payable on the death of a member, such sum shall, in default of any direction or nomination such as is contemplated by 'The Friendly Societies Act 1875,' or by this Act, be paid to the deceased member's legal representative according to the Law of Jersey."

New Clause (Island of Jersey)—(*Mr. Hibbert,*)—*brought up*, and read the first time.

Motion made, and Question, "That the Clause be now read a second time," put, and *agreed to.*

Clause *added* to the Bill.

Bill *reported.*

Motion made, and Question proposed, "That the Bill, as amended, be now taken into Consideration."—(*Mr. Stuart-Wortley.*)

MR. BIGGAR said, he thought this was unreasonable under the circumstances, seeing, as he had already stated, his hon. Friend the Member for Cork City (Mr. Parnell) had said he was specially interested in the Bill, as representing one of the largest Savings Banks in Ireland at Cork. He must protest against this stage of the Bill being taken before Thursday.

MR. COURTNEY hoped the hon. Member would consent to the Bill being put down for consideration of Report on Thursday.

Motion, by leave, *withdrawn.*

Bill, as amended, to be considered on *Thursday.*

PARLIAMENT—ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."—(*Lord Richard Grosvenor.*)

SIR CHARLES W. DILKE said, with reference to a statement made earlier in the evening, that Irish Estimates would be taken on Thursday, and Education Estimates on Monday, he had to say that in consequence of communications which had passed in the course of the evening, it had been found that it would be more convenient to change that course, and not to take Irish Votes on Thursday, but to begin with the English and Scotch Education Vote on that day. It would also be necessary to take a Vote on Account for Services for which money was urgently required.

Motion *agreed to.*

House adjourned at half after Two o'clock.

HOUSE OF COMMONS,

Wednesday, 25th July, 1883.

MINUTES.] — PUBLIC BILLS — *Committee* — Agricultural Holdings (Scotland) [190] [*First Night*]—R.P.

Committee (*on re-comm.*)—*Report*—Agricultural Holdings (England) * [272].

Considered as amended—Electric Lighting Provisional Orders (No. 7) [229]; Electric Lighting Provisional Orders (No. 9) * [238]; Electric Lighting Provisional Orders (No. 10) * [249].

Third Reading—Electric Lighting Provisional Orders (No. 1) [216]; Electric Lighting Provisional Orders (No. 4) * [223]; Electric Lighting Provisional Orders (No. 6) * [227]; Electric Lighting Provisional Orders (No. 11) * [250]; Consolidated Fund (No. 4),* and *passed.*

Withdrawn — Marine Policies (Collisions) * [245]; Patents for Inventions (No. 2) * [83].

ORDERS OF THE DAY.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 1) BILL.—[Bill 216.]

(*Mr. John Holms, Mr. Chamberlain.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Sir GEORGE CAMPBELL said, he did not wish to oppose the third reading of this Bill. The Bill had been referred to a Hybrid Committee, and it had now come down to the House upon the responsibility of that Committee. He wished, however, to point out that the Report of the Committee had not yet been printed, and that there were no means of discovering what Amendments had been made in the Bills, which had, in the end, been treated as unopposed measures. It was not possible, therefore, to ascertain what understanding had been come to between the promoters and the opponents, and what the terms and provisions were of the Bills which the House was now called upon to pass as unopposed Bills. So far as the interests of the public were concerned, it was quite clear that the House was called upon to pass these Provisional Orders without possessing any complete or adequate knowledge in regard to them. It was quite true that they had been before the Hybrid Committee upstairs, and before the Chairman of the Committee of Ways and Means, as unopposed Bills; and he supposed that these authorities were to be held responsible for having paid due regard to the interests of the general public. What he wanted to point out, however, was that, by the various Electric Lighting Bills now before the House, about one-half of the Metropolis and of the adjacent suburbs were to be handed over to a Company called the Metropolitan Brush Company. The other day he had referred to the small amount of capital which this Company possessed. He was not very well versed in City matters, and he had looked in vain for any quotation of the shares of the Company in the ordinary *Share List*. On making further inquiry he had discovered that the Metropolitan Brush Company had a nominal capital of £100,000, of which three-fifths, or £60,000, had been paid up. But he was told that the purchase and promotion money, and one thing and another, had run away with almost the whole of the money which had been raised. According to a not very new *Price List*, these £3 shares were selling in the City for a very few shillings. Nevertheless, it was to such a Company that one-half of the Metropolis was about to be handed over. He could only presume that the Board of Trade and the Chairman of Committees, notwithstanding that the Bill was unopposed, had satisfied themselves that the public interests would not suffer. Without further opposing the present Bill, he would content himself with having called attention to the position of the Metropolitan Brush Company.

Motion *agreed to*.

Bill read the third time, and *passed*.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 7) BILL.—[Bill 229.]

(*Mr. John Holms, Mr. Chamberlain.*)

CONSIDERATION.

Motion made, and Question proposed, "That the Bill be now considered."

Sir GEORGE CAMPBELL said, he wished to enter a protest against the Electric Lighting Company to which this Bill applied being allowed to hawk the Provisional Orders they had obtained under them for sale. If they failed to carry out the powers entrusted to them, those powers ought to cease to have any effect.

Mr. W. H. SMITH said, there was a considerable number of these Provisional Order Bills on the Table at the present moment, and the bulk of them was simply appalling. Consequently, very little was to be gained by sending them round to Members, because it was utterly impossible for Members to inform themselves as to the nature of their contents. He believed they ought to be accompanied by some sort of summary or abstract, by which Members could make themselves acquainted with their provisions. At present, with the greatest desire to do their duty towards their constituents and the country at large, it was impossible for any Member to acquaint himself with the nature of the legislation now going on in this direction. He thought there ought to be some method by which the Board of Trade, which devoted itself to the carrying out of this extensive scheme of legislation, should be able to afford to Members of the House the power of understanding it. At present, the Bills were enshrouded in such a vast amount of verbiage that it was out of the power of any Member to do his duty to his constituents.

GENERAL SIR GEORGE BALFOUR said, there was one point in regard to which he had protested both to the Secretary and the Assistant Secretary of the Board of Trade—namely, the practice of lumping a number of these Provisional Orders in one Bill. Some time ago, he had occasion to apply for a Provisional Order relating to the construction of a harbour in his own county, and he found it necessary to obtain a Bill which contained a number of Orders dealing with different localities. In the Local Government Office and the Home Office, it was the practice to issue each Provisional Order separately. This prevented confusion, and was greatly for the convenience of the public. He trusted that, in future, a similar course would be adopted by the Board of Trade. It would have the effect of materially reducing the cost of these bulky volumes, and the public would be able to get for 2*d.* what they were now required to pay 5*s.* or 10*s.* for. He trusted that some attention would be paid to this appeal, and that, in future, a large number of Provisional Orders would not be lumped together in one huge volume. He believed that the present practice had been strongly objected to by the President of the Board of Trade when he was out of Office; but, unfortunately, hon. Members, when they found themselves in power, soon forgot all they had been in the habit of doing when they were out of Office.

COLONEL MAKINS wished to indorse the remarks which had been made by the hon. and gallant Member opposite. At present, a number of Provisional Orders were made up into one Bill, and each Bill contained eight or nine different Orders. There was one page at the beginning of the Bill which applied to the whole of the Orders; but any person only interested in one of the Orders was required at present to pay 3*s.* 6*d.* for the entire Bill, the first page of which only was common to the whole number. He had been in communication with the right hon. Gentleman the President of the Board of Trade upon the subject; and he understood from the right hon. Gentleman that the question was one for the consideration of the House, being altogether a question of printing. The right hon. Gentleman added that he would make inquiries into the matter. He was not aware whether the right hon. Gentleman had had an opportunity of looking into it; but he could assure the right hon. Gentleman that it was not a small question to many of his (Colonel Makins's) constituents. Numerous persons who were interested in these Orders had asked him why they should be compelled to buy a bulky volume containing a large number of Provisional Orders, when there was only one of them in which they took the slightest interest. It might be considered a very little matter by the Board of Trade; but it was not so regarded by the public.

MR. CHAMBERLAIN said, he was sorry he was not in the House when the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) made his remarks. The right hon. Gentleman had been good enough to speak to him some time ago, and he had then stated that he would inquire into the matter, and let the right hon. Gentleman know the result. In accordance with that promise he had made an inquiry into the subject, and he had received a Minute explaining the reason why these Orders were included together in one Bill, and the difficulty there would be in separating them as was suggested. The Minute suggested a way by which separate Bills might be obtained at a small cost. He should be glad to give the right hon. Gentleman any information on the point that he might desire to possess, and he believed that he would find everything satisfactory.

Motion *agreed to.*

Bill *considered.*

PARLIAMENT—BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

MR. GLADSTONE: With regard to the course of Public Business for to-morrow and Friday, it may, perhaps, be convenient that I should state what we propose in the matter. It not having been found convenient to hon. Gentlemen connected with Ireland that the Irish Votes should be taken to-morrow in accordance with the previous arrangement, it has been arranged that my right hon. Friend the Vice President of the Committee on Education will bring forward the Education Vote the first thing to-morrow. Should there be time, we propose also to take some additional English and Scotch Votes, and we must ask the House, likewise, to give us a further Vote on Account for three weeks, or some such short period, in order that the Public Service of the country may be carried on without inconvenience. Then I wish to make an appeal to those hon. Members who have Motions standing upon the Paper for Friday night. The hon. Member for Stafford (Mr. Salt), who has a Motion relating to education standing upon the Paper for that night, will probably find it convenient to state his views on the subject when the Education Vote is under discussion to-morrow night. With regard to the other hon. Members who have Motions on the Paper for Friday night, I am inclined to believe that those hon. Members will make no difficulty of withdrawing them, because their doing so will be of great convenience and advantage to the House, inasmuch as it will enable the Agricultural Holdings (England) Bill to be taken on Friday evening, and thus they would advance the entrance of that measure into the House of Lords. This is as far as regards to-morrow and Friday. When the House meets to-morrow, I will state what day I propose to set apart for the discussion of the Motion of the right hon. Baronet the Member for North Devon on the subject of the Suez Canal Company.

Mr. GORST asked whether the right hon. Gentleman could now state what day the Government proposed to give to enable the House to express its opinion on the present condition of the Transvaal? The Government was under a pledge to give a day for the discussion of that subject.

Mr. GLADSTONE: It is quite true that the Government are under a pledge to the House to afford an opportunity for the discussion of the subject to which the hon. and learned Member refers. We shall be able to state what day we propose to set apart for the purpose when the Agricultural Holdings Bills have got through Committee. I may also state that we adhere to our intention with regard to Friday at 2 o'clock, which has been pre-engaged for the discussion of the subject of the Indian contribution towards the expenses of the Army in Egypt.

Sir STAFFORD NORTHCOTE: I hope what the right hon. Gentleman has said will be considered by my hon. Friend the Member for Stafford (Mr. Salt); but I am aware that the Motion is one to which he attaches very great interest, and in which a great deal of interest is taken in many different parts of the House, as well as outside; and I very much doubt whether it will be possible for him to bring forward that Motion on the discussion of the Education Estimates. Therefore, although I cannot speak for him, I cannot accept positively the suggestion of the right hon. Gentleman that he will be prepared to give up the opportunity of bringing on his Motion on Friday night. I think we can hardly expect to come, at the present moment, to any settlement as to the Business for next week, especially after the doubt I have suggested as to the course that may be taken by my hon. Friend the Member for Stafford; but I hope the right hon. Gentleman will be able, if not now, at all events to-morrow, to tell us on what day the Motion of which I have given Notice as to the Suez Canal will be brought under discussion.

Mr. GLADSTONE: I will state that to-morrow, as I engaged to do yesterday.

Mr. A. ELLIOT: I should like to ask whether, supposing we do not get through the Scotch Bill to-day, it is proposed to go on with the Report on the English Bill before the Scotch Bill has passed through Committee?

Mr. GLADSTONE: No doubt, other things being equal, it would be desirable to proceed with the Scotch Bill in the first place; but if, by the delaying a day in proceeding with the Scotch Bill, we can send the English Bill up to the House of Lords at once, it would be convenient for us to adopt that course.

Mr. J. LOWTHER: I do not know whether the right hon. Gentleman is in a position now to say anything with regard to the two or three other Bills respecting which he undertook to make an early announcement of the intentions of the Government.

MR. GLADSTONE said, he should reply to this question to-morrow.

MR. A. J. BALFOUR: I wish to point out that it would be very inconvenient to take the Report on the English Bill before finishing the Scotch Bill, because there are some questions affecting both that have still to come up for consideration. It is most important that they should be taken *pari passu.*

MR. ARTHUR ARNOLD: I beg to say that I am willing to postpone until next Session the Motion I have on the Paper for Friday night.

MR. WARTON: On what day will the right hon. Gentleman, in accordance with his promise, give us an opportunity to consider the advisability of continuing the experiment of the Grand Committees?

MR. GLADSTONE: There never was any engagement of that kind, and I fully explained the matter before. The engagement was that we should not make any proposal after the end of July, and we do not intend to make any proposal this year.

MR. WARTON: Then you have dropped it. Has the right hon. Gentleman recognized that the Grand Committees have been a failure?

MR. GLADSTONE: The hon. and learned Member must not put an entire metamorphosis—I might call it something else—into my mouth. I have already given full explanations on this subject, which I cannot always be repeating.

ORDER OF THE DAY.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL.—[BILL 190.]

(*The Lord Advocate, Mr. Solicitor General for Scotland.*)

COMMITTEE. [FIRST NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Compensation for Improvements.

Clause 1 (General right of tenant to compensation).

MR. J. W. BARCLAY moved, in page 1, line 6, to leave out, "made on his holding any improvement," and insert "improved his holding." The Amendment raised the very important question as to how compensation to tenants should be adjusted. According to the Bill as it now stood, it was proposed to compensate the tenants only in respect of certain improvements mentioned in the Schedule attached to the Bill. This was a mode of assessing improvements or giving compensation which would prove unsatisfactory both to landlords and to tenants. He was willing to admit that the compensation by Schedule would give a certain amount of compensation to tenants now in the occupation of farms who otherwise would not get any compensation whatever. Tenants in this position were justly entitled to compensation; but the effect of the Schedules would be that tenants who contemplated giving up their farms would gain a considerable advantage; while, with regard to those who contemplated carrying on their farms, he did not think the proposals of the Bill would be of any very substantial advantage. He did not think that compensations by means of Schedules would accomplish what was the principal aim of the Bill — namely, to improve the cultivation of the soil. Farmers had always contemplated that their improvements should be taken as a whole. The improvements in a holding could be much more easily judged, both to the incoming and outgoing tenant, if the general condition of the farm was taken into account. Tenants did not expect or ask for any compensation in respect of the increased value of the holding, other than was due to the improvements effected by them; and if the Amendment was carried he should propose to qualify it by a subsequent alteration—namely, to leave out at the end of the clause "the value of the improvement to an incoming tenant," and insert—

> "The increase of the letting value of the holding properly due to its improvement by such tenant."

The farmers of Scotland, so far as he believed, would be very willing to accept the proposal embodied in this Amendment as a settlement of the question of compensation for improvements for an indefinite period; but they could not regard compensation by Schedule as any settlement of the question; and the present Bill, so far from putting the relations between landlord and tenant on a proper, sound, and just foundation, could not be accepted by the tenant as any settlement of the question, and would only stimulate further agitation, with the view of placing the tenant on a fair and just relation towards the land he cultivated. He would have been glad to have accepted the Bill as a settlement of the question; but he warned the Committee that he believed the Bill would offer no settlement, and would not be accepted by the tenant as such. The Bill would only stimulate agitation to obtain by the tenants what would put them in a corresponding position to other classes of the community, who had the right of enjoying the whole benefit of any expenditure they made so far as the success of their enterprize justified.

Amendment proposed,

In page 1, line 6, to leave out the words "made on his holding any improvement," and insert the words "improved his holding."—(*Mr. J. W. Barclay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The LORD ADVOCATE (Mr. J. B. Balfour) said, he was sorry it was quite impossible for the Government to accept this Amendment. The matter had been very fully considered on the English Bill; and the principle adopted, both in the English and Scotch Bills, had been to define, by way of Schedule, the kind of improvements for which compensation should be given. The principle was fully discussed on the second reading, not only of the English Bill, but also of the Scotch Bill; and the reasons which led the Government to deliberately adopt the principle were then stated. He thought the action of the Government had been affirmed and approved by a majority of the House in the discussions in Committee on the English Bill. It had been pointed that to use such very general language as his hon. Friend (Mr. Barclay) proposed would be too indefinite and too vague, and would not give an opportunity either to the landlord or tenant of knowing what their relative rights were. He, therefore, could not accept the Amendment.

General Sir GEORGE BALFOUR earnestly desired the existing strife between the landlords and tenants to be put an end to; and, therefore, he hoped the Government would accept the Amendment of his hon. Friend. There was a great difference between the systems of agriculture in England and Scotland; and if the language proposed by the hon. Member was too vague, the Lord Advocate, who was a master of language, could easily put in words which would make the clause more definite. The only way the present relations between the landlords and tenants could be put a stop to would be by granting the request of the tenants; and this request could be acceded to without in any way doing anything which would be injurious to the landlords.

Sir ALEXANDER GORDON said, he hoped the Government would bear in mind, in referring to the distinctions between the English and Scotch Bills, that the English Bill dealt with yearly tenancies, while the Scotch Bill dealt with leases of 19 years, so that the arguments applicable to the English Bill would not in all cases be applicable to the Scotch Bill. He strongly supported the Amendment. They had been told more than once by the Government that they had a great horror of fixity of tenure and judicial rent; but, in the opinion of a large number of people in Scotland, the Government could not take a step more conducive to the bringing about of this result than to pass the Bill in its present form.

Sir HERBERT MAXWELL said, it was quite true there was a great difference between English and Scotch agriculture—that was Scottish agriculture was conducted under the system of leases, while the English was conducted under a system of yearly tenancies. The principal reason for a lease had been the security which it gave to the tenant for the outlay of his capital. That security being given by this Bill, it would no longer be necessary to give the tenant a lease, and he did not suppose the tenant would desire it. The tenant would be in no fear; and, therefore, he hoped the Committee would receive an early assurance from the Government that the Amendments on the Scotch Bill would be treated in the same spirit, as far as possible, as the Amendments on the English Bill. Such an assurance would very much shorten the criticism of the measure from the Opposition side of the House.

Mr. M'LAGAN agreed with the hon. Member for Forfarshire (Mr. Barclay) that it would be much better if they could do without Schedules in the Bill;

but if they did away with Schedules it would be necessary for them to have some authority to decide between the landlord and tenant. He was quite prepared to waive his own opinions on this subject. The House had decided by a large majority that the principle of this Bill should be compensation for improvements, the value of which should be to the incoming tenant; but he differed from the remark that the Bill would have no effect in the interests of the tenant. On the contrary, he thought it would be a great boon to the tenants. Many of the provisions of the Bill were such as to make the landlords look better after their own interests than they had done hitherto, and for both parties he thought this Bill would be a very great benefit. He would do all he could to support the Bill. As regarded the question of leases, he hoped the Government would take into account that the tenure of land in Scotland was different from what it was in England. The Government should bear in mind that Scottish agriculture had been built up upon the system of leases, and the superiority of that agriculture had depended very much upon leases; and nothing should be done in this Bill which would tend to do away with leases in Scotland.

Mr. BOLTON said, he hoped the Lord Advocate would not give way on this Amendment. The effect would be to enable a tenant, first of all, to obtain a lease, and then to obtain the value of his improvements.

Mr. RAMSAY said, he was sorry to find that strife between landlords and tenants had been alluded to by his hon. and gallant Friend (Sir George Balfour) as one of the reasons why the Amendment should be assented to. He had quite as much experience of those matters as his hon. and gallant Friend; and he had not known or heard of any such strife in the district, at all events, with which he was connected. He did not think there was any foundation for such a statement. He distinctly recognized the importance of the Government giving heed to the fact that the leasehold system was the system on which the management of agriculture in Scotland had hitherto been founded. If anything in the Bill tended to do away with the inducement to the tenant to take a lease, it would be one of the greatest evils to which Scotland could be exposed. He had a dread that the inducement to grant or to accept leases might hereafter be impaired by the operation of the Bill; and therefore he trusted that the Government would do what they could to perpetuate the existing system. He might mention that on one of the largest properties in Scotland, in consequence of the agitation that had taken place regarding the system of agriculture in Scotland, and the desire of a certain class of tenants, capitalists chiefly, to have this compensation provided, there had not been, for some years past, a single lease granted. The agitation, so far as it existed, and the strife, so far as it existed, was principally in connection with arable farms. It had not existed in pastoral districts; but it was a fact that farmers on arable land had been placed in years past at considerable disadvantage as compared with farmers on other lands. Not one-fifth of the whole area of Scotland was arable, and why should they deal with the question as if the whole of Scotland were arable? He could not see any good in legislating on such grounds. He hoped the Government would adhere to the terms of the Bill in this respect, and do nothing which would impair the inducements to grant and accept leases.

Mr. MACFARLANE suggested that the hon. Member for Forfarshire (Mr. Barclay) and his hon. Friends should cease arguing with the Government when the Government had once made up their minds. He (Mr. Macfarlane) had found it was perfectly useless to appeal to the Government, and thought the best thing they could now do was to argue the case out in the Division Lobby. He thought also that if the hon. Gentleman now took a Division, he would very likely, in the state of the Committee, carry his Amendment.

Mr. A. J. BALFOUR agreed with some of the remarks made in support of the Amendment. It was quite unnecessary to back up by artificial arrangements the leasehold system, because everyone knew that the leasehold system had conferred immense benefit on Scotland. He thought the custom of leases was so deeply ingrained in the habits of the agricultural population that neither the landlords nor tenants would part with it. It had been said that ill-feeling and strife existed between landlords and tenants; but he entirely denied the accuracy of the statement. Of course, there were farmers' meetings where these questions were discussed, and sometimes in rather a sharp manner; but the hon. and gallant Gentleman (Sir George Balfour) ought to know that there was nothing in the relations between the landlords and tenants in Scotland that deserved the name of strife. They lived together, generally speaking, in perfect harmony. He did not believe that the hon. Member for Forfarshire (Mr. Barclay) represented the tenant farmers in the least. He represented a certain Chamber of Agriculture; but when they considered the rights and feelings of the tenant farmers of Scotland as a whole, he could not for one moment accept, and he did not think the Government would do well to accept, the view that they were now called upon to bring forward legislation of a remedial character to allay animosity.

Dr. FARQUHARSON said, if the hon. Member for Forfarshire went to a Division, he would follow him into the Lobby, because he believed the Amendment would encourage the farmer, especially the smaller farmer, to do that which he was sorry to say he had not always done—namely, to farm high and energetically up to the termination of his lease. Under the Amendment the tenant would get compensation which was not acknowledged by the Bill, and that was for his skill and industry, as well as for his outlay in respect of machinery and improvements, which were not provided for in the Bill.

Mr. BAXTER agreed with much that had fallen from the hon. Member for Forfarshire; but he could not follow the hon. Gentleman into the Lobby, because he felt that if the Amendment were carried, it would be fatal to a Bill which he believed would be extremely useful. The Government measure, as a whole, would be of great benefit to the farmers and to the landlords as well. If they were to attempt to make it more stringent, it could not be carried in the House of Commons, far less in the Upper House of Parliament. He hoped that instead of employing their time in moving and supporting Amendments that were impossible, hon. Gentlemen who represented the farmers would devote their attention to trying to make the Bill a little better for the interests of the farmers than the English Bill.

Sir GEORGE CAMPBELL said, he thought that the hon. Member for Forfarshire should content himself with having obtained a moral victory. He hoped the hon. Member would not place them in a dilemma by asking them to go to a Division on any Amendment which would be fatal to the Bill.

Question put.

The Committee *divided*:—Ayes 102; Noes 26: Majority 76.—(Div. List, No. 231.)

Sir ALEXANDER GORDON proposed to omit, in page 1, line 9, the words "on quitting his holding." He said, the retention of these words would tend to injure, if not to prevent, the continuous tenure of farms which it was so desirable to encourage in Scotland. There were many cases in which leases were renewed three or four times, and some cases in which the same family had remained on one farm for 100 years. That was an advantage to the country, and an advantage to both the proprietor and the tenant, and such a system ought to be encouraged. These words were now inserted in the English Bill for the first time by the Government under the idea that they would benefit the tenant; but how that could be he could not understand. One objection to these words was that the landlord might be tempted to raise the rent, and might be tempted to take a new tenant, if the sitting tenant objected to pay the additional rent. The tenant could only claim compensation by giving notice to quit; and, therefore, the landlord was at liberty to get a new tenant at an increased rent. They discussed the matter at considerable length on the English Bill; and, therefore, he would not further trouble the Committee.

Amendment proposed, in page 1, line 9, to leave out the words "on quitting his holding."—(*Sir Alexander Gordon.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The LORD ADVOCATE (Mr. J. B. Balfour) said, it was quite impossible that this Amendment could be accepted. It raised a large question which had been already fully discussed more than once—namely, whether there should be a separate provision made in the case of the sitting tenant? The Government held—and he believed the House had adopted the same view—that, if not in expression, still in effect, there was ample protection given to the sitting tenant as the Bill stood. In reference to what the hon. and gallant Gentleman had said, he might say that the probabilities of the continuity of relations would not be improved by instituting an arbitration between landlord and tenant at the end of every tenancy; and the Amendment would not be likely to bring about what his hon. and gallant Friend desired—the perpetuation of leases in Scotland.

MR. J. W. BARCLAY said, the Committee were entitled to some further explanation of the grounds upon which the Government had inserted this clause in the Bill, introducing, as it did, a new and an additional condition, which was not in the Agricultural Holdings Act for England of 1875. The Lord Advocate had not referred to the question at all. These words did not deal with the sitting tenant at all. They raised the question whether a tenant's right to compensation should arise in equity and justice on the termination of his contract of tenancy, instead of being only entitled to compensation on quitting his holding. As the Bill stood, the tenant must be prepared to quit his holding before he could claim compensation; whereas the Act of 1875 simply said the tenant should be entitled to compensation on the termination of the tenancy for improvements. If this new condition were inserted against the tenant, it was an evidence that the Bill would be of a reactionary character, for this Liberal Government, who had promised to doso much for tenant farmers, were putting in a new condition between them and their just claims to compensation. He was unwilling to divide the Committee; but unless some satisfactory explanation was given, a vote ought to be taken upon it as a protest against this reactionary step.

GENERAL SIR GEORGE BALFOUR said, he had put down a similar Amendment to the one they were discussing. He could not conceive anything more fatal to the lease system in Scotland than that the Government should insist upon the tenant quitting his holding before he could get compensation.

SIR HERBERT MAXWELL said, that if the Committee were to go again through the whole discussion which had been entered upon on the English Bill they might despair of getting the Bill through Committee. He appealed to hon. Members not to prolong a discussion on questions already settled, but to go at once to a Division.

MR. PUGH pointed out that the Amendment would not, as the Lord Advocate suggested, introduce for the first time arbitration, as that was created under Clause 1. He hoped the Government would not insist upon this reactionary provision.

SIR EDWARD COLEBROOKE said, that practically, when a tenant went to make a new agreement, the landlord took his improvements into consideration, and made an allowance for them in the rent.

MR. M'LAGAN said, the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Dodson) told them the other night that these words were inserted, not for the benefit of the landlord, but of the tenant. The right hon. Gentleman said that if these words were not retained a tenant would forfeit his claim to compensation if he did not give notice of the termination of his lease. Sometimes neither the landlord nor the tenant remembered when the lease came to an end, and the lease was allowed to run on. In such a case a tenant would forfeit his claim; but these words in the clause would remind him at once that he must give notice of the termination. Until he heard the speech of the right hon. Gentleman the Chancellor of the Duchy of Lancaster he was in favour of the omission of the words.

MR. ANDERSON said, that in spite of the explanation of his hon. Friend (Mr. M'Lagan) he was not at all satisfied that these words were in favour of the tenant. They appeared to him to have the contrary effect, and he was opposed to them. He wished particularly to protest against the view taken by the hon. Member for Wigtonshire (Sir Herbert Maxwell), that because something had been settled in the English Bill, therefore Scotland was to model her Bill exactly upon that. The Scotch people had never been accustomed to limit their reforms strictly by the measure of English reforms. They considered that they were in advance of the English in many things, and were ready for a good deal that England was not ready for. This particular point was a matter of leases. Leases had undoubtedly been a great benefit to Scotland, and Scotch farming had greatly improved under the system of leases; but the principal benefit had been to the landlords, for leases certainly meant high and increasing rents. That had always been their effect hitherto, at least up to the recent depression. He hoped this Bill would be made better than the English Bill, and he saw no reason for retaining these words.

Mr. C. S. **PARKER** agreed with the hon. Member for Glasgow (Mr. Anderson) that they should not accept any provision on the mere ground that it had been accepted in the English Bill; but they should look at the difference between England and Scotland. In each case they should examine whether the reasons given on the English Bill were applicable to Scotland. He thought hon. Members were a little mistaken and confused as to the interests of the tenant in this matter. They seemed to forget that the sitting tenant was both the outgoing and the incoming tenant. As outgoing, he had a certain claim to compensation; as incoming, he paid extra rent for improvements. The measure of the compensation was the value of the improvements to the incoming tenant; and if the same man was the outgoing and incoming tenant, there was a gain both to himself and the landlord in not going through arbitration, and possibly litigation, to settle the matter. The fair thing for the landlord to do was to allow the tenant, if he took a further lease, to continue to sit at a rent which did not take into account the value of his own improvements. The danger hon. Gentlemen were afraid of was that a landlord would not act fairly, but that he would raise the rent. They seemed to forget, however, that if a landlord insisted upon raising his rent, the tenant could always obtain compensation by leaving; and although that might be a loss and annoyance to him, it would also be a loss to the landlord, and so there would be a strong motive on both sides to come to terms. Hon. Members argued that circumstances might enable the landlord to charge the sitting tenant more than a fair rent, and, therefore, he should be required to pay the tenant at once for his improvements; but, supposing that was done, the same circumstances would enable the landlord then to demand a still higher rent; and, therefore, the sitting tenant's position would not be improved by receiving this payment. It was far more natural that his compensation for the time should be the continued enjoyment of the improvements; and his remedy, if they could not agree, must be to leave, and so obtain compensation. In short, if the tenant were not prepared to leave, nothing could save him from paying the rent demanded except a judicial fair rent, as in Ireland, which no one desired to see in Scotland.

Captain **MAXWELL-HERON** said, there was no doubt that the tenant ought to receive compensation at the end of his lease; but if he received this compensation, of course he must receive it subject to what was very likely to follow—an increase of rent. The amount which he received as the equivalent of the incoming tenant's interests in the improvements would outbalance the increase of rent, and in this way would be prevented a great deal of litigation and unpleasantness between landlord and tenant. The practice he adopted was that a year or so before the termination of a lease he came to some arrangement with his tenant. He had the farm revalued, and then he offered it to the tenant at 10 per cent reduction on the increased value. He thought that was a fair practice. A sitting tenant ought to receive compensation at the termination of his leave; and if what he did were generally adopted, what very often happened would be prevented—namely, a tenant's being obliged, very unwillingly, to leave his farm.

Mr. **JESSE COLLINGS** said, the object of the Bill was to attract capital to the land, to induce farmers to invest more capital, in order that the cultivation of the land might be improved. If a commercial man invested £1,000 in a speculation, he either lost the money if the speculation failed, or he gained a profit if it did not; but if someone was allowed to come in, and, after repaying the £1,000, took all the profits, how much money was likely to be laid out in commerce on those conditions? It was the same with regard to agriculture. The farmer laid out his money with a view to getting the profits; but it would be absolutely beyond his power to get those profits if, after he had effected improvements, the owner could step in and increase his rent, or pay him the simple amount of his outlay and get all the benefit of his improvements. As the Bill stood at present, it was put beyond a tenant's power to secure the results of his outlay. It would be better if the Lord Advocate, instead of indulging in bare assertions that the sitting tenant was protected, would show how the tenant was protected. As a matter of fact, the only way in which a sitting tenant was protected was that he could leave his farm. But the object of the farmer was not to leave his farm; it was to lay out money and reap the fruits. If what was provided in this clause was the only thing which could be done in the interest of the tenants, it was high time tenant farmers ceased to send landowners to represent them. If the property of the tenant could not be protected save by some such provisions as were contained in the Irish Land Act, the Committee ought to adopt those provisions at once. He was certainly of opinion that the only way of protecting the tenant was by the adoption of the principle of fixity of tenure.

MR. MARJORIBANKS said, the hon. Member for Ipswich (Mr. Jesse Collings) had assumed that all the tenant could get back on quitting his holding was the value of his outlay; but that was not the case. He would get back such sum as fairly represented the value of the improvements to the incoming tenant. He believed that the Scotch Members intended to keep this clause as it stood; and, therefore, the tenant would not get back simply his outlay, but a sum decided by the consideration of whether his expenditure had been judicious or not.

MR. J. LOWTHER reminded the hon. Member for Ipswich (Mr. Jesse Collings), who had spoken of fixity of tenure, that the Committee was met for the purpose of practical discussion, and not for ventilating discarded theories, though, at the same time, he felt much indebted to the hon. Gentleman for the candour with which he had exposed the real aims of those with whom he acted.

MR. JAMES HOWARD said, he did not agree with his hon. Friend the Member for Ipswich (Mr. Jesse Collings) that it was impossible to secure the sitting tenant except by resorting to the principles of the Irish Land Act. There was a way of securing the interests of the sitting tenant without calling into requisition the provisions of the Irish Land Act. It was done most effectually in New Zealand. The legal and practical men of New Zealand had provided a satisfactory solution of the question how the interests of the sitting tenant could be secured. He (Mr. J. Howard) had made a tour of the world——

SIR HERBERT MAXWELL rose to Order. He wished to ask the Chair whether the hon. Gentleman was not travelling rather wide of the Amendment?

THE CHAIRMAN: I think the last remark of the hon. Member referred to New Zealand. The Bill relates to Scotland; but I am not prepared to rule that the hon. Member is out of Order.

MR. JAMES HOWARD said, he was saying that what amounted to an insuperable difficulty here had been satisfactorily solved in our own Colony of New Zealand. At the end of his term a tenant in possession in New Zealand had simply to demand a reference. Valuers were then called in, who estimated the increased value to the holding by the tenant's improvements, separated the "unearned increment," and fixed a fair rent; and, upon the terms they fixed, the tenant had a right to sit if he chose. Such was the object of the clause which he (Mr. J. Howard) was prevented moving on the English Bill.

MR. J. W. BARCLAY said, the reply to the arguments of the hon. Member for Perth (Mr. Parker) was that the retention of these words would put the sitting tenant at a disadvantage in seeking to make a bargain for the renewal of the lease.

MR. RAMSAY regretted that this subject had again occupied so much time, after it had been so fully discussed from a Scotch point of view on the English Bill. The Committee seemed to forget that the Legislature was just as much bound to protect the incoming tenants as to protect the outgoing tenants who were quitting their holdings. The tenant quitted his holding at the determination of his tenancy, which was defined by this measure as "the expiration of his lease"—a provision which was peculiarly applicable to Scotland. On this point the explanations of the Chancellor of the Duchy of Lancaster and of the First Commissioner of Works were so satisfactory that anyone who had paid attention to the discussion on the English Bill must be satisfied that they were merely wasting time now by further discussion.

Question put.

The Committee *divided:*—Ayes 124; Noes 39: Majority 85. — (Div. List, No. 232.)

General Sir GEORGE BALFOUR said, he should not move the next Amendment, nor the one following in his name.

Mr. J. W. BARCLAY said, the Amendment that he had next on the Paper was not intended to alter, as he understood it, the meaning of the Bill, but to make it more clear. He had pointed out before that the value of an improvement to an incoming tenant would depend upon the interest the incoming tenant had in the farm. He only wished to have that made more clear. The Amendment was to add to line 12—

> "Carrying on the same kind of husbandry, and entitled to the benefit of the improvement."

He did not intend to move the whole of this Amendment, but only the latter part of it—namely, "entitled to the benefit of the improvement," which, to his mind, would make the standard of valuation quite clear. He could not see how the Government could take any exception to this proposal.

Amendment proposed, in page 1, line 12, at end, add "entitled to the benefit of the improvement."—(*Mr. J. W. Barclay.*)

Question proposed, "That those words be there added."

The LORD ADVOCATE (Mr. J. B. Balfour) agreed with his hon. Friend as to the desirability of the provision being made perfectly clear. He did not think what was now proposed was at all necessary to give that clear effect to the provision as it stood. The words of the Bill were as to compensation—

> "Such sum as fairly represents the value of the improvement to an incoming tenant."

Its object was to make the incoming tenant, for the time being, the possessor of the soil and all upon it, whatever the duration of his tenancy might be.

Mr. J. W. BARCLAY said, he wa sorry to delay the Committee; but he must point out that the compulsory part of the compensation would be paid by the incoming tenant, whoever he might be, to the outgoing tenant. The incoming tenant might only have one year's lease of the holding, and it would be unjust to compel him to pay the whole value, which might extend over two or three years.

The LORD ADVOCATE (Mr. J. B. Balfour) said, the only persons recognized by this Bill as dealing with each other were the landlord and the outgoing tenant. It would only be by virtue of some separate agreement that the incoming tenant could be brought into the matter; and what might be the terms of the agreement between the landlord and the incoming tenant would be their own affair.

Mr. J. W. BARCLAY said, that upon the assurance of the right hon. and learned Gentleman that the clause meant what was proposed by the Amendment he had put upon the Paper he would not further take up the time of the Committee. He would withdraw the Amendment; but, at the same time, he must confess that he was not satisfied with the explanation of the Lord Advocate. The Bill, as it stood, left great risk of injustice being done either to an outgoing or to an incoming tenant.

Amendment, by leave, *withdrawn.*

Sir ALEXANDER GORDON: I beg to ask the Chairman whether my Amendment has been passed over?

The CHAIRMAN replied in the negative.

Mr. J. W. BARCLAY: I have to apologize to the Committee for having proposed the wrong Amendment. The one which I have just proposed and withdrawn comes after that of the hon. and gallant Baronet.

The CHAIRMAN: I did not understand the hon. Member to move that Amendment.

Mr. J. W. BARCLAY: The Amendment before that of the hon. and gallant Baronet, standing in my name, I do not wish to move.

Sir ALEXANDER GORDON said, the Amendment he had to propose was one which was clear in itself. It was to omit the words "to an incoming tenant," and to insert—

"In so far as it may be suitable to the purpose for which the holding was let."

An incoming tenant might probably have in contemplation a different mode of culture, and even a different mode of procedure, altogether in the raising of crops to an outgoing tenant. The improvements might not be of the same value to an incoming tenant as they were to an outgoing tenant, or to a person who might follow with a similar description of cultivation to that of an outgoing tenant. An arable farm, for instance, might be of less value to a dairy farmer than to any other farmer; or it might be the other way about, that the outgoing farmer had used his farm for dairy purposes, whereas the incoming tenant might wish to use it as an arable farm. The Bill, as it stood, enabled the landlord and the tenant to defraud another person. For instance, the landlord might put into a holding a tenant of a different character for, say, two years, and the value of the improvements to the incoming tenant might be very small at the end of two years, so that when the tenant went out and the landlord let the holding again for its original purpose, and compensation was paid for the improvements, the result might be that a large sum of money over the real value might be pocketed by the landlord and the outgoing tenant. Therefore, he thought the Amendment was a better test of the value than the words of the Bill.

Amendment proposed,

In page 1, line 12, to leave out the words "to an incoming tenant," and insert the words "in so far as it may be suitable to the purpose for which the holding was let."—(*Sir Alexander Gordon.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The LORD ADVOCATE (Mr. J. B. Balfour) said, this Amendment raised substantially the same question as the last Amendment. The hon. and gallant Gentleman seemed to have in his mind that the standard of valuation was as to a particular incoming tenant, whatever the duration of his lease might be. But that was not the case. Unless the thing called "an improvement" was really for the benefit of the holding it would not deserve the name, and would not be subject to valuation.

Sir ALEXANDER GORDON said, the valuation could only take place once, and that was when the outgoing tenant was leaving the farm. Upon that valuation being made it became permanent, and could not be altered; and, practically, it would be the next tenant coming into the farm who would decide what in future was to be the value of the improvements made. He believed the right hon. and learned Gentleman assumed that the object he had in moving this Amendment was already effected, and that was all he cared about. If the Committee desired it, he should be willing to withdraw the proposal.

Amendment, by leave, *withdrawn.*

Sir HERBERT MAXWELL said, he had an Amendment on the Paper to add, after the word "tenant," the words—

"Provided that it does not exceed in amount the original outlay by the tenant."

The effect of this would be to limit the amount of compensation to be paid to a tenant to his original outlay. The Amendment raised the question already decided on the English Bill on the Motion of his hon. Friend the Member for Hertfordshire (Mr. A. J. Balfour). He trusted the Government would be willing to modify the Bill in this particular, although he would not move his Amendment, in order that his hon. Friend (Mr. A. J. Balfour) might bring on his Amendment on the same subject, which, no doubt, would be favourably received by the Government.

The LORD ADVOCATE (Mr. J. B. Balfour) asked the hon. and gallant Member not to proceed on the assumption he had indicated.

Sir HERBERT MAXWELL said, he only wished to express the hope that the Government would accept the proposal.

Mr. A. J. BALFOUR said, he had on the Paper the following Proviso:—

"Provided always, That, in respect of those improvements for which consent of landlord is not required, the amount of such compensation shall in no case exceed the amount of outlay incurred by the tenant."

This Amendment was already familiar to Members of the Committee, as it was one which they had already decided on the English Bill—decided in a House of about 300 Members, and decided in the affirmative. The Government at the time refused to accept the Amendment, on the ground that it had been decided in a thin House, though the House numbered fully 300; and he therefore presumed that they would not wish to take an important Division upon a similar Amendment in a similar Bill in a House which did not number half 300. [An hon. MEMBER: It is a Scotch Bill.] He heard some hon. Gentleman say—"Not on a Scotch Bill!" but he could not understand why Scotch matters were to be looked upon as so insignificant that they could be decided in a small House; whereas a large House was necessary to settle matters relating to England. It was a matter of common rumour—indeed, the Government had never concealed their intention—that they meant to contest the decision come to with regard to this matter on the Report of the English Bill. If he (Mr. Balfour) moved the Amendment now, the result would be that the question would have to be discussed four times—once in Committee on the English Bill, once in Committee on the Scotch Bill, once on the Report of the English Bill, and probably it might be again discussed on the Report of the Scotch Bill. Therefore, he thought the most convenient way to deal with the question would be to defer any action on the Scotch Bill until after the Government had raised the question on the Report of the English Bill, and had made up their minds as to what course they ought to take. Under these circumstances, he should not move the Amendment at present.

Clause *agreed to.*

As to Improvements executed before the Commencement of Act.

Clause 2 (Restriction as to the improvements before Act).

MR. J. W. BARCLAY said, the Amendment he had next on the Paper was a just and proper arrangement; but he did not want to take up the time of the Committee in discussing the question. He intended to raise the question in a modified form on line 17.

THE CHAIRMAN: Does the hon. Member propose the next Amendment?

MR. J. W. BARCLAY replied in the affirmative. He said he would now ask the Committee to sanction an Amendment giving compensation to farmers for drainage executed upon their holdings "within ten years" before the commencement of the Act. This was a question upon which the farmers of Scotland felt very strongly, a very considerable amount of money having been laid out by tenants on their own behalf in the drainage of land. In consequence of that drainage the rental of the farms had been greatly improved, and the tenants believed that in justice—and he entirely agreed with them—they should be compensated for the execution of drainage executed 10 years before the commencement of the Act. An objection had been taken to that on the ground that the landlord had not an opportunity of seeing how the drainage was performed, and how it improved the farm; but he did not consider that by any means a sound objection, because the drainage of land, if the work was well and properly done, showed itself in the improved condition of the land. Drainage spoke for itself. If it was well done the land showed it, and if it was performed in a slovenly manner it showed it equally the same. There would, therefore, be no difficulty in the referees determining what was the value of the drainage of the land, as the work itself showed how it had been performed. For that reason, he hoped the Government would consent to this modified compensation for improvements executed before the commencement of the Act and allow it to become law. He wished to point out that there was no new question of principle involved in his proposal, because he proposed to give tenants compensation for improvements under Part III. of the Schedule executed before the commencement of the Act. The Bill proposed to give compensation for improvements under Part III.; therefore, there was no new principle involved. It did seem to him that some explanation ought to be given why landlords should be bound to give compensation in respect of the third kind of improvements, and not in respect of the 2nd and 1st Parts of the Schedule. He thought this claim of the tenants was founded upon justice and equity, and he hoped the Government would see their way to concede this point in favour of the Scotch farmers, especially when the Government admitted that the question of drainage was so important that it justified them in putting it in a clause by itself. He begged to move, after the word "has," the insertion of the words "within ten years."

Amendment proposed, in page 1, line 17, after the word "has," to insert the words "within ten years."—(*Mr. J. W. Barclay.*)

Question proposed, "That those words be there inserted."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he was quite alive to the great importance of this question, and to the fact that it was one on which there was considerable divergence of opinion. After giving the matter full consideration, he did not feel that they were able to accept the Amendment, the effect of which would be to give a claim to a tenant in respect of drainage executed 10 years' prior to the passing of the Act. In considering this proposal he must ask the Committee to keep in view the conditions attached by the present Bill to a tenant having a claim for any future drainage at all. The conditions attached by the Bill were, in the first place, that when drainage was desired notice should be given, and that then the landlord might either enter into an agreement with the tenant by which they might execute the drainage on a joint account, or if the landlord chose he might have the opportunity of executing the drainage himself, so that it was only after agreement that the tenant came to have a right to execute the work, and it was only for drainage executed under these conditions that compensation could be allowed. It was obvious that these conditions could not possibly be fulfilled in respect of drainage executed in times past. That was not a mere matter of form or technicality, but it was a matter of substance; because it was quite plain that if safeguards were to be provided the landlord should be permitted to see the drains executed by the tenant, if not executed by himself or after agreement. That was a safeguard which would exist in the future, and could not exist as to the past; and, therefore, if the claim were allowed, it would be in respect of that which the landlord had had no power to watch, and thought that no claim would ever be raised against him for it. To adopt the proposal would be to put past drainage in a much more favourable position from the tenant's point of view, whilst it would be the reverse of favourable from the landlord's point of view, and there would be the risk of not inconsiderable injustice being done. With regard to what had been said as to drainage being an obvious improvement, he was afraid it was by no means certain that it was always obvious. He was not certain that it was always obvious because the drainage was underground, and in many parts of the country it would be very difficult to form a satisfactory conclusion as to the efficiency or present condition of past drainage which the landlord had no call to watch. Therefore, while appreciating the considerations which led to an opposite view, and recognizing that the view was one upon which there was great difference of opinion existing, the Government did not feel that they were able to accept the Amendment.

GENERAL SIR GEORGE BALFOUR said, that what struck him more than anything else on this question was the great fear that was entertained that the farmer would get advantage over the landlord, forgetting the many advantages that the landlord got over the former. Unless the Amendment were adopted, the landlord would benefit by the great drainage works which had been effected by the tenant. Qualified persons would be able to show that the landlords would benefit. He was, therefore, sorry to see the Lord Advocate coming forward as an advocate of the landlords instead of those he represented. If they thought more of what the tenants had done, and less of what the landlords might gain, the better it would be.

Amedment *negatived.*

SIR HERBERT MAXWELL said, he wished to move an Amendment to provide that the improvements executed before the commencement of the Act, and for which compensation should be given under the 3rd Schedule, should only be those which were "over and above the quantity and value stipulated for and agreed to in the existing lease." Allusion had been made already more than once to the prevalence of the lease system in Scotland; and though in the English Bill the terms of his Amendment were submitted to the consideration of the Committee, he ventured to think that the present proposal, in the nature of the case, was especially worthy of consideration. The Bill proposed to set aside any provisions into which the landlord and tenant had entered in years past, and under which they were held bound. He ventured to think that the Committee would hesitate to accept this proposal. It seemed to him, and he thought it must seem also to every reasonable man, that where the landlord and tenant had, with their eyes open, and under no compulsion, entered into an agreement, part of which, as was commonly the case, was that the tenant should apply to his holding such and such a quantity of manure, and should keep it in good cultivation until the close of the lease, that there was no reason why the Legislature should step in and release the tenant from that part of his agreement. Why, it was evident on the face of it that in coming to an agreement of this nature, imposing such duties upon the tenant, the rent was fixed in consideration of those conditions. Of course, as soon as the Bill became law the tenant would be entitled to compensation, or ought to become entitled to compensation, whether it was stipulated for or not, providing the improvements were unexhausted. But this clause proposed to give him compensation for that which he, as a free man in a free country, and of his own free will, had undertaken to apply to his holding during his tenancy. He (Sir Herbert Maxwell) ventured to hope that the Committee would consider twice, thrice—nay, indeed, many times—before they imposed upon the agriculturists of the country such dishonourable and dishonouring conditions. He begged to move the Amendment standing in his name.

Amendment proposed,

In page 1, line 19, after the word "hereto," to insert the words "over and above the quantity and value stipulated for and agreed to in the existing lease."—(*Sir Herbert Maxwell.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, he understood the object of this Amendment to be that, where improvements had been executed before the commencement of the Act by the tenant, who was bound by his lease to make these improvements, then he should not be entitled to any compensation for the improvements so made. It was not the object of this Bill, nor was it within the scope of the Bill, that a tenant in that position would have a claim for any such improvement. But he thought the hon. and gallant Baronet would see that the case he wished to provide for by this specific Amendment was already sufficiently provided for in another part of the Bill. [Sir HERBERT MAXWELL: Where?] The hon. and gallant Baronet would find it provided for in Clause 6, Sub-section (*a*), which said—

"Any benefit which the landlord has given or allowed to the tenant in consideration of the tenant executing the improvement."

MR. A. J. BALFOUR said, he hoped the interpretation given by the hon. and learned Gentleman the Solicitor General for Scotland was correct; but he could not help having some doubt upon the subject. Let them take a case which illustrated the hon. and learned Gentleman's point, and then let the Law Officers of the Crown give their opinion upon it. Supposing he made a lease with an ordinary Scotch tenant for 19 years. In this the mode of cultivation and the outlay respectively required of the landlord and tenant would be specified; but though, without doubt, it would be assumed that the amount of manure necessary to the proper cultivation of the soil would be laid out to the end of the lease, yet for none of these things was there a specific reduction of rent made. Could the tenant, under such a lease, claim compensation for artificial manures or not? He (Mr. Balfour) maintained that he could. Under the Bill, the tenant could claim compensation, which, but for the Bill, he would not have the slightest right to; and, therefore, he considered that his hon. and gallant Friend (Sir Herbert Maxwell) was right in contending that leases were, to a certain extent, interfered with by the clause. He would remind the hon. and learned Gentleman that he (Mr. Balfour) had raised this point on the English Bill, and had asked whether the Government would not modify the measure in order to save existing leases. The right hon. Gentleman (Mr. Dodson) quite admitted that leases were broken; he said that the Government intended to break the leases. He hoped the hon. and learned Gentleman would take into consideration the remarks he (Mr. Balfour) had made, and that he would see that the case of his hon. and gallant Friend (Sir Herbert Maxwell) was not at all met by Sub-section (*a*) of Clause 6.

MR. A. ELLIOT said, that the Amendment standing next on the Paper had been put down by him with a similar object to that of the Amendment of the hon. and gallant Baronet (Sir Herbert Maxwell). He certainly did hope that the learned Lord Advocate, and the learned Solicitor General for Scotland, would accept words giving, at all events, effect to their intentions. Certainly, it was not at all clear that this Clause 2 was modified by Sub-section (*a*) of the 6th clause. It would be remembered that in Clause 2, as in Clause 1, they were dealing with claims to compensation; whereas the other matter was a set-off against this claim. The question was, whether a tenant should have a right to claim compensation for what he had done, when it had been done in pursuance of the obligations of a lease? They had been told, on very high authority, that the very term "improvement" contemplated something in the nature of supererogation; and that the moment anything was done in pursuance of a contract, or a lease, it could not, properly speaking, be held to be an improvement. He would urge upon the Scotch Law Officers of the Crown to add additional words to the present section. His Amendment was to the effect that compensation under the clause should be confined to improvements which the tenant was "not under an obligation to make." He certainly hoped the Government would accept some Amendment of that nature.

MR. MARJORIBANKS expressed a hope that the Government would consent to add the Amendment of the hon. Member for Roxburghshire (Mr. Elliot), and that the hon. and gallant Baronet (Sir Herbert Maxwell) would withdraw his proposal. The only argument of the Solicitor General for Scotland appeared to be this—that these words would be surplusage. Seeing the importance some hon. Members attached to them, there could be no objection to their insertion.

MR. WARTON urged on the Committee not to be satisfied with the assurance of the Solicitor General for Scotland. It was all very well for him, in a dignified way, to tell them that which they all knew already—namely, that stipulations entered into on the part of the landlord and tenant were correlative, and were mutually correspondent. The hon. and learned Gentleman might use as many of these phrases as he liked; but what they wished to do was to separate from real improvements what were merely the ordinary duties which a tenant was bound to fulfil upon his holding. Duties which a tenant covenanted to fulfil in a lease could not be called improvements. It was no use telling them what was done in Sub-section (*a*), because it was obvious that that was something beyond the lease.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) could not say the point was provided for in the clause as it stood; but it seemed to him, however, to be the desire of the Committee to make the clause still more clear. He could not say that he entertained any doubt that the point mentioned was provided for in the Bill as it stood; but it seemed to be the general desire of the Committee. [Mr. J. W. BARCLAY: No, no!] Yes. It seemed to be the desire of the Committee that the matter should be made still more clear. It appeared to him that the words suggested by the hon. Member for Roxburghshire (Mr. Elliot) would meet the matter more directly than the Amendment of the hon. and gallant Baronet (Sir Herbert Maxwell); and if the latter would withdraw his Amendment, the Government would be prepared to introduce the words of the hon. Member for Roxburghshire, with the word "express" inserted before "obligation."

MR. J. W. BARCLAY deeply regretted to hear the statement of the hon. and learned Gentleman the Solicitor General for Scotland, because if the Amendment were admitted into the Bill as it stood, it would entirely defeat the compensation to which the tenant, under Part III. of the Bill, was entitled under existing leases. ["No, no!"] Well, he would show how it would defeat the compensation. As the Bill at present stood, there would be no practical difficulty in interpreting it. If a tenant bound himself, for instance, in the last year of his lease, to apply, say, 500 cwt. of artificial manures to the land, he would have no claim to compensation under the Bill, because he would be under a specific obligation to apply it. But supposing words were put in providing that he was under an obligation to apply those artificial manures, the point would be raised, when the arbitration came on, that the tenant was bound, under the rules of good husbandry, to apply this additional 500 cwt. of manure to the soil; and in the same way this would also apply to every other improvement under Part III. of the Schedule, because in every lease in Scotland the tenant was bound to conduct his farm according to the rules of good husbandry. Every improvement in Part III. would come under the General Clause; and if the Government accepted this Proviso, the object of the Bill, with regard to Part III. of the Schedule, would be entirely defeated. He must express his disapproval and great disappointment at this concession on the part of the Government. It simply illustrated what had been going on hitherto in regard to this Bill. If hon. Members who advocated the interests of the landlords said a clause was not clear, the Government consented to make it clear in a manner adverse to the interest of the tenants; but if hon. Members who spoke on behalf of the tenants referred to a want of clearness in a clause, they were told that the matter was clear enough in the Bill, and that no alteration would be made. He objected to this Amendment, as it would defeat the claims of the tenants for compensation under existing leases.

Mr. A. ELLIOT really thought the hon. Gentleman who had just spoken did not understand the effect of the Amendment. The hon. Member professed to represent the tenant farmers of Scotland; but he (Mr. Elliot) knew enough about the Scotch tenant farmers and their views not to suppose that they wished to get one sixpence of money to which they were not legally entitled. The case the hon. Member had put was this. Supposing a tenant had in his lease an obligation to put several cwt. of manure on his land, he would have obtained his lease under that consideration amongst others, so he was bound to put the manure on the soil; and it would be monstrous if, after he had got his farm on that understanding, he should be absolutely entitled to be paid twice over by receiving compensation for such manure.

Mr. J. W. BARCLAY said, that was not his intention.

Mr. A. ELLIOT said, that that, at any rate, was what he understood the hon. Member to contend. If the clause was not equitable between the parties he would withdraw it; but, to his mind, it was equitable and just, and therefore he expected the Government to stand by the declaration they had made.

Mr. J. A. CAMPBELL said, he must join in the appeal to his hon. Friend to withdraw his Amendment in favour of the words proposed by the Solicitor General for Scotland, for the reason that the stipulations between the landlord and tenant might not have been in the lease. The words proposed by the hon. Member for Roxburghshire (Mr. Elliot), and those which he had himself placed on the Paper in almost identical terms, were wider than those of the hon. and gallant Baronet.

Mr. M'LAGAN said, he had grave doubts about this clause, and was afraid that if it were inserted in its present shape it would lead to great injustice being done; but the words proposed to be added would prevent that injustice. Let them consider a case where a tenant took a farm and was bound to cultivate it according to the terms of his lease—he was bound to keep it in a proper condition. He might be unable to do that without purchasing a large amount of manure. He was bound to keep the farm in a normal state; he was bound to apply manure, and such application, therefore, could not be called an improvement. The clause, however, said "an improvement;" and though they knew perfectly well that that which tended to keep a farm in a normal state could not properly be called "an improvement," it might be that an arbitrator, who came to give an opinion upon the matter, might overlook the fact that the tenant was bound to keep the farm in a normal condition. With these words in the Bill, however, such a mistake could not be committed. If there had been real improvements—such as boning, claying, chalking, or anything of that kind — the arbitrator would have no difficulty whatever; but in the case of the application of temporary light manures—such as guano—which the tenant was bound to put in to keep up the fertility of the soil, the matter might be different.

Mr. MARJORIBANKS looked upon the speech of the hon. Member for Forfarshire (Mr. Barclay) as the strongest argument they could have in favour of the Amendment. The Government should congratulate themselves upon having accepted this Amendment, and the Committee should be very much obliged to them for having adopted that course.

SIR HERBERT MAXWELL said, he was glad to hear from the Government that they would introduce words in the nature of his Amendment. He would withdraw his Amendment, on the assurance that words embodying its principle would be inserted in the clause by the Government.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, that what the Government proposed to do was to accept the Amendment of the hon. Member for Roxburghshire (Mr. Elliot), which was to the effect that compensation should be paid for improvements which the tenant was not under obligation to make, subject to this modification, to make matters still more clear—namely, that the word "express" should be inserted before the word "obligation."

MR. J. W. BARCLAY said, he should be sorry if there was any misunderstanding on this point, as it was a most important one. He would repeat that if the Amendment proposed were accepted it would take out of the Bill all compensation under existing leases. With respect to Part III. of the Schedule, he was afraid he had not made himself clear. What he had intended to say was that if a tenant was bound, during the last two or three years of his lease, to apply a definite quantity of manure to his land—say 500 cwt.—he would have no claim whatever to compensation in respect of such application. But, as had been mentioned by the hon. Member for Linlithgow (Mr. M'Lagan), a lease in Scotland contained the condition that the farmer was bound to farm on the rules of good husbandry. That was an express obligation of the lease. Well, if the farmers were bound, under that rule, to keep their farms to the end of the lease in the condition in which they took them originally, they would get no compensation for artificial manures applied during the last year of their leases, unless they could show that the application was in excess of the rules of good husbandry. That, surely, was not what the Government intended by this Bill. Under this system the farmers under the Lincolnshire custom got compensation for the artificial manures they used during the last years of their lease. Under the Amendment it was proposed to insert that right would be taken away. He protested against the concession of the Government in the most emphatic manner possible, and declared he would adopt every means in his power to emphasize the protest.

SIR HERBERT MAXWELL said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 1, line 19, after the word "hereto," to insert the words "which he was not under an express obligation to make."—(*Mr. A. Elliot.*)

Question proposed, "That those words be there inserted."

MR. BUCHANAN said, there was one ambiguity which he hoped the Government would clear up before they accepted this Amendment. So far as he could make out, the hon. Member for the University of Glasgow (Mr. J. A. Campbell) understood the Amendment in a different sense to the hon. and gallant Baronet (Sir Herbert Maxwell) who had moved the last Amendment. The hon. and gallant Baronet's Amendment included only leases; but the hon. Member for the University of Glasgow had said that his Amendment was the same as that of the hon. Member for Roxburghshire (Mr. A. Elliot), and that under it any other arrangement made between the landlord and tenant would be included. He should like to know in what sense the Government accepted the Amendment? Did they hold that it would apply only to leases, or to all other arrangements and contracts between landlord and tenant?

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, that if there had been any express obligation by a rider under the lease, or a separate document, that would come under the Amendment. The words the Government proposed to accept would only deal with cases in which there was an express obligation. He had inserted a safeguard in the Amendment in the word "express;" and to him it seemed to be a very proper safeguard.

Question put.

The Committee *divided*:—Ayes 131; Noes 40: Majority 91. — (Div. List, No. 233.)

THE LORD ADVOCATE (Mr. J. B. BALFOUR) moved to amend the clause by inserting words giving compensation where the tenant had executed an improvement mentioned in the first or second part of the Schedule within 10 years previous to the commencement of the Act.

Amendment proposed,

In page 1, line 20, after the word "improvement," insert "Where a tenant has executed an improvement mentioned in the first or second part of this Schedule within ten years previous to the commencement of the Act, and he is not entitled under any contract or custom to compensation in respect of such improvement, and the landlord has within one year after the commencement of the Act consented in writing to the making of the improvement."—(*The Lord Advocate.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 3 (Consent of landlord as to improvements in first part of Schedule).

GENERAL SIR GEORGE BALFOUR said, he had given Notice of an Amendment to provide that compensation should be payable in respect of any improvement specified in the first part of the Schedule; but he thought that question had already been settled, and therefore he should not press the Amendment.

MR. J. W. BARCLAY moved, in line 4, after the word "hereto," to insert "with the exception of labourers' cottages occupied by workers on the holding." He wished to appeal to the Committee to make an exception of a certain class of improvements, and to enable them to be done without the consent of the landlord—namely, the right of erecting labourers' cottages. It was a very important question indeed, because labourers' cottages were exceedingly scarce in many parts of Scotland. The result was that many farm labourers were leaving the country—many of them were going into the towns, where they obtained superior inducements, and many of them were leaving the country altogether. He therefore thought it was a matter of great importance—of much more importance than many of the minor Amendments to the Bill — that the tenant farmers should be able to afford inducements to the labourers in the shape of neat cottages with gardens attached to them, in order to induce them to stay in the country. In some parts of Scotland the labourers' cottages were in a most wretched condition. Speaking for himself, if he had been entitled to compensation he should long ago have erected cottages for the accommodation of labourers. He was deeply persuaded that nothing would contribute more to the prosperity of agriculture than to induce good and efficient labourers to remain on the farm. But to induce them to take an interest in the farm the labourers must have a personal interest in the holding itself; and he did not know how to give them a greater inducement to look after their employer's interests than to supply them with adequate cottage accommodation, where they and their families would find themselves comfortably housed, and their lives rendered endurable. He heard a great many people say what they were prepared to do for the agricultural labourer, and he wished to give hon. Members an opportunity of putting their professions into practice. As a farmer, he felt it a reproach to himself that his labourers were not better accommodated than they were; but it was altogether unreasonable to expect the farmers to build cottages if such cottages were to be confiscated at the end of the lease without compensation. All that was asked by the Amendment was that a tenant farmer should be allowed to erect cottages for the occupation of the labourers working on the farm. The agricultural labourer was not at present represented in that House. Hon. Members were, therefore, bound in honour to take his case into consideration, seeing that he was not there to speak for himself and to state his wishes and demands. He felt it an obligation on himself as a farmer to bring forward the case of the labourers' cottages, and also, as a Representative of an agricultural constituency, he felt that it was his duty to represent all the interests of his constituency, and that, therefore, he was bound to bring this question before the House, and to urge it upon the consideration of the Committee with all the force in his power. He did not see that any danger could arise from granting this power to the tenant farmer. No one would suppose that the tenant farmer would build cottages in excess of the requirements of the case; and everyone knew that a farmer would give a much higher rent for a farm on which there was proper provision in the shape of labourers' cottages, and where he saw that he could get a supply of labour, and also, to a considerable extent, of juvenile labour, than he would for a farm on which no such accommodation was provided. It must also be borne in mind that this question of a proper supply of labour had a considerable bearing upon the economical working of a farm. In moving the Amendment he thought he was only discharging the responsibility he owed as a farmer to the farm servants. He was quite certain that if the matter were left in the hands of the farmers a good many of them would put themselves to the trouble and expense of erecting cottages for the accommodation of their labourers; and although he had already done a good deal in that way himself, he would be ready to do still more if he could be assured that he would obtain compensation at the end of his lease. He begged to move the Amendment, and to recommend it most strongly to the consideration of the Government.

Amendment proposed,

In page 2, line 4, after the word "hereto," to insert the words "with the exception of labourers' cottages occupied by workers on the holding."—(*Mr. J. W. Barclay.*)

Question proposed, "That those words be there inserted."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, the question was not whether it was desirable that adequate accommodation should be provided for agricultural labourers. That was a question they were all agreed upon; but the question raised by the Amendment was whether the tenant should, without the consent of the landlord, have the power of building labourers' cottages as he pleased and when he pleased, and then of charging the landlord with the expense. He thought it would have been a better way of approaching the matter if his hon. Friend had directed his arguments to that point, rather than to a point about which they were all agreed —namely, the desirableness of providing cottage accommodation. The first point he (the Lord Advocate) would call the attention of the Committee to was, that the adoption of the Amendment would substantially involve invasion of that which was the cardinal principle of the Bill—namely, that anything in the nature of the building of permanent structures must, under the clause, be erected with the consent of the landlord. The proposal of the Amendment was to reverse that principle in the case of a particular class of buildings; and, with every desire to see the labourers well housed, he did not see how the Committee could make so large an exception as the Amendment involved, and place it in the power of the tenant to build labourers' cottages how and where and when he pleased, and then compel the landlord to pay for them. It was the duty of the landlord to provide proper cottage accommodation upon the holding, and that duty he presumed the landlord would be prepared to discharge, not only in the interests of the labourer, but also in the interests of the real and actual letting value of the farm, because a farm which was not provided with labourers' cottages would certainly let for a less sum than one that was. He, therefore, thought that while they had every desire to see the labourers well housed that was not the real question they had to consider. They had rather to consider whether it would not be inconsistent with the leading principles of the Bill, or with any Act they might pass, if they gave an absolute right to the tenant to erect permanent buildings on the holding without the consent of the landlord.

GENERAL SIR GEORGE BALFOUR remarked that the Lord Advocate had such command of language that he was quite able to provide words to suit any purpose he was desirous of carrying out. Notwithstanding the remarks which had been made by the right hon. and learned Gentleman, he thought the labourers of Scotland, as a whole, were very badly provided with cottage accommodation, and that their case required some consideration at the hands of the Committee. He was satisfied that any provision that was made for that deserving class of persons would be hailed as a great boon. He had himself placed an Amendment upon the Paper, following the one now before the Committee, to provide—

"And whatever necessary and suitable improvements are to be executed after the commencement of this Act the tenant shall give the landlord three months' notice, and if he refuses to consent, then the tenant may apply to the sheriff of the county for leave to execute the same, and the tenant shall be entitled to deduct five per centum on the outlay from his rent annually, and on quitting his holding, or at determination of his lease, shall be entitled to compensation for what the improvement may then be worth, which shall be fixed by reference as is after provided by this Act."

He was of opinion that, with the addition of this provision, the Amendment of his hon. Friend might be accepted by the Committee.

SIR GEORGE CAMPBELL said, it seemed to him that his hon. Friend the Member for Forfarshire (Mr. Barclay) was entirely right in principle in regard to the erection of labourers' cottages; but he thought it would be better to deal with the question in the second part of the Schedule, so that it might be placed in the same part as drainage. It might be provided, in Clause 4, that if a farm was not provided with suitable and adequate cottage accommodation the tenant should have power to erect cottages, and should be entitled at the end of the lease to claim compensation from the landlord. As a matter of principle, he should vote for the Amendment; but he thought it would come in much better in another place.

SIR ALEXANDER GORDON said, the observations which had been made by the hon. Member for Kirkcaldy (Sir George Campbell) were entirely in accordance with the Amendment which he had placed on the Paper, in regard to Clause 4—namely, that the tenant should have power to apply to the Sheriffs' Court for authority to execute the improvements himself; that upon the receipt of such application the Sheriff should inquire into the merits of the case, and call for the production of such documentary evidence, or other evidence, as he might deem to be necessary; and if he was satisfied that the proposed improvement was suitable and necessary, he should make an award, authorizing the tenant to execute it himself. His Amendment further provided that the award should be final, and should specify the nature and the extent of the improvement, the amount to be expended upon it by the tenant, and the time within which the work was to be completed. The object of that Amendment was to encourage the tenant to improve the holding, to obtain heavier crops, and to increase the amount of produce. But he failed to see how these objects could be effected if the tenant had no buildings in which he could house the labourers who were necessary to cultivate the farm and attend to the cattle. The result of empowering the tenant to execute drainage works himself, if the landlord refused his consent, was to enable him to increase his crops, and thereby to place himself in a position in which he would be required to employ more labourers. It was, undoubtedly, a great blot in Scotland at the present moment that there was so large a want of suitable labourers' cottages; and he thought the Committee ought to take advantage of this opportunity of doing something to provide for the future care and comfort of this deserving class of men. He was prepared fully to accept the principle of the Amendment.

MR. A. J. BALFOUR said, he hoped that the Government would adhere to the resolution they had already expressed. Of course, everybody agreed that the labourer ought to be well housed; but hon. Gentlemen opposite, who professed to know a great deal about Scotland, would admit that there was nothing in Scotland which had improved more within the last 25 or 30 years than the dwellings in which the agricultural labourers lived. No one would deny the fact that this increased provision had been made entirely by the landlords, with no consideration whatever in the shape of rent; or with a very trifling consideration. The work had been done by the landlords as a matter of principle, and not with a view to profit. Speaking of his own knowledge of Scotland, there was nothing of which he felt more convinced than this; and for that reason he opposed the Amendment. He believed that it would produce no good effect, because the landlords were prepared to erect suitable labourers' cottages already. The Amendment would not lead to the improvement of labourers' dwellings; and he failed to see for what object the tenant farmers desired to have this power. Did they desire to increase the letting value of the holding?

MR. J. W. BARCLAY said, they were anxious to increase the value of the holding for their successors.

MR. A. J. BALFOUR said, that, in the event of such a proposal leading to a large addition to the existing number of labourers' dwellings, he was quite convinced that they would not lead to the improvement of the cottages themselves, and the agricultural labourers would not find themselves housed in such cottages as hon. Members would wish to see erected. He believed, if they accepted the Amendment, that they would not only commit a breach of the principle of the Bill, but he was satisfied that they would not promote the object they professed to have in view. On the contrary, they might do a great deal to retard the development of the improvements in this direction, which were going on at the present moment, in reference to the dwellings of the agricultural labourers.

MR. J. W. BARCLAY said, the object of the Amendment was to take the erection of labourers' cottages out of the first part of the Schedule, and to insert it in the second. If the Amendment were accepted, a tenant would be able to call upon the landlord to carry out improvements of this nature; and if they were not carried out, then the tenant would be able to do them at his own expense, and be entitled to claim compensation at the termination of his lease. He was quite prepared to admit that in those parts of Scotland to which the hon. Member for Hertford (Mr. Balfour) had referred, the landlords had done a great deal in the way of building cottages; but the Amendment would only apply to those parts of Scotland where the building of cottages had been neglected, and not to those parts to which the hon. Member referred at all. What he proposed was, that the tenants should have power to supply better cottages than those which at present existed. He knew many instances in which the tenants had supplied better cottages than those which previously existed. He was sorry to say that, in certain districts in Scotland, and upon certain estates, the question of cottage accommodation was very much neglected indeed; and if the Government declined to accept the Amendment, they must take upon themselves the responsibility of not undertaking to do what could easily be done for the improvement of the condition of the agricultural labourers. Certainly, the responsibility would no longer remain with the farmers.

MR. M'LAGAN said, he thought that the Amendment was a good one in principle as far as it went; but he could not support it in its present form. There certainly ought to be some restriction upon the erection of cottages. He would have no objection whatever to give the tenant the right of providing cottage accommodation, provided that there were some authority to whom the question might be previously referred. He approved of the Amendment of the hon. and gallant Member behind him (Sir Alexander Gordon) to that effect, and he should be glad to support it. But, without some restriction, he should certainly hesitate before he voted for the present Amendment.

MR. J. W. BARCLAY wished again to point out that the only effect of the present Amendment was to take labourers' cottages out of the 1st Part of the Schedule, which provided that they should not be erected without the landlord's consent. They could be put in Part II. of the Schedule afterwards; but if the clause were passed as it now stood that could not be done.

SIR R. ASSHETON CROSS said, he thought that the matter ought to be kept in the 1st Part of the Schedule. It was a question of principle, in regard to which he hoped the Government would stand firm.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, the question was not that the tenant might erect labourers' cottages, but that they might erect them and then charge the landlord with the expense.

Question put.

The Committee *divided:*—Ayes 37; Noes 154: Majority 117.—(Div. List, No. 234.)

GENERAL SIR GEORGE BALFOUR said, he would move the next Amendment, which stood in his name, because he did not think that it was altogether disposed of by the Division which had just taken place. The object of his Amendment was to give the tenant power, if he desired to execute improvements, to appeal to an appointed party in the event of the landlord refusing his consent. Of course, if the Lord Advocate refused to accept the Amendment, it would be useless to press it.

Amendment proposed,

In page 2, line 4, after the word "executed," leave out from "after" to end of Clause, and insert, "over and above contract under current leases, whether before or after commencement of this Act. And whatever necessary and suitable improvements are to be executed after the commencement of this Act the tenant shall give the landlord three months' notice, and if he refuses to consent, then the tenant may apply to the Sheriff of the county for leave to execute the same, and the tenant shall be entitled to deduct five per centum on the outlay for his rent annually, and on quitting his holding, or at determination of his lease, shall be entitled to compensation for what the improvement may then be worth, which shall be fixed by reference, as is after provided by this Act."—(*Sir George Balfour.*)

Question proposed, "That those words be there inserted."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he felt it impossible to accept the Amendment, which would make a fundamental alteration in the principle of the Bill.

Amendment *negatived.*

Amendment proposed, in page 2, line 5, after the word "landlord," to insert the words "or his agent duly authorized on that behalf."—(*The Lord Advocate.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 4 (Notice to landlord as to improvements in second part of Schedule).

SIR HERBERT MAXWELL moved, in page 2, line 14, to leave out the words "and executed after the commencement of the Act." He explained that his object in moving the Amendment was simply to omit the words, because he considered them to be altogether unnecessary.

Amendment proposed, in page 2, line 14, to leave out the words "and executed after the commencement of the Act."—(*Sir Herbert Maxwell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) objected to the Amendment.

SIR HERBERT MAXWELL said, he would not press it.

Amendment, by leave, *withdrawn.*

MR. A. J. BALFOUR wished to ask the Lord Advocate, before the next Amendment was moved, whether the notice to the landlord to execute improvements should not be given by the tenant more than a month before the execution of such improvements? A month was a very short time, especially in a case where the landlord might have a large number of applications of this kind. He would suggest two months instead of one month.

THE CHAIRMAN: I must remind the hon. Gentleman that, at present, there is no Question before the Committee.

MR. A. J. BALFOUR said, he would move that Amendment, in order to give the Lord Advocate an opportunity of considering it. Perhaps it would be better to make a further Amendment. He would therefore move, in line 15, to substitute five months for three months, and, in line 16, to substitute two months for one month.

Amendment proposed, in page 2, line 15, to leave out the word "three," and insert the word "five."—(*Mr. A. J. Balfour.*)

Question proposed, "That the word 'three' stand part of the Clause."

SIR HERBERT MAXWELL said, he hoped that, in considering the Amendment, the Lord Advocate would remember that the Bill was to extend throughout the whole length and breadth of Scotland; and, as an illustration of the way in which the clause, as it stood, might work, and the necessity of increasing the term, he might state that a landlord, who was a friend of his own, had a farm in the Island of Barra, one of the Hebrides. Some time ago this gentleman wrote to his agent in Barra, and on the same day he wrote to a brother in Canada; and the answer from the agent in Barra and from the brother in Canada arrived almost simultaneously. Probably the right hon. Gentleman would be aware that there were other places in the same position, such as the Island of St. Kilda, the Orkneys, and other parts of the Hebrides, where it was quite possible that the notice sent to the landlord would not be received until the limit now fixed in the clause had expired.

MR. MARJORIBANKS said, he thought that some two or three months' notice should be required in the case of all these improvements.

MR. J. W. BARCLAY said, he thought there would be some difficulty in working the clause on account of the notice, because the improvements would depend very much on the landlord's reply. The usual custom was to give the landlord notice; and the landlord said what he would do and what he would not do.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, there was no difficulty in the clause as it stood. It required that before executing any improvement the tenant should have given the landlord notice in writing of his intention to do so, not more than three months and not less than one month. The meaning of putting in a maximum was that the tenant should not have a year or 18 months within which he should begin to execute the improvement after calling the attention of the landlord to it. Then, as to the minimum of one month, the reason of fixing that was that it should be necessary to give the landlord an opportunity of seeing whether he was willing to enter into an agreement with the tenant, or whether he would do the drainage himself. If the landlord remained silent, the tenant would be able to go on with the work; and he did not know any part of Scotland which was so inaccessible that the tenant would not be able to get a reply from his landlord within a month. He, therefore, did not see that there would be any advantage in accepting the Amendment.

MR. PRESTON BRUCE asked whether, after the period of one month had expired, the tenant could commence executing the improvement?

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, that was so; but, then, if the tenant did nothing within three months, the landlord would be justified in holding that the matter had dropped.

MR. PRESTON BRUCE thought that one month was too short a time.

SIR ALEXANDER GORDON pointed out that if no limit were fixed, the tenant, after giving the landlord notice, might hold the matter over for five or six months, or a year, and be able to go on with the work whenever he liked. The object of this part of the clause was to prevent the matter from being hung up for a year or two.

MR. A. J. BALFOUR said, he did not think any hardship would be done to the tenant by increasing the period of one month to two months; but, on the other hand, it might be a matter of great inconvenience to have the period extended.

SIR HERBERT MAXWELL remarked, that one month was a very short time to enable the landlord to make up his mind.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, the feeling of the Committee seemed to be that one month was too short; and he should, therefore, defer at once, and make it two months.

MR. A. J. BALFOUR said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 2, line 16, to leave out the words "one month," and insert the words "two months."—(*The Lord Advocate.*)

Amendment *agreed to.*

MR. COCHRAN-PATRICK moved, in page 2, line 17, after "landlord," to insert the words "or any person duly authorized by him." He explained that the object of this Amendment was to prevent the inconvenience that might arise if a landlord happened to be abroad. If such a person as his factor was authorized to act on his behalf that would greatly add to the working of the Act.

Amendment proposed, in page 2, line 17, after the word "landlord," to insert the words "or any person duly authorized by him."—(*Mr. Cochran-Patrick.*)

Question proposed, "That those words be there inserted."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he would assent to the Amendment.

MR. A. J. BALFOUR wished clearly to know whether an agent must have his authorization in writing to execute drainage works?

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, it would not be necessary for the agent to have any specific authority for that purpose. There would be a general authority; but if there was any apprehension that the words would lead to doubt, he would suggest that the form should be "or his duly authorized agent."

MR. A. J. BALFOUR said, that would be quite satisfactory to him.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 2, line 17, after the word "landlord," to insert the words "or his duly authorized agent."—(*The Lord Advocate.*)

Amendment *agreed to.*

Amendment proposed, in page 2, line 17, after the word "do," to insert the words "and a specification of such works."—(*The Lord Advocate.*)

Amendment *agreed to.*

Mr. J. W. BARCLAY proposed to omit all that part of the clause which related to the making of an agreement between landlord and tenant with regard to the terms, as to compensation or otherwise, on which the improvement was to be executed, and, failing agreement, allowed the landlord, or, in his default, the tenant, to execute the improvements. His object was to allow the landlord and tenant to agree freely together upon the terms on which drainage ought to be done. He thought that would practically be the greatest benefit to both parties. It would follow that the tenant should give notice to the landlord of his intention to execute the improvement; and this would give an opportunity to the landlord to come forward and offer to do the work upon such terms as they might agree upon. In almost every case where the landlord made a reasonable offer it would be accepted, and the tenant would then be able to devote his own capital to the soil. The Amendment would still leave it open, if the landlord pressed his bargain too hard, for the tenant to execute the improvement himself, and claim compensation.

Amendment proposed, in page 2, line 17, after the last Amendment, to leave out all the words to the end of the Clause.—(*Mr. J. W. Barclay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The LORD ADVOCATE (Mr. J. B. Balfour) said, he could not assent to the Amendment, and it was not necessary in order to accomplish the purpose indicated. The clause already allowed a landlord and tenant to agree, and upon ample terms; but the effect of the Amendment would be not only to allow that, but also to cut out the landlord from the right of executing drainage himself, because in the clause first mention was made of a tenant executing drainage, which was indicatory of this —that the tenant was only to execute drainage himself, failing an agreement, or he was to pay the landlord to execute the work. That would have a very large operation; but he was afraid that if the rest of the clause was left out the effect would be to give an absolute right to the tenant to execute drainage on the expiry of a certain period, without anything to stop that right being defined.

Mr. PRESTON BRUCE said, he had an Amendment on the Paper which practically came to the same thing. He did not think this alternative right given to the landlord to do the drainage would work well, because it was absolutely necessary that that right should be controlled by a particular rate of interest which the landlord might charge. If a low rate of interest was charged, a landlord might be able to do the work only at a loss. On the other hand, if a high rate was named, that would practically amount to a veto in the hands of the landlord, by which he could prevent the tenant from doing the work. If drainage was an improvement which ought to be put in a separate Schedule by itself, it would be sufficient to provide that a tenant should give due notice to the landlord of the nature of the drainage which he proposed to carry out. If, after a sufficient time, the parties failed to agree on the terms of carrying out such drainage, then the tenant should be allowed to do the drainage on his own account, and claim compensation for it. Unless the clause was so modified, he thought it would be almost as well to put drainage in Part I of the Schedule.

Mr. JAMES HOWARD failed to see any use in the latter part of the clause, and which it was proposed to omit. The clause conferred on the tenant absolute power to carry out improvements in drainage, subject to his giving the landlord notice; and then it proceeded to permit the tenant and landlord to come to an agreement. Surely an Act of Parliament was not required to enable a landlord and tenant to come to an agreement; and then the clause went further, and proceeded on the pernicious principle of saying what amount of percentage should be charged upon the work as against the landlord. He thought that was a matter which might be left entirely to freedom of contract. If the right to drain was conferred on the tenant he would be made master of the situation.

MR. A. J. BALFOUR said, that if the last part of the clause was cut out the tenant who had capital would be made absolute master of the situation, for he would be able to say to the landlord that he wanted certain work done —he would be able to put such onerous terms on the landlord that the landlord would not be able to execute the work; and then, having the capital, the tenant would execute it after his own fashion. The rich tenant would therefore be made master of the situation, but not the poor tenant. The latter would be deprived of freedom of contract, and of the protection which the Bill gave him. At present the Bill protected the poor tenant, because the landlord would not be able to charge more than 5 per cent.

MR. J. W. BARCLAY: He will not be able to refuse to do it.

MR. A. J. BALFOUR said, that if the last part of the clause, which detailed the terms upon which the landlord and tenant might agree, was left out, all the benefit to the poor tenant would be taken away, and the rich tenant would be left master of the situation, and he would be able to drain land which did not belong to him upon a system of which the landlord might disapprove.

MR. JAMES HOWARD said, the hon. Member had misunderstood his argument. His view was that the first part of the clause gave an absolute right to the tenant, the effect of which was to put the landlord and tenant on terms of equality in making a contract, and thus practically made the tenant master of the situation, inasmuch as if the terms offered by the landlord were not satisfactory the tenant could do the work himself, and obtain compensation. The whole question of freedom of contract was overruled by the absolute power which the clause gave to the tenant. When the tenant was thus put, in contracting terms, upon an equality with the landlord, freedom of contract should have fair play.

MR. J. W. BARCLAY said, the clause, as it stood, was no protection to the poor tenant, because he could not drain the land if the landlord said he would not advance the money. The Amendment, however, was only a suggestion, and he would withdraw it.

Amendment, by leave, *withdrawn.*

MR. J. W. BARCLAY said, he wished next to move an Amendment with the object of making explicit what he understood this clause to contain. It proposed to provide that the landlord might, within one month after receiving the notice from the tenant, offer to execute the improvement himself, and if the offer was accepted by the tenant, the tenant should pay the landlord 5 per cent a-year until the work was completed. The clause did not say how long the tenant was to pay the interest; but the Amendment would make it quite clear, and defined accurately the arrangement between the parties; and he did not see any possible objection that the Government could make to having the meaning of the clause made clear. The Amendment said the landlord should, after one month—or he would be willing to say two months or six weeks—say whether he would do the work himself or not. It required that the tenant should accept the offer in order to make the relations between the two parties clear; and, after accepting the offer, he should be bound to pay the landlord 5 per cent per annum for the amount the landlord expended. He thought that would make the clause work in a practical way.

Amendment proposed,

In page 2, line 23, to leave out all the words from "may" to "per cent" in line 24, inclusive, and insert "may within one month after receiving the notice from the tenant offer to execute the improvement himself, and if this offer be accepted by the tenant, the tenant shall pay to the landlord yearly from the completion of the improvement to the determination of the tenancy five pounds per centum."—(*Mr. J. W. Barclay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, the hon. Member indicated that his only purpose in this Amendment was to make clear the meaning which the Government had endeavoured to express in their own language; but as the Government and the hon. Member were agreed in intention, he should certainly prefer the terms of the clause. The hon. Member's language was not quite the same as theirs, and might, he thought, lead to some misapprehension as to the relations between the parties. The Amendment would put the tenant in the position of one who was entitled to accept or refuse the landlord's offer; but that was not the position created by the Bill. The landlord got a right to give an undertaking and to execute drainage himself, not by way of that being accepted by the tenant, but to prevent the tenant executing work which the landlord disapproved of, or if the two did not come to an agreement. The Amendment would lead to misapprehension, because it did not say what was to happen if the landlord's offer was not accepted. Surely the tenant was not to be allowed to go on and drain. If not, then was the matter to be left hanging in the air? If nothing more was meant than to convey that the tenant had a right to execute draining failing an agreement or an undertaking by the landlord being duly carried out, he thought that was carried out better by the Bill as it stood. With regard to the specified period for the payment of interest, he scarcely thought the hon. Member was right in saying there was a failure, for "five pounds" meant that the payment was to be per cent; but, lest there should be any doubt, he would, later on, insert "per cent" and "per annum." Five per cent per annum would be the charge between the landlord and the tenant as long as they stood in the relation of landlord and tenant, or while the lease lasted.

Mr. WILLIAMSON considered the clause perfectly clear, and thought the Amendment would be adverse to the interest of the tenant. The hon. Member proposed that the interest should be £5 per cent; but why should it not be £3 or £4 per cent?

Mr. MARJORIBANKS said, the Amendment would totally change the clause. As the clause stood, there was an option to the landlord to do the work just as he chose; but under the Amendment the option would be with the tenant, because if the offer was not accepted by the tenant that would not debar him from doing the work and refusing to allow the landlord to do it. If that was so, the tenant had the option and not the landlord, although the object of this clause was to give the option to the landlord.

Mr. ANDERSON said, it appeared to him that the Amendment threw upon the tenant the *onus* of proof that the landlord had received notice, and that might be very difficult if the landlord happened to be away from home.

Mr. PRESTON BRUCE said, he could quite understand the explanation of the Lord Advocate, for he thought the question was this—Whether, when a tenant had given notice that he wished a certain amount of drainage to be done, he thereby committed himself to allowing the landlord to do that work, and then to charge him with the maximum interest stated in the Bill—whether he committed himself in such a way that he could not withdraw? He did not think it would be reasonable to oblige the tenant so to commit himself; and he should like to ask, at the same time, whether there was any intention in this Bill to make the alteration which had been promised in the English Bill with regard to the interest? He understood that an alteration was to be made in the English Bill allowing a different rate of interest—namely, a rate which would pay off the principal sum in 25 years. The effect of that might be to enable the landlord to charge a much higher rate than 5 per cent; and if the tenant, by merely giving notice that he wanted drainage to be executed, was to incur the liability of having to pay this higher rate on the whole cost of the improvement, that would be rather hard upon the tenant.

Mr. J. W. BARCLAY asked the Lord Advocate whether notice given by a tenant, without anything further on his part, would operate as an authority to the landlord to carry out the drainage specified, and to charge the tenant such interest as was named in the Bill? He desired that there should be a space for both parties to consider the matter; and, therefore, the tenant ought to accept the landlord's offer, or else the drainage should not be done. The hon. Member below him had failed to examine the remainder of the clause, which provided that if the landlord undertook to do the drainage then the tenant had no right to do it himself. That was quite clear. The only point—and it was one which he thought was in considerable doubt—was whether notice by the tenant was an authority to the landlord to carry out the drainage and charge the interest named in the Bill? It would, he thought, be for the advantage of both parties that they should have a space in which to consider; because he could quite understand that the tenant would say—"Let us have some talk about what the drainage is to cost." The landlord might propose to do it in an extravagant way. The tenant might have no idea what it was to cost, and they would talk it over, and so the tenant would be able to say what he could pay upon the expenditure. The Lord Advocate seemed to be very clear as to the meaning of the Bill; but he (Mr. Barclay) apprehended that there were strong opinions on both sides as to this clause, and he should be glad to have it made as simple as possible.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he could see the point of the hon. Member; but he did not think the mere giving of a notice, without anything else, would have the consequence which the hon. Member supposed. He admitted that the matter might be in doubt, and he should be quite prepared to deal with it on Report. The hon. Member asked whether, if the tenant gave notice and there was no agreement, but an undertaking by the landlord, the landlord, on giving that undertaking, without anything further, would bind the tenant to pay interest? He thought it might be well to make it clear that that would not be so, and he would introduce words to that effect. With regard to the question of an alteration respecting interest, it was intended to deal with the two Bills in the same way. The proposal would be brought up in each case on Report.

MR. J. W. BARCLAY wished the Government, before they committed themselves on this point, to consider an important difference between the two countries. Hon. Members opposite, who, he supposed, knew something about drainage, said it would not last more than 12 or 15 years in England; but if drainage was well done in Scotland it would last 35 or 40 years. It was quite clear that the rate of interest, which would be an important consideration even for 12 or 14 years, would be too serious a consideration for 40 years. He thought it would have been better if the Government had accepted his first offer; but he would withdraw his Amendment.

SIR HERBERT MAXWELL asked whether the Government intended to bring up an Amendment on Report dealing with the question of interest, for he had an Amendment upon that point; and before he could consent not to move it, he must have an assurance from the Government that they would deal with this Bill in the same manner as the English Bill.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, that matter was not to be dealt with to-day; but the Government would consider whether the two Bills should not be brought up together in regard to that matter.

MR. RAMSAY mentioned that, besides poor tenants, there were a large number of poor landlords; and he hoped the Government would carefully consider that fact before bringing up on Report any such qualification as was suggested.

Amendment, by leave, *withdrawn.*

MR. COCHRAN-PATRICK said, he considered it desirable, in a Bill of this sort, that there should be some space of time mentioned. He should propose six months; but he was not wedded to that precise limit.

Amendment proposed, in page 2, line 27, to leave out the words "a reasonable time," and insert "six months."—*(Mr. Cochran-Patrick.)*

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he thought a "reasonable time" preferable to a definitely fixed period. There were cases in which six months might be too long, or too short. With a scarcity of employment or labour, there might be great difficulty in executing the work in the time fixed; and quite sufficient protection was given by the clause as it stood.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 2, line 29, to leave out the word "on," and insert the words "in respect of."—*(The Lord Advocate.)*

Amendment *agreed to.*

SIR HERBERT MAXWELL said, he thought that in the consideration of the question of drainage there had been too much uncertainty as to the intentions of the Government as to dealing with that on Report. The value of drainage, of course, depended entirely on the mode in which it was carried out. It would be impossible, at the close of a tenancy, to dig up the drains to see whether they had been properly laid down and filled in, and were in good working order; and, therefore, he proposed that all drainage executed by a tenant, and for which the landlord might have to pay compensation, should be subject to inspection, and to the approval of an Inspector appointed by the Inclosure Commissioners. That was the only way of safeguarding the landlord against a tenant putting in inefficient work. As to what the hon. Member for Forfarshire (Mr. Barclay) had said about the permanency of drainage, he quite admitted that in certain soils drainage would last for half a century, or even more; but it was most uncertain as to how long improvements of that kind in moss-land would last. As the water left it the land would sink and form a hollow, and then water would collect in it. If the drainage was inspected, and approved by an Inspector duly appointed, he would take the nature of the soil and the surrounding circumstances into consideration, as well as the mode in which the work was carried out.

Amendment proposed,

In page 2, line 30, at end, add—"After production of sufficient vouchers of cost, Provided always, That where the drainage is executed by the tenant it shall be subject to the inspection and approval of an inspector appointed by the Inclosure Commissioners."—(*Sir Herbert Maxwell.*)

Question proposed, "That those words be there added."

Mr. J. W. BARCLAY said, he thought it would be very unwise to take the responsibility in this matter off the tenant's shoulders. If a tenant was put under the control of the Inclosure Commissioners he would have to pay, not according to the result of the work, but in proportion to the outlay—a principle which was bad. The hon. Member could accomplish all that the Inspector could do by sending an Inspector down to look at the work, and to preserve the evidence as to how it was done, so that if there was dissatisfaction with it he would have that evidence to show to the referees.

Sir JOHN HAY said, he thought the proposal was one that ought to be adopted. No money was advanced by the Government for drainage purposes without an Inspector examining the works. A great deal of drainage had been carried out under those conditions; and this system would merely assure all the parties concerned that the drains were properly filled in, and all the care had been taken which the House desired to see for the improvement of agriculture. He could not conceive there being a right to impose a burden for drains which had been made without such inspection on any person whatever.

The LORD ADVOCATE (Mr. J. B. Balfour) said, this was an Amendment which the Government plainly could not accept consistently with the principles and policy of the Bill. It was no doubt true that where drainage was to be executed, and money was to be lent by the Government, or any other body, it was right that it should be inspected on behalf of the lender; and he could conceive that it was sound to say that if drainage was to be made on the basis of cost, such inspection would be intelligible. He must remind the Committee that the principle of the Bill was not payment according to the cost, but according to the value at the expiry of the lease. He thought that with notice, and with the opportunity of watching the work and checking what was going on, and of preserving evidence, the landlord was amply protected; but the question was really that of value, and not of outlay.

Sir HERBERT MAXWELL said, his object in moving the Amendment was to insure impartiality on the part of Inspectors. If the landlord sent his own agent to report upon the works to be carried out, of course the bias was against the tenant. The agent would, of course, be in favour of his employer; and as to evidence being given when the question of compensation arose, that would be taken for what it was worth. His consideration was not that of the cost, but the mode in which the work was carried out; and that was a provision that ought to be made. He was willing, however, to withdraw the Amendment.

Mr. ORR EWING asked whether the Lord Advocate would consent to the insertion of the words "well-qualified Inspector?" It would be very difficult to ascertain the real value of a drainage improvement by looking at the surface, more especially if the drains had been put in a few years before the termination of the lease. He thought it would be well for both landlord and tenant that when drainage was done it should be well done, and under the supervision of a well-qualified Inspector. The value of the work would often be based on the expense of the work; and this was an Amendment upon which he thought a Division ought to be taken. He looked upon the Drainage Clause as somewhat of a farce; and he did not envy a landlord who was obliged to allow a tenant to put down a drain. He had had considerable experience in this matter, and he was not aware of any tenant in any part of the country who ever thought of draining the land. Every drain he had known of had been put in by the landlord, and he was sure this clause would be a dead letter. He had known drains not 20 years old require to be extensively repaired; and he hoped that if drainage was to be done by tenants, provision would be made for there being some evidence of the way in which it was done.

SIR EDWARD COLEBROOKE said, that in some cases the owner might be a minor, and it would depend on the tenant to carry out the work. In such a case he thought inspection was absolutely necessary; and it was not enough to say whether the work would be of value 20 years hence, because the person then examining it might see it when the drains were not working.

MR. RAMSAY begged his hon. Friend not to go to a Division. Inspection, to be of any use, would have to be done from day to day by a man on the spot. He, therefore, preferred the Bill as it stood, leaving it free to landlord and tenant to enter into an agreement for the purpose of having the drainage executed by the tenant, subject to inspection by the landlord, or else leaving it to the landlord to carry out the work himself.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 5 (Reservation as to existing and future leases).

SIR HERBERT MAXWELL said, the Amendment he wished now to propose was in the same spirit as one which had already been accepted by the Government, which provided that where an express stipulation had been entered into, a tenant should not receive compensation for anything in excess of his original outlay. This proposal stood on the same principle as other matters under the Schedule, and he hoped the Government would accept it.

Amendment proposed,

In page 2, line 38, after the word "Act," to insert "where any improvement is made by the tenant in implement of an obligation undertaken by him in writing previously to the passing of this Act, or in compliance with an agreement in an existing lease for which no compensation has been stipulated for, no compensation shall be payable."—(*Sir Herbert Maxwell.*)

Question proposed, "That those words be there inserted."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, the Amendment was both unnecessary and inappropriate to the object of the clause.

Amendment, by leave, *withdrawn.*

MR. BOLTON, in proposing to leave out the second paragraph of the clause, which runs as follows:—

"Where, in the case of a tenancy under a lease beginning after the commencement of this Act, any particular agreement in writing secures to the tenant for any improvement specified in the second or third parts of the schedule hereto, and executed after the commencement of this Act, fair and reasonable compensation, then in such case the compensation in respect of such improvement shall be payable in pursuance of the particular agreement and not under this Act."

It appeared to him (Mr. Bolton) that this paragraph was not an advantage either to the landlord or the tenant. If anyone would be benefited at all, it would be the lawyers. The effect of the paragraph would be to enable landlords and tenants to contract themselves out of the Act, provided they contracted themselves into an agreement. The agreement must be fair and reasonable; but fair and reasonable in relation to what, and fair and reasonable when? He presumed it was to be fair and reasonable in relation to the compensation provided for the tenant under the Act, and that it would only come into operation at the termination of the lease. What might be fair and reasonable at the beginning of a lease might be very unfair and unreasonable in relation to the Act at the termination of the lease. Then, the provision that it must be fair and reasonable was binding on the landlord and tenant; and, consequently, an agreement that should be valid must be an agreement exactly in accordance with the Act itself. If that was the case, what was the value of this paragraph? It was certain, he thought, to promote litigation, because it would be in the power of the landlord, if he imagined that to bring himself under the Act would be better than to be held by the agreement, to apply to have it found that the agreement was not fair and reasonable. In the same manner, the tenant, at the termination of the lease, if he thought it better to bring himself under the Act than to be held by the agreement, could make the same application. It was said that two men who had entered into an agreement would not be likely to repudiate it at a later date; but he would remind the Committee that the two men might not be the same two men. In Scotland 90 per cent of the land was let under long leases, and the men who might be landlord and tenant at the end of the lease would not in many cases—certainly not in all cases—be the landlord and tenant from the beginning of the lease, and would not have the same feeling of loyalty to the agreement. He could not see that any object would be served by retaining this portion of the clause, except that which he had already stated—namely, that it would promote litigation. It was in order to escape from the prospect of litigation, which would not be for the advantage of the landlord and tenant, but only for that of the lawyers, that he begged to move the omission of these words.

Amendment proposed, in page 2, line 38, to leave out all the words after the word "Act."—(*Mr. Bolton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Sir EDWARD COLEBROOKE said, he sympathized very much with the object of his hon. Friend in moving this Amendment. He considered that the clause, in the shape in which it now stood, was an immoral one, because it would encourage people to come to agreements and then to disavow them afterwards. The property might change, or the circumstances alter; and after having agreed to the terms of compensation, one of the parties might consider it advantageous to disavow the agreement, and appeal to a Court to determine whether the agreement was reasonable or not. He saw no hope of passing any Amendment which would render the clause satisfactory, and he would have supported his hon. Friend if he had proposed to delete the clause altogether from the Bill. At the same time, he considered that it was one of the most important clauses of the Bill if it could be made to work well. He was not so sanguine as to suppose that the measure would work as satisfactorily in regard to the tenant as some persons imagined. He thought, when they came to consider the question with all the difficulties attending it, and when all those difficulties were forced on the minds of the tenants, the time would come when they themselves would wish to have some opportunity of coming to agreements other than that provided by the Bill. His own opinion was that it was most important an opportunity should be afforded for arriving at such agreements. How would the present clause work? In the first place, it would have to be determined whether any improvement had been effected at all. How could that be done without ascertaining what the state of the holding was before the improvements were made? It would have to be ascertained whether any abatement would have to be made in consideration of the outlay made by the tenant; and having ascertained those matters, it would be necessary, last of all, to come to a conclusion how much was owing to other elements beyond the actual outlay. When he bore in mind all these matters, he confessed that he saw a fertile field of difficulty for the valuator, and a great opportunity afforded for litigation and expense, which would demand the assistance of a lawyer. For this reason he thought some opportunity should be afforded to the parties for coming to an amicable agreement; and he should be most unwilling to reject this proposition until he could see whether any arrangement could be arrived at for carrying out that idea. He thought the Amendment of his hon. Friend would come in better at the end of the clause, and it could then be rejected altogether if it were not amended in the direction suggested; or its rejection could be moved, at all events, on another stage of the Bill. If the clause were not amended in the direction suggested, he should certainly support his hon. Friend hereafter in a Motion to reject it from the Bill altogether.

SIR ALEXANDER GORDON said, he hoped the Committee would accept the Amendment of his hon. Friend. He admitted that the arguments of the hon. Baronet the Member for North Lanarkshire (Sir Edward Colebrooke) were very weighty, with this exception—that he saw no advantage that would be derived from postponing the clause now, and therefore he hoped the Committee would settle the matter at once. Although this provision had been rejected with regard to yearly tenants in England, he thought such a provision was very much more necessary for tenants in Scotland, because there already existed in Scotland, to a considerable extent, a custom deferring the settlement of matters of this kind. He thought the able arguments which had been brought forward since the matter was last discussed would have some weight upon the Committee in the decision they were about to come to.

MR. ALBERT GREY said, he hoped the hon. Member would withdraw the Amendment. As he understood the Amendment, if it were carried, and the second part of Clause 5 were struck out, it would not be possible for a single landlord in Scotland to come to an agreement with his tenant; and he therefore hoped that the Amendment would not be proceeded with, but that the Committee would be allowed at once to consider that of the hon. and learned Member for Roxburghshire (Mr. A. Elliot), which raised the question at issue in what he believed to be a better way.

MR. BOLTON desired to say, in reply to the remarks of the hon. Member, that he thought it would be far better there should be no power on the part of the landlord and tenant to make an agreement than to sanction an agreement under the clause which would be altogether illusory, because under the clause, as it stood, the only agreement which could be made was an illusory one. It could not possibly be a valid agreement, because it could not be made valid until it was decided, and it could not be decided until the termination of the tenancy. Personally, he was strongly in favour of the landlord and tenant being able to contract themselves out of the Act, provided that they did not contract the tenant out of the benefit of it. But, without some such clause, the tenant would not have the claim upon the landlord which the Act would give him.

MR. RAMSAY said, he concurred in everything which the hon. Member for Stirlingshire (Mr. Bolton) had said, and he was prepared to accept a further Amendment of the hon. Member to strike out the words "fair and reasonable" in regard to compensation. If those words were struck out, he believed they would be at one in the object they had in view. The Amendment of the hon. Member for Stirlingshire referred to making agreements between the owner and the occupier of the land. This clause gave power to make agreements; but it also provided that at the termination of the tenancy, if the compensation stipulated for was not fair and reasonable in the estimation of the Court, then the agreement was to be set aside, and the provisions of the Act were to come into operation.

SIR GEORGE CAMPBELL said, he regarded the clause as one of the most important of the Bill, on account of the elasticity it imparted to the measure. It was impossible to lay down a cast-iron system to compel the landlord and tenant to make a fair and reasonable agreement; but it would, in his opinion, to a certain extent, enable the landlord and tenant to make some reasonable agreement, instead of allowing things to remain as they were in many cases. He could quite understand the desire of his hon. Friend to improve the clause, and when they went a little further, they might be able to improve it; but he was not prepared to go to the extent of leaving out the clause altogether.

MR. J. W. BARCLAY remarked, that several hon. Members were in favour of retaining this section of the clause, in the hope that it would be in their power to amend it. He thought that object might easily be accomplished by the insertion of a provision similar to that proposed by the hon. and learned Member for West Staffordshire (Mr. Staveley Hill), which provided that landlords and tenants might make such agreements as they thought proper, but that the tenant should have the right to claim compensation under the Bill, if the terms of the agreement were less than those provided in the Bill. He thought such a provision would afford large facilities to the landlord and tenant for meeting any serious difficulty that might arise. The landlord would know the worst he would have to submit to, if the tenant did not think fit to contract himself out of the Bill. He believed that the Committee were not desirous of giving less compensation than was provided by the Bill, nor would the landlord propose to offer the tenant less. All the objects sought to be accomplished could be accomplished by giving the tenant a clause of this kind.

Sir ALEXANDER GORDON said, his objection to the clause was that the landlord might use it against the tenant by taking him into Court.

Mr. ALBERT GREY again appealed to the hon. Member for Stirlingshire (Mr. Bolton) to withdraw the Amendment. He pointed out that, if it were carried to a Division, the Committee would be compelled to divide upon a false issue. He agreed with every word of the hon. Member's speech, and also with the speech of the hon. Member for North Lanarkshire (Sir Edward Colebrooke); but if they voted for the Amendment, they would do the very thing they were anxious to avoid, by making it impossible for the landlord and tenant to come together. He therefore hoped the hon. Member would withdraw the Amendment in favour of the Amendment standing on the Paper in the name of the hon. and learned Member for Roxburghshire (Mr. A. Elliot), which he considered to be an admirable Amendment. If the Amendment were withdrawn, the discussion could be taken upon the Amendment of the hon. and learned Member for Roxburghshire.

The LORD ADVOCATE (Mr. J. B. Balfour) said, it was quite impossible that the Government could assent to the Amendment. As had been pointed out, if the clause were struck out, it would no longer be possible for the landlord and tenant to make any agreement whatever, fair or unfair, reasonable or unreasonable; but it would make matters absolutely compulsory in regard to the subject-matter with which the clause dealt. The first question for the Committee to consider was, whether or not it was desirable to prevent the landlord and tenant from making agreements that were fair and reasonable? He thought there was a consensus of opinion in the Committee that it was undesirable to shut out altogether the possibility of making agreements. As to the assertion of the hon. Member for North Lanarkshire (Sir Edward Colebrooke), that the clause would give rise to illusory agreements, the language had been framed to provide, and he believed it would provide, that the agreement should not be illusory. The danger the tenant was assumed to be under was that he might be allowed to concur in an illusory agreement without having given the matter any great amount of consideration. It was to prevent that contingency that the words "fair and reasonable" had been introduced, and it was intended to provide that it was only when the agreement was fair and reasonable that it would shut out the tenant's claim.

Mr. BOLTON said, that, after the remarks which had been made by the Lord Advocate, he would not press the Amendment further.

Amendment, by leave, *withdrawn.*

Mr. A. ELLIOT moved, in page 2, line 40, after the word "writing," to insert "made in good faith, and for valuable consideration." The hon. and learned Member said that this Amendment, together with others which he proposed to move in the same section of the clause, raised the question which many hon. Members were anxious to raise. He proposed in the next line, after the word "secures," to insert "compensation;" and then in the first line of the next page to leave out the words "fair and reasonable compensation." If this Amendment were adopted, the clause would run as follows:—

> "Where, in the case of a tenancy under a lease beginning after the commencement of this Act, any particular agreement in writing made in good faith, and for valuable consideration, secures compensation to the tenant for any improvement specified in the second or third parts of the Schedule hereto, and executed after the commencement of this Act, then in such case the compensation in respect of such improvement shall be payable in pursuance of the particular agreement, and not under this Act."

The effect of these words was to provide that where a *bonâ fide* agreement was made in writing, and for valuable consideration, securing compensation to the tenant by such agreement, the compensation should be settled by the agreement itself, and not by the Act. It was with a feeling of very sincere regret that he found introduced into the commercial system which had hitherto prevailed in regard to Scottish agriculture a principle of such doubtful expediency as that set forth in the clause. Hitherto matters of bargain in trade had been respected, but it was now proposed to set them aside altogether. They had been told, and told rightly, that Scottish agriculture differed from English agriculture, and differed, in the main, in this respect—that the tenant farmers of Scotland owed their position, prosperity, and success in business, not to mere custom, but to some understanding with the landlord, not to the favour of the landlord or the landlord class, but to the fact that their rights were put down by themselves in black and white, and that the lease under which they held was their title to the land. What the Government now proposed to do was to introduce an entire change. They had brought before the House a serious proposal, that covenants in leases between landlord and tenant were not to be binding on one side, unless a Court of Law considered the bargain a fair and reasonable one. The Lord Advocate had made use of an illustration. The right hon. and learned Gentleman had referred to the issue of railway tickets, and had said that a man who went hurriedly to a railway station and took a ticket, and either travelled himself or sent off his goods in the hurry of the moment, was not a contractor, and it would therefore be for a Court of Law to determine whether the bargain he had entered into in taking the railway ticket was a reasonable contract or not. Of course, there were many interferences with the freedom of contract that were perfectly right; but he was not prepared to make any depreciatory denunciation of the freedom of contract; and it was probably right that the amount of costs to be paid to a solicitor should be settled by the Taxing Master, because the client was, to a certain extent, at the mercy of the solicitor, and would neither know the law nor the cost of the machinery he was setting in motion. He proposed now to consider the object of the contracts dealt with by the clause. The first item in Part III. of the Schedule was boning land with undissolved bones. He wished to know if the Government meant to tell the Committee that any Scotch farmer was unacquainted with the process of boning land with undissolved bones? On what principle of common sense was it to be argued that the tenant farmer did not know the full cost and value of an improvement to be carried out in that way? The tenant farmers of Scotland were quite as likely to know the full value and expense of labour in that direction as anybody in England. He was bound to say that every article in Part III. of the Schedule related to a subject with which preeminently the tenant farmers were intimately acquainted. Their case was utterly different from that of a contract between a trader and a Railway Company. It was a contract made directly between the two parties concerned. The right view of regarding a lease was that it was as much the tenant's lease as the landlord's lease; and if the tenants were to combine together, if they found they were not sufficiently strong to do it singly, they would be able to extort from the landlords such terms as might enable them to hold their land on satisfactory conditions. They could do far better for themselves by combination and insisting on good terms than the Legislature could do for them. How was it possible that a Court of Law could understand the question of boning land with undissolved bones as well as the tenant farmers of Scotland; and how, if he might say so without disrespect, could the House of Commons understand that question as well as they did? He was informed, and he made the statement with due humility, that the next agricultural process mentioned in the Schedule—namely, the claying of land—was a process with which the agriculturists of Scotland were generally unacquainted; and yet here were they, the House of Commons, about to introduce into an Act of Parliament an agricultural matter in regard to which the farmers of Scotland were themselves perfectly ignorant. There was another matter of considerable importance which he wished the Committee to consider. They were going to submit these contracts about undissolved bones and other matters to a Court of Law. He wished to express an opinion that it was a perfect absurdity to submit one contract or covenant in a lease for the consideration of a Court of Law, with a view to its being decided whether it was a fair and reasonable one, without submitting the whole of the contracts contained in the lease. What was the main idea of every contract? It was rent. Then what, in the name of common sense, was the good of taking one stipulation by itself —a stipulation as to what should be done in the last year of the tenancy—liming and marling—if they did not look at what the tenant got in consideration for it? They must not go into the question of rent alone; but also into the question of the reduction of rent. It was an absurdity to consider the reasonableness of a lease if they were to exclude from consideration the amount of the rent; and, to be perfectly logical, they must refer to a Court of Law the question of rent as well as the conditions under which the rent had been fixed. He wished to urge it as strongly as he could upon the Committee. The tenant got a reduction of rent in consideration for doing certain things; and it was impossible that a Court of Law could give any material benefit to a tenant, unless it entered into the question of not only what he was to do, but the consideration he got for doing it. There was a very great principle involved in this question. All Liberals had for years advocated the principle of bringing commercial and trading notions into the consideration of the business of agriculture. They had urged that principle for years, and he believed it to be a right one; but if they were to introduce the principle of Court regulations, let them do it honestly, and let them see if the Court had the power of doing what they propose to leave to it. These were the views which he ventured to urge before the Committee; and he would ask the Government, before they introduced an entire change of practice into the commercial and trading system of Scotch agriculture, to consider seriously whether they were not making an absolute departure from all sound principles without any reason or cause whatever? He begged to move the first of the Amendments of which he had given Notice.

Amendment proposed,

In page 2, line 40, after the word "writing," to insert the words "made in good faith, and for valuable consideration."—(*Mr. A. Elliot.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, the question raised by the Amendment was simply whether certain words should be substituted for those which had been inserted in the Bill. The words in the Bill were "fair and reasonable compensation." He understood his hon. and learned Friend to propose to insert, after the word "writing," the words "made in good faith, and for valuable consideration." That was to say, his hon. and learned Friend proposed that a claim made in good faith and for valuable consideration, should be effectual between the landlord and the tenant, and he suggested that that would be an improvement of the Bill for an agreement which stipulated that there should be fair and reasonable compensation. He understood his hon. and learned Friend, in the first place, to agree that there should be power given to the landlord and tenant to contract; and, in the second place, he understood him to agree that that power should not be unlimited—that there should be a limitation or qualification of the power, such as that suggested by the words of the Amendment—"made in good faith, and for valuable consideration."

MR. A. ELLIOT said, he did not mean to suggest that any contract would not be made in good faith.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, he understood the general feeling of the Committee to be that there should be some qualification to the power of the landlord and tenant to contract themselves out of the Act. He hoped the Committee would decide on leaving the words "fair and reasonable" in the Bill; because, notwithstanding all the discussion which had taken place previously on the matter, he thought the impression generally left by it was that no words had been suggested which would be found, in practice, to work more satisfactorily than "fair and reasonable." It was said that these words were difficult of interpretation; but his answer to that statement was that the words "fair and reasonable" were constantly interpreted by the Courts, and he was not aware that any special difficulty had ever been experienced in interpreting them. The circumstances under which any contract had been entered into were fully placed before the Court, and it was in the power of the Court to come to a conclusion whether a contract, dealing with any particular matter, was fair and reasonable or not. It was out of the question to define *à priori* what was fair and reasonable; that must depend on the particular circumstances of the case. His hon. Friend behind him (Sir Edward Colebrooke) wished to determine that the words "fair and reasonable" were illusory, and that nothing would be fair and reasonable that was not in precise conformity with the compensation provided under the Act. He could not agree with his hon. Friend in his interpretation of the words. He could well understand an agreement under which compensation was stipulated, but which would not be the sum that could be claimed under the Act, but which might, notwithstanding, be held to be a fair and reasonable agreement. It appeared to him, with regard to the words "fair and reasonable," that they were words not difficult of interpretation, and that they would provide a sufficient safeguard for the tenant, and that no other words had yet been suggested which would meet the object in view more adequately. He had been struck by one feature in the course of the speech of the hon. and learned Member for Roxburghshire (Mr. A. Elliot)—namely, that his hon. and learned Friend did not tell the Committee what he meant by the expression, "in good faith, and for valuable consideration." If, by the words "good faith," the hon. and learned Member meant an agreement obtained by one party from the other by fraud, he presumed that that would be a very rare occurence indeed. Landlords and tenants voluntarily contracting would not be in a position to exercise fraud one upon the other in effecting such an agreement. Then, in regard to the expression, "for valuable consideration," he should like very much to hear what the hon. and learned Member meant by it. Did he mean for any sum of money; and if he did mean for any sum of money, then, what sum did he mean? What was to be a lawful sum of money, and what was to be the amount of the improvement? He certainly thought it would be much better to see whether the agreement, taken as a whole, was not a fair and reasonable agreement; and he, therefore, respectfully submitted that the substitution of the words proposed by his hon. and learned Friend would not facilitate the ascertainment of this matter at all. It would be far better to retain the words "fair and reasonable." It would have the effect of not inviting other parties to set aside a contract made voluntarily, and under circumstances where it could be carried out. If the contract was made under circumstances that were not fair and reasonable, then the Court would have full power to set it aside; and therefore he thought it would be well to retain the words "fair and reasonable."

MR. A. J. BALFOUR said, he agreed with every word which had fallen from his hon. and learned Friend the Member for Roxburghshire (Mr. Elliot); but he was bound to say that, although he agreed with the object of his hon. and learned Friend, the substance of his speech did not apply to the Amendment. The essence of the speech was that a Court should not determine whether the contract was equitable or fair. To that proposition he (Mr. Balfour) entirely agreed, and he had moved an Amendment in the English Bill to that effect. The only difference, if the Amendment of his hon. and learned Friend were carried out, would be in the nature of the inquiry of the Court, because the Court would have to decide the meaning of the words which the hon. and learned Member proposed quite as much as those in the Bill as it stood.

MR. A. ELLIOT said, the Solicitor General had asked him to explain what he meant by the expressions contained in the Amendment. He thought that the legal phrase, "in good faith, and for valuable consideration," was so well known that it did not require explanation. If the words he proposed were inserted, the Court would have to inquire into the existence of the agreement; but it would not inquire whether it was a fair or reasonable agreement. The goodness or the badness of the bargain would be precisely the thing that would be withdrawn from the consideration of the Court.

MR. A. J. BALFOUR asked if that was so as a matter of Scotch law?

MR. A. ELLIOT said, he had no doubt about it.

MR. A. J. BALFOUR said, if that were so, then all the Court would have to determine would be whether there had been a fraudulent agreement or not. In that case, he should support the Amendment of his hon. and learned Friend.

Mr. A. ELLIOT said, the Court would have to decide whether the bargain was simply a substantial one.

Mr. A. J. BALFOUR remarked, that, under these circumstances, he saw very little difference between himself and his hon. and learned Friend.

The SOLICITOR GENERAL for SCOTLAND (Mr. Asher) said, he thought that if these words were inserted, the Court would certainly feel itself entitled to inquire into the nature of the case.

Mr. A. ELLIOT said, his view of the matter was that the Court would inquire into the question of the consideration, but not into the meaning of its reasonableness.

Mr. JAMES HOWARD said, he had listened with great attention to the arguments of the hon. and learned Member for Roxburghshire (Mr. A. Elliot), and he had listened to them with some amount of surprise. He still failed to gather what the intentions of the hon. and learned Member were.

Sir HERBERT MAXWELL rose to Order. He said, that his hon. Friend the Member for Hertford (Mr. Balfour) had not concluded his remarks, but had simply allowed the hon. and learned Member for Roxburghshire (Mr. Elliot) to interpose with an explanation.

The CHAIRMAN: That is not a point of Order. I called on the hon. Member for Bedfordshire (Mr. Howard), because I thought that the hon. and learned Member for Roxburghshire (Mr. A. Elliot) and the hon. Member for Hertford (Mr. Balfour) had concluded the discussion in which they had been engaged for some time.

Mr. JAMES HOWARD, resuming, said, he had listened to the arguments of the hon. and learned Member for Roxburghshire with surprise, and he wished to know if the same arguments were to apply to contracts in regard to other matters — for instance, the property tax? If an agreement had been entered into between the landlord and tenant in regard to the property tax, by which the tenant bound himself to pay the tax, the Courts would rule that such an agreement was null and void, and would set it aside. He had always understood that the only justification for interference with freedom of contract was one in which two persons did not enter into a bargain upon equal contracting terms, and also where, in consequence, the interests of the public might be endangered. Unless the Amendment could keep this particular class of agreements out of a Court of Law, he failed to see the use of it. Without the Law Officers of the Crown were enabled to devise some means of preventing these particular agreements from being carried to a Court of Law to decide whether they were fair and reasonable, he believed the effect of the clause would be to paralyze the efforts of the farmers in England and Scotland, because it would introduce an element of uncertainty into agreements, and it would not be known what force an agreement really had until it was submitted to a Court of Law. He hoped the Law Officers of Scotland and the Law Officers of England would devise some means of keeping these agreements out of the Courts of Law, or otherwise the farmers of both countries would be greatly disappointed.

Mr. J. W. BARCLAY said, it was quite clear that if the Amendment were adopted, there would be the greatest facility for contracting out of the Act. He had known a landlord, in taking a 19 years' lease, agree to receive a trifle a-year less than the farm was worth, and that might be held to contract the tenant out of the Act. If, on the other hand, the tenant had agreed to pay more than the landlord was entitled to demand, it might be insisted on, after inquiry by a Court of Law that it was unfair and unreasonable. This was virtually a proposal to allow both the landland and tenant to contract themselves out of the Act.

Mr. WARTON said, that for once he was inclined to agree with the hon. Member for Forfarshire (Mr. Barclay). The payment of any sum of money would be sufficient to make such an agreement valid, and to contract the parties out of the Act.

Mr. ALBERT GREY said, he hoped his hon. and learned Friend would press the Amendment to a Division. It had been certainly shown how injurious it would be for the tenant to be left in a state of uncertainty as to the condition in which he was placed. It was impossible to say to what amount of trouble they might be put hereafter, owing to the litigation which they would probably be drawn into by the clause as it stood. In order to put a stop to that uncertainty, it was most desirable that valid agreements—*bonâ fide* agreements—entered into with great deliberation, and where there was nothing of a colourable complexion attaching to them, should be held to be valid agreements which ought not to be set aside. He had listened to the speech of his right hon. Friend the First Commissioner of Works on the first discussion on the Bill. The right hon. Gentleman then stated that the object of the Bill was to secure compensation to the tenant in all cases, and to apply alike, whether the tenant had a substantial agreement, or whether he had only a bogus agreement. It was under these circumstances that no Division was taken upon the second reading of the Bill. But if they had known what they now knew, that there was not a single agreement between landlord and tenant, however carefully they might have entered into such agreement, which would be allowed to stand as fair, he thought the opinion of the House would have been taken on the occasion of the second reading of the Bill; because he could not believe that the House would have committed itself so blindly and so wilfully to the principle that in every case the State ought to reject contracts between landlords and tenants where there was nothing *mala fides* in the contract itself, but where it was a straightforward contract between the landlord and tenant.

SIR DONALD CURRIE said, the hon. Member who had just sat down virtually asked the Government to give the landlord and tenant power to contract themselves out of the Act, and he hoped his right hon. and learned Friend the Lord Advocate would adhere to the clause as it stood.

SIR EDWARD COLEBROOKE said, that before they came to a Division he could not help supporting what had been said by the hon. Member for Bedfordshire (Mr. Howard). He certainly preferred the words as they stood in the Bill to those of the hon. and learned Member for Roxburghshire (Mr. Elliot). He was of opinion that the words "fair and reasonable" were, on the whole, likely to receive a larger interpretation in favour of the tenant than those which his hon. and learned Friend proposed. But, whatever course was taken, a difficulty would remain behind; and he hoped the Government would find some means of releasing them from the dilemma which had arisen, and leaving the interpretation of the clause free from any doubt, so that the parties interested should not have to remain in doubt, perhaps for 20 years, only to be relieved ultimately by a Court of Law.

MR. A. ELLIOT said, he did not wish the Division to be taken on a false issue. What he wished to raise was simply the question that agreements properly entered into in writing should be held to be good, and that what had been called bogus agreements should be invalid. An agreement in writing meant a perfectly honourable agreement. He would have no objection to substitute the words "particular agreement in writing," and take a Division upon those words.

MR. M'LAGAN said, that, notwithstanding the able speech of the hon. and learned Member for Roxburghshire (Mr. Elliot), he thought the words "fair and reasonable" were better than those proposed by his hon. and learned Friend, which were "made in good faith, and for valuable consideration." He was sorry, therefore, that he should feel obliged to vote against his hon. and learned Friend. He thought the words "valuable consideration" were dangerous. It might be held that it was a valuable consideration, although it would not be equal to what the tenant was entitled to; whereas, if they made use of the words "fair and reasonable," the Court would have no difficulty in deciding what was fair and reasonable, and would see, at all events, that it was what the tenant was fairly entitled to. The words of the Bill were less open to mistake than those proposed by his hon. and learned Friend.

MR. BOLTON asked his hon. and learned Friend the Member for Roxburghshire (Mr. Elliot) whether it would not be wise on his part to withdraw the Amendment? Certainly, after the discussion which had taken place, he (Mr. Bolton) very much preferred the words of the Government to those of the hon. and learned Member. He hoped, however, that before the Report stage the Government would consider whether it was not better to avoid the opportunity for litigation, which the clause was certainly giving.

Mr. A. J. BALFOUR suggested to the hon. and learned Member for Roxburghshire that he should move only the first words of his Amendment—namely, the words "made in good faith."

Mr. A. ELLIOT said, he would accept that suggestion, and withdraw the Amendment on the Paper, substituting the words "made in good faith" after the word "writing." He should then, if that Amendment were carried, propose, after the word "secures," in the next line, to insert "compensation."

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 2, line 40, after the word "writing," to insert the words "made in good faith."—(*Mr. A. Elliot.*)

Question proposed, "That those words be there inserted."

Mr. ANDERSON pointed out that it would be necessary to insert also the word "compensation."

Mr. A. ELLIOT said, his Amendment was intended to involve that.

Mr. RAMSAY said, the words proposed still left the matter vague and indefinite, and he thought it would be better to take the Bill as it stood.

Question put.

The Committee *divided*:—Ayes 45; Noes 187: Majority 142.—(Div. List, No. 235.)

Amendment proposed, in page 2, line 42, to leave out the words "second or third parts," and insert the words "third part."—(*The Lord Advocate.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. J. W. BARCLAY wished to point out to the Lord Advocate that this proposal would still further extend the scope of the Bill, and that agreements between the landlord and tenant with regard to drainage would come under the clause. He understood that the object of the Amendment of the Lord Advocate was to withdraw the controlling clause, so that it should not apply to drainage.

The LORD ADVOCATE (Mr. J. B. Balfour) said, that was a mistake; the object was to apply it to the 3rd Part of the Schedule.

Amendment *agreed to.*

Mr. Bolton

Sir ALEXANDER GORDON moved to add, at the end of the Clause—

> "In the event of a question arising as to whether such substituted compensation is fair and reasonable, the same shall be determined by the sheriff, whose decision shall be final."

The object of the Amendment was to prevent litigation, and to prevent the tenant from being dragged by the landlord before a Court of Justice on a question whether the compensation was fair and reasonable. It was the custom in Scotland to refer these cases to the Sheriff of the county. He hoped the Committee would accept the Amendment.

Amendment proposed,

> In page 3, line 4, at end, add "in the event of a question arising as to whether such substituted compensation is fair and reasonable, the same shall be determined by the sheriff, whose decision shall be final."—(*Sir Alexander Gordon.*)

Question proposed, "That those words be there added."

The LORD ADVOCATE (Mr. J. B. Balfour) said, he was afraid he could not accept the Amendment. The whole of the matter was fully gone into on the English Bill, in the analogous case of referring such questions to the County Court Judge. There was no more reason for referring the matter to the Sheriff in Scotland than there was for referring it to a County Court Judge in England. The matter of the fairness or reasonableness of a claim must be left to the determination of the Court when it arose.

Amendment *negatived.*

Sir EDWARD COLEBROOKE moved to add, at the end of the Clause—

> "Provided, That a landlord and tenant may, before executing any such particular agreement, concur in referring the terms thereof to an umpire to be appointed by the sheriff, and an agreement which has been found by such umpire to secure just, fair, and reasonable compensation as aforesaid, and has been signed by the landlord and tenant, and countersigned by the umpire, shall be deemed to secure fair and reasonable compensation to the tenant."

The hon. Baronet said, he had already explained the reason why he thought it a most important matter that this question should not be left to the future decision of a Court of Law; but there should be a third party to decide whether the agreement was a fair and valid one. The only reason against it was that the landlord might have forced upon him some particular umpire who might not understand what the question really was. But the umpire could be named by the Inclosure Commissioners, and it had already been decided that the question should not be left to the Sheriff of a county. His only object was to provide against future litigation as much as possible. All he asked of the Government was that they should not leave the matter in its present uncertain state.

Amendment proposed,

In page 3, at end, add—"Provided, That a landlord and tenant may, before executing any such particular agreement, concur in referring the terms thereof to an umpire to be appointed by the sheriff, and an agreement which has been found by such umpire to secure just, fair, and reasonable compensation as aforesaid, and has been signed by the landlord and tenant, and countersigned by the umpire, shall be deemed to secure fair and reasonable compensation to the tenant."—(*Sir Edward Colebrooke.*)

Question proposed, "That those words be there added."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, it was not possible to assent to the Amendment, the result of which would be greatly to hamper the arrangements between the landlord and tenant. The Amendment embodied this principle, that wherever an agreement was entered into, its terms should be submitted to another person, and the result of that would be, as he had said, to hamper the arrangements, and he was afraid they might degenerate into a mere formality, and in that way the Amendment might retard the course of justice. If the agreement was fair and reasonable, there was no fear that it would be challenged; and in the very few cases in which it might be challenged there was no fear that it would be set aside.

Amendment *negatived.*

MR. DUNDAS intimated that on the Report he would move to add to this clause a Proviso, that in the event of any question arising as to whether such substituted compensation was fair and reasonable, regard should be had to the time and circumstances under which the agreement was made.

Clause, as amended, *agreed to.*

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*The Lord Advocate.*)

SIR ALEXANDER GORDON asked when it was proposed that the Committee should sit again?

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he would put the Bill down for to-morrow.

Motion *agreed to.*

Committee report Progress; to sit again *To-morrow.*

QUESTIONS.

EGYPT—THE CHOLERA.

VISCOUNT FOLKESTONE asked, If any Member of the Government present could give the House any information as to the spread of cholera among Her Majesty's troops in Egypt, and particularly as to whether there were any fresh outbreaks?

SIR ARTHUR HAYTER replied, that no telegram had been received at the War Office to-day.

SOUTH AFRICA—ZULULAND—REPORTED DEATH OF CETEWAYO.

MR. CAUSTON asked, Whether any Member of the Government could give information as to the statement that Cetewayo had been killed?

MR. COURTNEY said, he had seen a Reuter's telegram to the effect that it was reported at Durban that Cetewayo was dead; but he knew nothing further about the matter.

House adjourned at ten minutes before Six of the clock.

HOUSE OF LORDS,

Thursday, 26th July, 1883.

MINUTES.]—PUBLIC BILLS—*First Reading*—Consolidated Fund (No. 4) *.

Second Reading—Companies (Colonial Registers) * (150); Petroleum (154) *discharged;* Prison Service (Ireland) * (145).

Committee—Companies Acts Amendment * (148).

Committee—Report—Sea Fisheries (Ireland) * (146).

SOUTH AFRICA—ZULULAND—REPORTED DEATH OF CETEWAYO.

QUESTION.

LORD BRABOURNE asked the noble Earl the Secretary of State for the Colonies, Whether he has any information respecting Cetewayo; whether there is any truth in the report that he has been killed; and, generally, whether there is any further news respecting the condition of affairs of Zululand?

THE EARL OF DERBY: My Lords, about an hour before the meeting of this House, I received a telegram on the subject from Sir Henry Bulwer. Sir Henry telegraphs that he has received a letter from Mr. Osborn, our Commissioner, on the Native Reserve in Zululand, in which Mr. Osborn states that, in his opinion, it is certain that Cetewayo has been killed during the attack on Ulundi; but no details were, as yet, forthcoming, and Mr. Osborn himself had not received any definite information on the subject.

LONDON COMMISSIONERS OF SEWERS (VENTILATION OF RAILWAYS) BILL AND METROPOLITAN BOARD OF WORKS (DISTRICT RAILWAY) BILL.

MOTION FOR INSTRUCTION TO THE COMMITTEE.

THE EARL OF WEMYSS, in moving—

> "That in view of the fact that many millions of the working classes of London are compelled habitually to travel on the Metropolitan District Railway, and that their health and convenience is greatly dependent upon the improved means of ventilation recently provided by the railway company under powers granted by Parliament after full inquiry before Committees of both Houses, it be an instruction to the Committee to whom the said Bills are referred to allow the attendance before them and take the evidence of the representatives of the London Trades Council, and such other associated bodies as the Committee may desire, in order that the case of the working men may be fully heard,"

said, that the Committee would do well to consider two points—first, whether the compensation to be paid to the Railway Company under this Bill would be sufficient; and, secondly, who was to pay it? With regard to the first point, it appeared to him that the mere doing away with the ventilators and making the ground good was hardly sufficient; for, unquestionably, the Railway Company ought to be compensated for the value of the concession which, after being given them by Parliament, had been taken from them, as well as for the work they had carried out. Then, as to the second point, who was to pay the compensation? he would ask how it happened that the First Commissioner of Works, the President of the Board of Trade, and the Chairman of the Metropolitan Board of Works, who were supposed to be custodians of the Metropolis in matters of æsthetics, had allowed the Bill to be passed, and these ventilators to be constructed? The answer was that, under the present system of management, there was no joint action on the part of these Bodies; and that only showed how necessary it was that some change should be made in the conduct of these matters by the Metropolitan Board and Her Majesty's Office of Works. It appeared, then, to him that the persons who ought, in the first instance, to be liable to the Railway Company for their expenditure on these ventilators should be the First Commissioner of Her Majesty's Works and the Chairman of the Metropolitan Board. But, in any case, he thought the ratepayers ought not to be called upon to pay for what was, in fact, the result of an Act of Parliament; and it appeared to him that this compensation, be it large or small, should come out of the Imperial Exchequer, and not out of local funds. He trusted their Lordships would allow the Instruction to pass, and that the Working Men's Trades Council and other Associated Bodies should, on petitioning to that effect, be heard before the Committee. The increase of traffic on these subterranean railways had increased enormously, and the working men, who were obliged to travel backwards and forwards by them, complained that the atmosphere was not only most noxious and noissome, but hurtful to health. They were most anxious, therefore, that there should be a satisfactory system of ventilation. The Committee of the House of Commons had recommended that some of the holes should be left open; but what the working men feared was that the Metropolitan Board of Works might ask the Committee of their Lordships' House to go much further than the Committee of the other House had done, and to close more of these ventilators, *Moved*, That in view of the fact that many millions of the working classes of London are compelled habitually to travel on the Metropolitan District Railway, and that their health and convenience is greatly dependent upon the improved means of ventilation recently provided by the railway company under powers granted by Parliament after full inquiry before Committees of both Houses, it be an instruction to the Committee to whom the said Bills are referred to allow the attendance before them and take the evidence of the representatives of the London Trades Council, and such other associated bodies as the Committee may desire, in order that the case of the working men may be fully heard, provided a petition from such council or other associated bodies be presented to the House."—(*The Earl of Wemyss.*)

EARL GRANVILLE said, no doubt there was a great deal of feeling both for and against the question of these ventilators; but, for himself, he had no wish to say a single word as regarded its merits. Under those circumstances, it seemed to him just and desirable that all parties should be heard before the Committee who had to decide it. If these parties had a *locus standi* before the Committee, without any Instruction from their Lordships, he should not be inclined to vote for this Instruction; but, as he understood such was not the case, he certainly had no objection to the proposal of the noble Earl.

THE MARQUESS OF SALISBURY said, that, after what had fallen from the noble Earl opposite (Earl Granville), the case seemed too clear for argument. They ought certainly to allow everyone who was directly or indirectly interested to be heard, and, therefore, he should support the Motion.

THE DUKE OF BUCKINGHAM, as Chairman of the Committee referred to, said, he wished to point out to the House that, although this was a question upon which there had been a good deal of feeling shown, yet that when the Bill came before the Committee of their Lordships' House, there was no discussion and no opposition, and it became his duty to report it as an unopposed Bill to the House. He quite concurred, however, in the proposal of the noble Earl (the Earl of Wemyss), and could see no objection to it.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, that the question was a peculiar one. He had never known of a case like it. These parties could not properly appear before the Committee, because they had no *locus standi*. As it was an exceptional case, he would not offer any opposition to the Motion, but leave the matter in their Lordships' hands.

THE EARL OF CAMPERDOWN said, he wished to know the position of the House with regard to the Bills? He thought the Motion, even if agreed to, would be nugatory, for the Committee had made their Report, and all opposition to the Bills had been withdrawn; there was, therefore, nothing on which the Motion could operate.

THE LORD CHANCELLOR said, it would seem that the Committee had ceased to have cognizance of the Bill. It was difficult for the House to give an Instruction to a Committee, if, at the present moment, the Bill was not before anybody.

THE MARQUESS OF SALISBURY said, he thought that the best thing to do would be to adjourn the debate; and he would, therefore, move that the debate be adjourned. It was quite clear, whether the noble Earl at the Table (the Earl of Redesdale) accepted the Motion or not, that the debate had adjourned itself.

Further debate on the said Motion *adjourned* till *To-morrow.*

PETROLEUM BILL.—(No. 154.)

(*The Earl Granville.*)

SECOND READING. ORDER DISCHARGED.

On the Motion of the Earl GRANVILLE, Order of the Day for the Second Reading read, and *discharged.*

PRESENTATION OF PETITION.

THE MARQUESS OF SALISBURY said, he had received a Petition, signed on behalf of the Petroleum Association of London, a large and very influential body, against the Bill, the Order for the Second Reading of which had just been read and discharged. He trusted no day would be fixed for the resumption of this Bill. That Bill had been introduced at a very late period of the Session, and it appeared to be a measure which affected the trade very seriously. The Petitioners stated that—

> "As the enactments in this Bill will virtually annihilate the Petroleum trade, we trust they will not be passed into law without considerable modification."

The Bill stood on the same footing as

the Merchant Shipping (Fishing Boats) Bill, which was read a second time the other night. These Bills might or might not be bad. He did not know. They might or might not be necessary; but it could not be necessary for the Government to introduce them in the last week of July, when it was impossible to inquire into their merits, and the effects they might have on important industries, and when there was every danger of hasty and ill-considered legislation.

Petition *presented;* read, and *ordered* to lie on the Table.

EUPHRATES VALLEY RAILWAY.

MOTION FOR AN ADDRESS.

Lord LAMINGTON, in rising to ask Her Majesty's Government, Whether previous to the ratification of the provisional agreement for the formation of the second Suez Canal they will not consider the expedience of advancing £8,000,000 for the formation of the Euphrates Valley line of railway, which would be entirely under the control of the English Government, whereas by the terms of the provisional agreement the second Suez Canal would, like the present one, remain under French direction; and to move for Papers, said, the Agreement had been abandoned; but the fact remained that it had now been recognized that it was a matter of very great importance that there should be a second Suez Canal; but, if there were to be a dozen Canals, it was admitted, as a matter of equal necessity and importance, that there would still be required an alternative line of communication between the Mediterranean Sea and the Indian Ocean. He was not going to discuss the merits of the second Canal through the Isthmus of Suez, beyond calling attention to the fact that, some three or four years ago, Mr. Gladstone wrote an article in *The Nineteenth Century*, in which he showed that such a line was wanted, using the following words:—

> "Indeed, Russia or no Russia, it seems to be very doubtful whether confident reliance can be placed upon the Canal for our military communications with India under the varied and shifting contingencies of war. Even if it were possible to hold the line, approaching 100 miles, as a continuous fortification, it does not at once appear how the Canal could be secured against the furtive scuttling of ships. If it cannot, what becomes of all the costly care for the military custody of the banks? Upon the whole, it would not surprise me to learn that the authorities of our War Department, aware of all the difficulties of the case, have already discounted them by paying their account with a return to the old route of the Cape for times of war."

At about the same time an article was published in the leading journal, *The Times*, in which these expressions occurred:—

> "The loss to England by exclusion from the Canal route would be political as well as commercial. To any other nation, the fact that the Canal was obstructed, or that the control of it had fallen into hostile hands, could only mean that certain mercantile profits were placed in jeopardy, though even from this point of view it should not be forgotten that our stake exceeds in magnitude the stake of any rival Power 20-fold or 30-fold. But in our case the necessity of keeping open the great highway between the mother country and her dependencies in Asia and the Southern Seas, is added to commercial interest and our financial interest in the Canal."

Whether there were two or four Canals through the Isthmus they would all be open to the same objection. Our commerce was particularly interested in this, considering that it was 20-fold that of any other country using the Canal. Politically, we were not less interested in it, as it was all important that we should have an open communication with our Indian Empire. He held that the required alternative line we needed would be found in the Euphrates Valley Line, which was no bubble or visionary scheme. Committee after Committee, of one of which he himself had had the honour of being a Member, had reported on the Line, and had approved of it. The last Committee, which sat in 1872, had examined 35 most competent witnesses connected with India and with trade, and of these, 30 were in favour of the railway, while only five were against it. That Committee said—

> "Speaking generally, your Committee are of opinion that the two routes by the Red Sea and by the Persian Gulf might be maintained and used simultaneously; that at certain seasons and for certain purposes the advantage would lie with the one, and, at other seasons, and for other purposes, it would lie with the other; that it may fairly be expected that in process of time traffic enough for the support of both would develop itself, but that this result must not be expected too soon; that the political and commercial advantages of establishing a second route would at any time be considerable, and might, under possible circumstances, be exceedingly great; and that it would be worth the

while of the English Government to make an effort to secure them, considering the moderate pecuniary risk which they would incur."

The objection made to the scheme by the Government last year, was that it would involve too great expenditure. He trusted that that argument would not be advanced again now; for, if the Government were admittedly in a position to advance £8,000,000 for the purpose of increasing our means of communication with India and the East by a new Suez Canal, he thought they had much better advance it for the Euphrates Line. The advocates of this scheme, however, did not ask Government to contribute anything towards the undertaking. They were ready to find the money themselves, and only asked that a certain amount of protection should be given to them by Her Majesty's Government. Another reason why the question should now be seriously taken up, was that the Turkish Government had now made concessions to a Company with a view to the establishment of the projected Line. That Government had already granted a concession for a Line from Antioch to Aleppo, which was the first part of the scheme, and he saw no difficulty in having it extended to the top of the Persian Gulf. Lord Palmerston had always advocated this scheme in preference to a Canal, and he knew it had also been countenanced by the late Earl of Beaconsfield. Among other advantages of the Line, he might mention the following:—

"1. It would connect the Mediterranean with the head of the Persian Gulf, between which and Kurrachee and Bombay regular communication is now maintained by a line of powerful steamers, subsidized by the Indian Government.

"2. Making Kurrachee the European port of India in place of Bombay, it would save about 1,000 miles in the distance between England and India, and by the substitution of railway for boat transit would reduce the time occupied in the journey by one half—that is, to 10 days instead of 20 days.

"3. It would render it possible to maintain India with a smaller European garrison than is now necessary, and would thus reduce our military expenditure.

"4. It would save the Government large sums in sudden emergencies by the facilities it would afford—and that at all seasons of the year—for the transport of troops and stores.

"5. It would enable troops from England to be landed at Kurrachee in about 14 days, and in two or three days more at Lahore, Peshawur, or Delhi.

"6. It would subject an enemy advancing towards the north-western frontier of India to easy attack in the flank and rear, and would render the invasion of India all but impossible.

"7. It would make the resources of England so promptly available in the East that any hostile movement directed against us, whether from within or without our Indian frontier, might thus be effectually checked before it could assume formidable proportions.

"8. It would give our extensive military establishments in India a direct influence in support of our power and prestige in Europe.

"9. It would give England the first strategical position in the world."

He contended, in short, that the advantages to be derived from the Euphrates Valley Line would be greater than any which would have resulted if the recent Agreement with M. de Lesseps had been carried out; and he thought it would be wise on the part of the Government, even if they were not inclined to advance any money, at all events to give what facilities they could by obtaining the necessary concessions and the like for the construction of a Railway, as to which it should be remembered there was this difference between it and the Suez Canal —that whereas the former would be entirely under the control of the English Government, the latter, by the terms of the Provisional Agreement lately abandoned by the Government, would have remained under French direction. In conclusion, he would ask the Question of which he had given Notice, and move for Papers.

Moved, "That an humble Address be presented to Her Majesty for Papers respecting the formation of the Euphrates Valley line of railway."—(*The Lord Lamington.*)

EARL GRANVILLE: My Lords, the noble Lord opposite (Lord Lamington) is perfectly justified in saying that the question of communication with India *viâ* the Euphrates Valley, is one that has engaged attention in this country for many years. The subject both of water and railway communication between the Mediterranean Sea and the East, has been presented to the public in different forms. The noble Lord is also quite right when he says that the last Committee by whom the matter was considered reported in favour of the mode of communication to which the noble Lord has drawn attention. But they did not recommend any particular scheme, nor that any guarantee should be given by the British Government in connection with the subject. The last proposal was put forward by that man of great capital and energy, the late Mr. Cazalet, who worked on the proposal to the last hour of his existence; but neither he, nor his living representatives, have ever made any application to the Government for pecuniary assistance as suggested by the noble Lord. I do not intend to refer to the merits or demerits of an Agreement which has now been dropped; but it must be obvious to your Lordships that there is a great difference between advancing public money in support of an enterprize in which you already possess one-half the property, and which is in a state of great prosperity, and advancing it in support of a perfectly embryo scheme as to which there is no certainty of success. I am not aware that there are any Papers that can be produced on the subject, or I should be happy to do so.

THE MARQUESS OF SALISBURY: My Lords, I hardly think that the scheme advocated by my noble Friend (Lord Lamington) is in such a position as to make it desirable to press it on Her Majesty's Government at the present time. There are many difficulties connected with it which have often been recited in this House; and though, perhaps, not so formidable as they were some time ago, yet they appear to me too serious to allow us to entertain any hope that the subject can at present be taken in hand. But I think the popularity of the scheme, and the great attention given to it, are only some of the many signs which should make Her Majesty's Government consider that the subject of connecting the Indian Ocean and the Mediterranean is one of the most important questions of the day. All such projects will, of course, depend on the consent of the territorial Sovereign through whose Dominions the lines of communication must pass, whether they are by land or water, and the consent of the Sovereign will largely depend upon the diplomatic influences brought to bear upon him. It is, therefore, a matter in respect of which Her Majesty's Government, though they are not, in the first instance, territorially responsible, will be held largely responsible by the public, if they do not adopt, at an early period, a definite policy on the question—a policy to which they are prepared to adhere, and one which will respond to the feelings entertained by the public of this country. I take it that there is a strong feeling existing in this country upon the question of communication between the Indian and Mediterranean Seas; and, considering the vast proportions of British commerce compared with the entire commerce that desires to pass through that route, it is felt that such communication ought not to be in the hands or under the control of administrators who are not British. That is a strong and dominant feeling in this country, and on that account I do not think Her Majesty's Government can afford to put the question off, or to delay coming to a judgment upon it. I have no wish, at present, to press this particular matter of the Euphrates Valley scheme upon the Government. I do not feel that it is opportune to do so; but I do rise for the purpose of saying that I hope we are not to conceive that this subject, as far as the increase of traffic accommodation goes, is to be considered as entirely closed, but that, before the Session is finished, we shall have some intimation from Her Majesty's Government of a definite policy which they are prepared to follow in respect of it.

Motion (by leave of the House) *withdrawn.*

MANCHESTER SHIP CANAL BILL—THE SELECT COMMITTEE.

NOTICE OF MOTION.

THE EARL OF CORK gave Notice that, to-morrow (Friday), he would move that the following Peers should be appointed as the Committee to consider the Manchester Ship Canal Bill:—The Duke of Bedford, the Earl of Devon, the Earl of Aberdeen, the Earl of Camperdown, and Lord Carrington.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, he was sorry he could not agree to the appointment of the Committee. He did not consider it a fair or a proper Committee to consider such a Bill. He knew how it would decide the question. On a late occasion he had pointed out that it would not be possible to obtain such a Committee, at that period of the Session, and in the present state of the House, as a Bill of so important a character ought to go before. He should, therefore, feel it to be his duty to oppose the appointment of the Committee.

EARL GRANVILLE said, that the noble Earl the Chairman of Committees (the Earl of Redesdale) had, no doubt, a strong feeling on the subject; but the ground of the noble Earl's opposition he confessed he could not understand. As a matter of Order, for which the noble Earl was so anxious, the objection should be made when the Committee was moved for, and not now. In addition to the irregularity of his objections, the noble Earl's observations had thrown a reflection upon five of the most deservedly respected Members of their Lordships' House, and was scarcely in accordance with that regularity and order which the noble Earl generally felt it his duty to promote. He (Earl Granville) protested, in the strongest way, not only against what the noble Earl had now said, but against his statement the other day, that those who voted in favour of taking the Committee on the Bill this Session were committed to the merits of the question. As his noble and learned Friend on the Woolsack pointed out, their Lordships had not committed themselves in any respect in that way, although the noble Earl (the Earl of Redesdale) did go very much into the merits of the question. For his own part, he (Earl Granville) could say that he had not made up his mind in the slightest degree whether it was desirable that there should be a Ship Canal to Manchester or not.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, that if he had taken an unusual course in giving Notice of his intention to oppose the appointment of a Committee, the noble Earl opposite (the Earl of Cork) had also taken an unusual course in what he had done.

THE EARL OF CORK said, he was sorry the noble Earl (the Chairman of Committees) should think he had done anything that was not perfectly in Order. After the vote the House came to the other night, he felt it his duty to obtain a Committee to inquire into this very important matter. He consulted the Chairman of Committees and his noble Friend opposite, and asked them to obtain assistance from the other side of the House. That assistance, with one exception, was obtained; and the rest he succeeded in doing himself. He now gave Notice of the appointment of the Committee in order that the House might not be taken by surprise.

House adjourned at half past Five o'clock,
till To-morrow, a quarter past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 26th July, 1883.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES — Class IV.— EDUCATION, SCIENCE, AND ART, Vote 1; £1,032,570 on Account, CIVIL SERVICES AND REVENUE DEPARTMENTS.

PUBLIC BILLS—*Second Reading*—Isle of Wight Highways [268]; Supreme Court of Judicature (Funds, &c.) * [270]; Public Health Act, 1875 (Support of Sewers) Amendment * [267].

Committee—Parochial Charities (London) (*re-comm.*) [215]—R.P.

Committee—Report—Railway Passenger Duty, &c. (*re-comm.*) [255]; Greenwich Hospital * [253].

Considered as amended—Third Reading—Friendly &c. Societies (Nominations) [264], and *passed.*

Third Reading—Electric Lighting Provisional Orders (No. 7) * [229]; Electric Lighting Provisional Orders (No. 9) * [238]; Electric Lighting Provisional Orders (No. 10) * [249], and *passed.*

Withdrawn—Stage Plays (Oxford and Cambridge) * [35]; Detention in Hospitals (No. 2) * [259].

QUESTIONS.

RAILWAY PASSENGER DUTY, &c. BILL.

SIR EDWARD WATKIN gave Notice that he should ask the Prime Minister, on Monday, Whether, when Parliament abolished or reduced a tax, as proposed in the Railway Passenger Duty, &c. Bill, there was any Constitutional precedent to give power to any Government Department to reimpose that tax without previous authority by Parliament; and he would now ask Mr. Chancellor of the Exchequer, Whether, until the Prime Minister has answered that Question, he will be good enough to postpone the proceedings on that Bill?

THE CHANCELLOR OF THE EXCHEQUER (MR. CHILDERS), in reply, said, he had postponed the Bill for some time, and it was necessary to get on with it now. There were only two Amendments on the Paper, and he did not think there was any difficulty about these. The Bill, being a Money Bill, it might be taken at any time; and he should, therefore, think it his duty to proceed with it whenever it was reached.

MINES REGULATION ACT—SENTENCES FOR BREACH OF REGULATIONS UNDER THE ACT.

Mr. BURT asked the Secretary of State for the Home Department, If his attention has been called to two mining cases recently tried before the Whitehaven magistrates; if it is true, as stated in the "West Cumberland Times," that Messrs. Simpson and Ferguson, the owner and manager respectively of a colliery at Harrington, were convicted of having allowed naked lights to be used in one of their pits after gas had been seen; if, as a result of this, two men were killed; if it was admitted that the man appointed to report could neither read nor write, though the Act prescribes that the report shall be in writing; whether the magistrates, for this serious violation of the Mines Regulation Act, imposed a fine of only 25*s.* each upon the owner and manager; whether his attention has been called to the case of two young miners, who were brought before the same magistrates on a subsequent day, charged with having unlocked a safety lamp in the Croft Pit, Whitehaven, and were sentenced to a month's imprisonment each, with hard labour; and, whether, if these statements are correct, any steps can be taken to secure that a uniform punishment may be inflicted for the same offence?

Sir WILLIAM HARCOURT, in reply, said, he had no power to equalize the punishment in these cases. In the first case referred to, the charge was for carelessness, and it was disputed whether the danger was such as to require extra precautions. In the second case, the charge was a wilful act of opening a safety lamp.

NAVY—COURTS MARTIAL—H.M.S. "TRIUMPH"—THE CASE OF LOUIS PRICE.

Sir HERBERT MAXWELL asked the Secretary to the Admiralty, Whether the Lords of the Admiralty have had under consideration the sentence upon Louis Price, a boy on board H.M.S. "Triumph," who, for striking a superior officer, was sentenced to three years' penal servitude; whether, because he pled guilty and threw himself upon the mercy of the Court, the statement by the prosecution that he was sober at the time of the offence was not open to question or disproval; whether his character was "good;" whether, in addition, his Captain, to whom he had acted as messenger, stated that he was one of the most promising young seamen of the ship; and, whether, in consideration of Price's youth and good character, there is any hope of the remainder of his sentence being remitted?

Mr. CAMPBELL-BANNERMAN: Sir, the case of the seaman, Louis Price, to which the hon. Baronet opposite (Sir Herbert Maxwell) refers, was discussed at some length in Committee of Supply on the Navy Estimates 10 days ago. In answer to the particular points contained in the Question now put to me, I have to say that Price was charged with an unprovoked assault on his superior officer, while drilling on the quarter-deck of the *Triumph*, was tried by court martial, and was sentenced to five years' penal servitude. The Board of Admiralty, on account of his youth, remitted two years of the sentence. The circumstantial letter from Captain Markham, the captain of the ship, stated that he had investigated the case, and was satisfied that Price was sober when he committed the offence; and the prisoner at the trial, on being questioned, said that he had received and read a copy of the circumstantial letter. He was, therefore, aware of Captain Markham's statement, but did not impugn it, nor use the plea of drunkenness. Price's character was entered as "good." He did not call his captain as a witness to character; but he called Commander Dyke Acland, who stated that the prisoner—

> "Had done his work very well, but that he had, as far as he could see, a very bad temper, and was very inclined to be pugnacious."

I think I have now answered all the points in the hon. Member's Question. I would, however, add that, the day before yesterday, a statement was received at the Admiralty, purporting to be evidence from some of Price's shipmates, to the effect that he was under the influence of liquor at the time, and that is now under the consideration of the Board.

SIR HERBERT MAXWELL said, he should like to ask the hon. Gentleman if it were not the case that Price was cook of the mess; and, whether it was not the practice for the cook to receive the extra and unclaimed rations of rum?

MR. CAMPBELL-BANNERMAN, in reply, said, that the hon. Baronet had not asked him this Question before. The statement that Price was cook of the mess was contained in the Paper received at the Admiralty to which he had referred; but he (Mr. Campbell-Bannerman) did not know whether it was true or not.

MR. WARTON: Will the hon. Gentleman say whether the boy had counsel, or whether he had to defend himself?

MR. CAMPBELL-BANNERMAN: Perhaps the hon. and learned Gentleman will give Notice if he wishes for further information.

MR. WARTON: You ought to know.

MR. O'DONNELL: I will give Notice, unless the hon. Gentleman can answer the Question now, that I will ask on this subject, whether Price, during his term of penal servitude, considering he has only been sentenced for an act of high temper, will be prevented from being contaminated by the company of ordinary ruffians and criminals?

POOR LAW (IRELAND)—THE BALLYCASTLE WORKHOUSE.

MR. HEALY (for Mr. MACNAGHTEN) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is a fact that charges of inefficiency and neglect of duty have repeatedly been made against Denis M'Cormac, the Master of the Ballycastle Workhouse, by the medical officer and others, and whether such charges have not from time to time been investigated by the Local Government Board, and proved to their satisfaction; whether the Local Government Board, in consequence of the unfitness of Denis M'Cormac, required the guardians to declare his office vacant, and to proceed to a new election, and whether the elected guardians thereupon declared the office vacant and proceeded to re-elect M'Cormac; and, whether the Local Government Board accepted that formality as a sufficient compliance with their order; and, whether, subsequently, a sworn investigation into M'Cormac's conduct was held by the direction of the Local Government Board; and, whether, upon receipt of the Report of such investigation, the Board required the immediate resignation or dismissal of M'Cormac; and, whether the elected guardians declined to give effect to the requirements of the Local Government Board, and consequently M'Cormac continues to hold his office; and, if so, upon what ground the Local Government Board consider themselves justified in neglecting to enforce their order?

MR. TREVELYAN: Sir, I have received the following Report from the Local Government Board on this case:—Mr. M'Cormac was elected master of Ballycastle Workhouse in 1879; and, after a short trial, it did not appear, from the Report of the Inspector of the district, that he was a satisfactory officer, and the Local Government Board declined to sanction the appointment. A lengthened correspondence ensued, and, in the month of May, 1880, the Guardians advertised for a master, and, by a very large majority, re-elected Mr. M'Cormac. An Inspector was then directed to report about him as to his qualifications, and as it appeared that he had gained some experience during the previous months, the Report was more favourable than the previous one, and his appointment was sanctioned. Complaints have since been made respecting him; and after an inquiry, held in May last, the Local Government Board requested that both the master and matron might be called on to resign; but, in deference to the wishes of a large majority of the Guardians, the Board allowed them both another trial. The Inspector in charge of the district (Mr. Richard Hamilton), who held the inquiry, recommended that this course should be adopted; but, if any further charges against the master are proved, the Local Government Board will certainly insist on his resignation.

LAW AND POLICE (IRELAND)—ORANGEMEN AND CATHOLICS.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether complaint was made to the Police that, on the morning of 13th July, a man, who was on his return from the Celebration of the previous day, held at the place of a local magistrate, insulted and threatened a Catholic family named

M'Gahey at Dundion, county Monaghan; whether it was represented that, only for being forcibly prevented, this man was attempting to carry his threats into execution with a loaded gun; whether an investigation was held before two magistrates; whether one of these was the gentleman at whose place the Celebration was held, and the other a friend of his; whether, as the result, no action was taken by the Police; whether the local resident magistrate was consulted; whether the person complained of was formerly in the service of one of the justices of the peace mentioned; if any further steps will be taken to promote the ends of justice; if he will state whether there are any Catholic magistrates in the locality; and, when the Return will be ready, showing the religions of the justices in the Irish counties?

Mr. TREVELYAN: Sir, M'Gahey complained to the police that Elliott, when returning from an Orange ball, threatened him; but he did not allege that he was assaulted, or state that he saw any firearms. An investigation was held before two magistrates, one of whom was the gentleman in whose house the ball had taken place, and in whose service Elliott had once been. The other magistrate was not a friend of his. Several witnesses, all Roman Catholics, were named by the complainant; but, when examined, they flatly contradicted him. No offence was disclosed; and, therefore, no further action was taken by the police, and the resident magistrate was not communicated with; but the complainant was informed by the magistrate that he could take action himself in the matter if he saw fit. There are no Roman Catholic magistrates in the locality. It is anticipated that the Return, to which the hon. Member refers, will be ready in the course of a fortnight.

SPAIN (BRIG "TRIO").

Mr. HEALY asked the Under Secretary of State for Foreign Affairs, When the Papers relative to the seizure by the British Consul at Corunna of the Irish Flag on board the ship "Trio," of Wexford, will be presented; if the Consul still retains the Flag; and, whether there would be any objection to its being given back to the owners of the "Trio?"

Lord EDMOND FITZMAURICE: Sir, the Papers have already been presented and distributed; the Consul has returned the flag which was detained to the Board of Trade, from whence it will be sent to the owners.

POST OFFICE—THE OUTGOING MAILS TO AMERICA.

Mr. BAXTER asked the Postmaster General, If the Departmental Committee appointed to inquire regarding a proposal to expedite the outgoing mails to America as reported; and, if so, what action he means to take?

Mr. FAWCETT: Sir, the Committee has so nearly completed its inquiries on the subject referred to by my right hon. Friend, that I expect to have its Report in my hands in two or three days. I can assure him I shall lose no time in carefully considering it.

INDIA—CRIMINAL CODE (PROCEDURE) AMENDMENT BILL—REPORTS OF LOCAL GOVERNMENTS.

Sir HERBERT MAXWELL asked the Under Secretary of State for India, Whether all the provincial Reports on the Native Judicature Bill have now reached Simla; and, when their purport will be made known?

Mr. J. K. CROSS: Sir, the Reports mentioned in the Question of the hon. Baronet had not all reached Simla on the 22nd of July. When complete, they will be forwarded without delay. Their purport will be made known to Parliament as soon as possible after their reaching the India Office.

Mr. E. STANHOPE asked, whether the hon. Gentleman would take care that Parliament should have some information as to the contents of these Reports before the Prorogation?

Mr. J. K. CROSS, in reply, said, it might not be possible to lay the Reports on the Table before Parliament separated; that would entirely depend upon when they came home. He would, however, endeavour to obtain them in time.

Mr. E. STANHOPE said, the hon. Gentleman must be aware that some of the Reports were dated as early as May, and it was perfectly possible for some of them to have been sent home at once.

Mr. J. K. CROSS, in reply, said, he thought that the understanding was that they should be sent home as soon as they were complete. He could assure the hon. Gentleman that as soon as that happened they would be sent.

MR. E. STANHOPE said, there was no understanding of that kind with the House. He and his hon. Friends asked the Government to give an undertaking that they should be circulated before the end of the Session; and he understood the Government to give an undertaking to that effect.

MR. J. K. CROSS, in reply, said, he did not think the Government had given an undertaking to that effect. He would take care that the purport of the Reports should be known as soon as possible.

POST OFFICE—NEW POST OFFICES AT LEEDS AND LIVERPOOL.

MR. JACKSON asked the Postmaster General, If any decision has been arrived at with reference to a new Post Office for Leeds?

MR. FAWCETT: Sir, the need of a new Post Office at Leeds has been under the consideration of the Government, together with a proposal from the Corporation that the Coloured Cloth Hall should be acquired as the site. That property, however, contains more land than would be wanted, and could not be used for any other than its present purpose without legislative powers. The Corporation have been informed that, if a Bill for dealing with the property were promoted by an independent body, the Government would consider the question of taking a suitable part of it for the erection of a new Post Office; and, in the meantime, no other site has been selected.

In reply to Lord CLAUD HAMILTON,

MR. FAWCETT said, that he believed very important improvements were being carried out in the Post Office at Liverpool.

LAW AND POLICE—CHILDREN'S DANGEROUS PERFORMANCES ACT, 1879 —"THE HUMAN SERPENT."

LORD JOHN MANNERS asked the Secretary of State for the Home Department, Whether any steps have been taken to suppress an exhibition called the Human Serpent, to which his attention was called on the 12th June by the Reverend Edward Lyttel?

SIR WILLIAM HARCOURT, in reply, said, he inquired into the case at the time; but the circumstances did not seem to bring it within the Act of 1879; and, therefore, it was impossible for him to interfere.

ARMY—VETERINARY DEPARTMENT.

COLONEL O'BEIRNE asked the Secretary of State for War, Whether the advantages conferred upon the members of the Army Veterinary Department by the recent Veterinary Warrant will also be extended to the 24 First Class Veterinary Surgeons promoted to that grade under the Warrant of 1878, and who, otherwise, would be placed in a disadvantageous position during their entire service, in consequence of all future advancement being contingent upon the date of promotion to First Class?

THE MARQUESS OF HARTINGTON: Sir, the hon. and gallant Member for Leitrim (Colonel O'Beirne) would appear to be under some misapprehension. Promotion to the rank of Inspecting Veterinary Surgeon does not depend on the date of promotion to the 1st class of veterinary surgeons. Such promotion is by selection for merit, and the test of service is 15 years' commissioned service, without reference to time as a 1st class veterinary surgeon.

POST OFFICE (TELEGRAPH DEPARTMENT) — TELEGRAPHIC MESSAGES BETWEEN ENGLAND AND FRANCE.

SIR EDWARD WATKIN asked the Postmaster General, If M. Cochery, Minister of Posts and Telegraphs in France, has proposed to reduce the present tariff for telegraphic messages between England and France from 25 centimes a word to 20 centimes a word, as now in operation between France and Italy, and other European countries, and, whether he has given any answer to this proposal; and, if so, if he would state the nature of his reply?

MR. FAWCETT: Sir, communications have been received from M. Cochery, proposing that the word rate for telegrams between France and England should be reduced from 25 centimes to 20 centimes. As such a reduction, however, would affect the telegraph rates to other countries, it has been thought better to postpone the consideration of a reduction until the next Telegraph Conference, to be held at Berlin in 1885. As my hon. Friend makes a comparison between the telegraph rates between

France and Italy and France and England respectively, I may point out that as, in the former case, the service is entirely a land one, the additional cost involved in maintaining submarine cables is avoided.

INDIA—THE MAHARAJAH DHULEEP SINGH.

Mr. MITCHELL HENRY asked the Under Secretary of State for India, Whether the Maharajah Dhuleep Singh and his family have ever received the £45,000 a-year guaranteed to them by the Treaty of Lahore in 1849, or whether, on the contrary, the income of the Maharajah has been so diminished by the Government that, for many years, he has not had more than about £13,000 a-year to live upon; and, whether the Government will lay upon the Table of the House a debtor and creditor Return showing their dealings with the Maharajah and his family since the annexation of the Punjaub?

Mr. J. K. CROSS: Sir, the terms of the Lahore arrangement referred to by my hon. Friend the Member for Galway (Mr. Mitchell Henry) allotted for the support of the Maharajah, his relatives, and the servants of the Punjaub State at that time, not less than four and not more than five lacs of rupees. The Maharajah himself was to receive—

> "Such portion of the above-mentioned pension as may be allotted to himself personally, provided he shall remain obedient to the British Government, and shall reside at such place as the Governor General of India may direct."

Under these terms, the allowance of the Maharajah, on coming of age in 1859, was fixed at £25,000 sterling a-year, in addition to which he was given £105,000 for the purchase of landed estates. Since then various advances have been made to him, at his request, in respect of arrangements regarded by him at the time as favourable to himself. The interest on these advances, amounting to £5,664 per annum, is deducted from his income. Recently, by the Act 45 & 46 *Vict.*, c. 4, further arrangements have been made, under which Government have advanced him £60,000 without interest. Her Majesty's Government do not think it necessary to lay on the Table the Return required by the hon. Member.

Mr. MITCHELL HENRY said, he had to thank his hon. Friend for the full answer which he had given; but he begged to give Notice that he should also ask his hon. Friend to lay on the Table a Copy of the Treaty of Lahore; also, whether it was not the fact that the Government induced the Maharajah to settle as an English gentleman in this country, and that they advanced the money from the four or five lacs guaranteed by the Treaty, in order to purchase this estate, charging him between 4 and 5 per cent for land which never could produce 3 per cent? He should also ask the Government whether they would refer the whole of the questions involved to a Select Committee? He wished, further, to ask the indulgence of the House for a moment, while he made a statement on behalf of the Maharajah. [*Cries of* "Oh, oh!" *and* "Order!"]

Mr. SPEAKER indicated that the hon. Member could not, at the present stage, make a statement.

Mr. MITCHELL HENRY said, he would put what he had to say in the form of a Question; and ask whether the Government was not aware that the Maharajah was not leaving this country for the purpose of residing permanently in India by his own inclination, but in consequence of his being a broken-hearted and disappointed man, who was compelled to return to India to live in a private station?

Mr. J. K. CROSS, in reply, said, that if the hon. Member would go through the Papers in the India Office, perhaps his opinion would not be exactly what it was at the present moment.

Mr. MITCHELL HENRY said, he must appeal to the Speaker whether that was an answer to any Question? He had not only read all those Papers, but he had known the Maharajah for 25 years.

Mr. O'DONNELL asked whether, by the declaration "that they did not think it necessary to grant a Return," the Government meant that they did not think it advisable in their own interests?

Mr. J. K. CROSS said, he must ask that Notice should be given of any further Questions on this point.

ARMY (AUXILIARY FORCES)—MILITIA ADJUTANTS.

Mr. BERESFORD asked the Secretary of State for War, Whether the Government will take into consideration the position of the Militia Adjutants holding the appointments permanently under the old rules, with a view to placing them on a fair footing of equality with those holding the appointments for five years under the new rules, by giving them the temporary rank of Major in the Army from 1st July 1881, as, when the new Majors were made, 1st July 1881, several of them were Adjutants of Militia, and, ipso facto, became senior to the old Adjutants, most of whom were over twenty years' service, and, as they constantly meet on duty at the Depôts, the senior officers are commanded by their juniors?

THE MARQUESS OF HARTINGTON: Sir, the case of these Militia adjutants was fully considered by my Predecessor, and announced at the time to the House; and I do not see any reason for disturbing his decision—that it was inexpedient to confer the rank of major upon them, as suggested in the hon. Member's Question.

BULGARIA—THE VARNA RAILWAY.

MR. DIXON-HARTLAND asked the Under Secretary of State for Foreign Affairs, Whether he saw Mr. Stoichoff (the Delegate named by the Bulgarian Government to deal with the Varna Railway question), whilst that gentleman was in England, and whether from him or from any other source he is now able to give any information as to the progress of the arbitration, or hold out any hopes that the suffering bondholders will soon receive the interest so long overdue to them; if not, whether Her Majesty's Government will not consider it their duty to give Bulgaria notice that unless the arbitration is carried through by a certain reasonable time upon the basis accepted by Mr. Lascelles, Her Majesty's Government will withdraw the offer and revert to their right under the Treaty of Berlin; and, whether it is not a fact that, owing to a succession of good harvests, the State Revenue of Bulgaria has, during the last few years, been considerably in excess of the State Expenditure, so that the Treasury at this moment possesses a considerable reserve of gold with which the Bulgarian Government could meet its just obligations to the bondholders if they had the least desire to do so, and that they can no longer plead the poverty put forward in M. Zancoff's Despatch of August 1880?

LORD EDMOND FITZMAURICE: Sir, I had some informal conversation with M. Voulcovitch, not M. Stoichoff, when he came to this country on business connected with the Danubian Conference. As I have already informed the House, Her Majesty's Government have lost no opportunity of pressing this matter on the Bulgarian Government; and they trust that, on the return of the Prince to Sofia, steps will at once be taken to settle the question. Her Majesty's Government have no information as to the present financial position of Bulgaria; but they have no doubt that means could be found to provide the funds required; and they believe that the Bulgarian Government; who are themselves deeply interested in the loyal execution of engagements entered into on their behalf, will see the necessity of meeting the obligation which their independent position now entails upon them.

WESTERN ISLANDS OF THE PACIFIC—AUSTRALIAN COLONIES—ANNEXATION OF NEW GUINEA BY QUEENSLAND.

SIR GEORGE CAMPBELL asked the Under Secretary of State for the Colonies, Whether the Queensland "Executive Minute" of the 15th March, 1883, has been communicated to Her Majesty's Government, or whether, in any shape, Her Majesty's Government have information by whose authority orders were issued on that day for taking possession of New Guinea in Her Majesty's name; whether, from the Despatch of Sir A. Kennedy on the subject, dated one day previous—viz., 14th March, in which he makes no allusion to any such intentions, his Despatch of 19th April, and paragraphs 2 and 3 of his Despatch of 26th April, it may be inferred that this action was taken by the Ministers, and not by the Governor; and, whether Sir A. Kennedy's last Despatch, expressing a subsequent approval of the action of his Ministers, was written when he was on the point of departure in consequence of extreme illness, from the effects of which he shortly after died on the voyage home?

MR. EVELYN ASHLEY: Sir, we have not received the "Executive Minute" referred to, and the only information we have as to the authority under which orders were issued is contained in the Papers before the House, which state that it was done under the authority of this "Executive Minute," which implies a Minute adopted by the Executive Council, at which the Governor ordinarily is present and presides. I have referred to the passages indicated by the hon. Member; but I am not prepared, from the perusal of them, to make the inference contained in the second part of the Question, that the action was taken by the Ministers independently of the Governor. It is true, I regret to say, that Sir A. Kennedy was ill at the time of his departure; but we have no reason to believe that he was at the time so ill as to be incapacitated from business.

Sir GEORGE CAMPBELL asked, Whether, in justice to the memory of such an honourable and independent man as Sir A. Kennedy, the hon. Member would inquire whether, as a matter of fact, he was present at the meeting of the Executive Council of 15th March; and, whether Sir A. Kennedy was a party to the issuing of the order for the annexation of New Guinea on the 15th March, and scrupulously keeping back all information from Her Majesty's Government for more than a month afterwards.

Mr. EVELYN ASHLEY: We will inquire.

AUSTRALIAN COLONIES (QUEENSLAND)—LAW AND JUSTICE—RECEPTION OF NATIVE EVIDENCE IN COURTS OF JUSTICE.

Sir GEORGE CAMPBELL asked the Under Secretary of State for the Colonies, with reference to the publication in the last New Guinea Papers of a letter of Sir C. Lilley to the "Times," stating that, whereas formerly the evidence of blacks was not receivable in courts of justice in Queensland, it was made receivable in all courts five or six years ago, Whether there is any truth in a subsequent statement made by an apparently competent authority in the "Times," to the effect that under the present law the evidence of blacks is not admissible of right in the Queensland courts, but only if the presiding judge or magistrate thinks the individual fit to give evidence, and that many cases between Europeans and coloured men are decided by unpaid magistrates and others, who are very likely to hold, and do often hold, blacks to be unfit, as the old law declared them to be?

Mr. EVELYN ASHLEY: Sir, I have had a search made, but have not succeeded in finding the Statute referred to by Sir C. Lilley in his letter, and, he being out of town, I have not been able to consult him; but, in this conflict of statement, until we can make inquiries, I prefer to rest on what is said by the Chief Justice of Queensland, in the letter referred to, on a matter of which he must have full and special knowledge.

METROPOLIS—DEFECTIVE CARRYING OUT OF THE SMOKE NUISANCE ACT.

Mr. CUBITT asked the Secretary of State for the Home Department, Whether he will lay upon the Table a recent Correspondence between himself and the Duke of Westminster on the subject of the defective administration of the Smoke Nuisance Act in the Metropolis, together with the analysis prepared by the Council of the Smoke Abatement Institute of the fines imposed in the Metropolitan Police Courts; and, whether he is prepared to take any action in the matter?

Sir WILLIAM HARCOURT, in reply, said, he would do so. He had received a letter from the Chief Commissioner of Police, in which the Chief Commissioner stated that he had made a further inspection of the properties referred to, and obtained information, and prepared the drawings authorized by the Home Secretary, with a view to the institution of proceedings under the Smoke Nuisance Act. The information proved that the potteries of the Metropolis had not complied with the Act, and that the nuisance caused by the Lambeth Potteries was of a serious character and susceptible of abatement. Messrs. Doulton, who had the largest works in the neighbourhood, and appeared to possess the chief influence there, had promised to make substantial alterations with a view of preventing the evil. If this promise on the part of Messrs. Doulton and others were carried out, every practical requirement would be met. He (Sir William Harcourt) need scarcely add that he trusted something would be accomplished in the direction of abating the nuisance.

EGYPT—THE CHOLERA.

MR. GUY DAWNAY (for Lord BURGHLEY) asked the Secretary of State for War, Whether his attention has been directed to the large percentage of sick in the Duke of Cornwall's Light Infantry, at present quartered at Ramleh, which has 116 out of 802 on the sick list; and, whether it is intended to move the regiment to more healthy quarters?

LORD EUSTACE CECIL asked, whether there had been any further outbreak of cholera among the troops in Egypt since the information obtained on Tuesday last; and, what regiments were still quartered in Cairo?

THE MARQUESS OF HARTINGTON: Sir, the latest Return from the Duke of Cornwall's Light Infantry showed 120 sick out of a strength of 784, or 15·3 per cent. One-fourth of the sick at Ramleh were venereal cases, and there had been some increase of febrile diseases, dysentery, and diarrhœa. The question of moving regiments in Egypt, and the selection of quarters, can only be decided by the General commanding there, on the advice of his principal medical officer. They only can have full cognizance of all the circumstances of the case, and I have every reason to have perfect confidence in their discrimination and judgment in the matter. With reference to the Question of the noble Lord the Member for West Essex (Lord Eustace Cecil), there is another Question upon the Paper by the noble Viscount the Member for South Wilts (Viscount Folkestone); and, in reply to both the noble Lords' Questions, I have to say that all the information is contained in the telegrams on the subject received from the General commanding in Egypt, which are immediately communicated to the newspapers. The telegrams are not quite clear; but, so far as I understand them, there has been up to yesterday 14 cases, of which, I regret to say, 11 have proved fatal. I have not to-day received any later Return than that published, and I could not undertake, without Notice, to state what regiments are stationed at Cairo; but I believe there are only seven companies in the Citadel, and a small force is quartered on a hill in the neighbourhood. All the remaining troops which were in Cairo, I believe, have been removed to healthier quarters in camps in the vicinity.

MR. HEALY asked whether, instead of publishing the mere bald Returns of the number of deaths among the British troops in Egypt, steps would be taken to remove the anxieties of the friends of those Irish soldiers who were in Egypt by publishing the names of those who had died of cholera? Members on that side of the House had received several communications on the subject from Ireland.

THE MARQUESS OF HARTINGTON: Sir, the hon. Member for Glasgow (Dr. Cameron) has a similar Question upon the Paper. I have arranged that a nominal Return of those soldiers who may die of cholera in Egypt shall be published.

THE IRISH LAND COMMISSION—JUDICIAL RENTS.

MR. VILLIERS-STUART asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether judicial rents have been fixed by the Irish Land Commission in about 45,000 cases; whether, in only 350 of these cases, orders have been made by the Commissioners for the building or improvement of labourers' cottages, and the attaching thereto of allotment gardens; whether it is a fact that less than 40 of the orders so given have been carried out; and, whether Her Majesty's Government will, at the earliest available opportunity, take the necessary steps to give effect to the Labourers' Clauses of the Land Act of 1881, and the Cottages and Allotment Act of last year?

MR. TREVELYAN: Sir, I have not the actual figures up to the present date, and they could not be obtained without some time for inquiry; but, judging from the latest figures before me, I have no reason to think that the hon. Member's estimate is far astray. There is a Bill at present before the House, to which I see the hon. Member has placed Amendments on the Paper, which, if carried, will remedy the state of things to which he refers. Without committing myself to questions of detail, I may say that we cannot think it a small matter, and that those Amendments will have the general support of Her Majesty's Government.

MR. VILLIERS-STUART asked if there was any prospect of the Bill coming on this Session; and whether the Government would give an opportunity for bringing it on?

Mr. TREVELYAN, in reply, said, that although the Bill was in the hands of a private Member, it had been extremely well received on its second reading; and, therefore, it stood a good chance of becoming law this Session.

THE MAGISTRACY (IRELAND)—MR. W. P. LLOYD-VAUGHAN AND MR. T. R. GARVEY.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that Mr. W. P. Lloyd-Vaughan, an active magistrate and Deputy Lieutenant in the Roscrea District, entertained the members of the Roscrea Orange Lodge at his residence at Golden Grove, on the 12th July last; whether he was one of the magistrates who, at the next Roscrea Petty Sessions, inflicted heavy sentences of imprisonment upon farmers who were charged with assaulting members of the Roscrea Orange Lodge; whether he is aware that Mr. Toler R. Garvey, J.P., another of the magistrates of the Roscrea District, entertained his brother Orangemen of the Shenione Loyal Orange Lodge at his residence at Thornvale, on the 12th July last; whether he is aware that another magistrate of the same district, Mr. J. C. Darby, High Sheriff of the King's County, participated in the Orange celebration at Aghancon on the same occasion; whether the conduct of these gentlemen, in the midst of a Catholic community, has been represented to the Lord Chancellor; and, whether steps will be taken to relieve the Catholic majority from the evils of an exclusively Protestant magistracy?

Mr. TREVELYAN: Sir, I am informed that there is no Orange Lodge at Roscrea; but that an Orange meeting was held at Mr. Lloyd-Vaughan's residence on the 12th of July. The allegations in the second paragraph of the Question are without any foundation. The facts are that three farmers were charged with drunkenness and disorderly conduct, assaulting the police, and beating two inoffensive men—who were not Orangemen, as alleged. The accused pleaded guilty, and light sentences were imposed. Mr. Lloyd-Vaughan was one of the magistrates on the Bench. With regard to Mr. Garvey, I am informed that he left Ireland on the 9th of this month, and has not since returned. It, therefore, cannot be the case that he attended an Orange meeting on the 12th. Mr. Darby attended at the meeting at Aghancon. I do not see any reasons for making any representation about these gentlemen to the Lord Chancellor. The Lord Chancellor has, at the present time, the constitution of the Roscrea magistracy before him, with a view, if possible, to alter its exclusively Protestant character.

Mr. O'KELLY asked whether, in view of the suppression of Nationalist secret societies, and the imprisonment of their members for long periods, the Government would take steps to suppress the Orange secret societies in Ireland?

Mr. TREVELYAN, in reply, said, that was a very controversial Question.

Mr. O'BRIEN asked, was it not a fact that it was sworn to before the magistrates that the two men referred to by the right hon. Gentleman were attacked for being Orangemen?

Mr. TREVELYAN said, he would make further inquiry as to that.

CONSTABULARY (IRELAND) ACTS — EXTRA POLICE ESTABLISHMENT AT INCHAROE, BANTRY.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, At whose request and for what reasons a police hut was erected on an evicted farm on the property of Mr. R. H. E. White, at Incharoe, near Bantry; whether the cost of the extra police establishment will be charged upon the neighbourhood; and, whether he is aware that the County Court Judge in his late address to the Grand Jury at Bantry, declared that—

> "From the evidence before us and from the information I have received since I came to Bantry I can state with confidence that your extensive and interesting division appears at present to be free from agrarian and other crime of a serious character?"

Mr. TREVELYAN: Sir, the hut was erected for the accommodation of police who were required for the protection of caretakers. The men are a part of the county force, and will not be a charge on the locality. I am glad to learn that the County Court Judge was able to express so favourable an opinion on the state of the district generally.

ARREARS OF RENT (IRELAND) ACT, 1882—THE COLLECTOR GENERAL OF RATES, DUBLIN.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, What determination the Land Commission have come to with regard to the charge of fraud under the Arrears Act brought against the Dublin Collector General of Rates; if he is to be prosecuted; and, whether the Government intend to retain this official in a position of great financial responsibility? He also asked whether the right hon. Gentleman had the admission of Mr. Byrne that he did antedate the tenants' receipts; and, whether, although Mr. Byrne denies that he had anything to do as principal with these affairs, as a matter of fact the whole of the tenants' applications were not in Mr. Byrne's own handwriting?

MR. TREVELYAN: Sir, the case, undoubtedly, is very suspicious, and Mr. Byrne has made admissions which are against him. I cannot, however, say that he has admitted all which the hon. Member has referred to. The Land Commissioners have prepared a statement of the facts, with a view to the opinion of the Law Officers of the Crown being taken on some points. As I stated in reply to a former Question, under the circumstances I cannot prejudge the case by making a statement upon it.

MR. HEALY: Might I ask, apart from the prosecution or non-prosecution of Mr. Byrne, which is a matter that concerns the Land Commission, whether there is not another very grave question for the Executive, and that is the retention of Mr. Byrne in his office of Collector General, seeing that £1,000,000 from the ratepayers of Dublin passes annually through his hands? I will ask the right hon. Gentleman, at a later stage, whether the attention of the Lord Lieutenant has been called to this view of the matter?

MR TREVELYAN: Most certainly. The Government, as the responsible authority, is bound to inform themselves in the very fullest manner about it. I cannot prejudge it more than any other question.

INLAND REVENUE (ENGLAND AND IRELAND)—CARRIAGE LICENCES.

MR. CALLAN asked Mr. Chancellor of the Exchequer, Whether it is a fact that Mr. Turlett, who runs the Ovoca coach from Dublin to the Wooden Bridge, in Ireland, has been obliged to pay £8 carriage licence for same, whilst the gentlemen who run the Dorking and Brighton coaches from Hatchett's Hotel, Piccadilly, pay only £2 as carriage licence; and, if so, whether he will have this inequality rectified forthwith?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Sir, in reply to the hon. Member, I have to state that this is a question which does not concern me in any way, for it is not a Revenue question, the sums to be paid for stage coaches in Dublin and London being fixed by the Dublin Carriage Amendment Act and the Metropolitan Public Carriage Act respectively. I have nothing to do with the administration of these Acts; but I find, on reference to the Irish Office, that the question of Turlett's payment was brought before the late Duke of Marlborough in 1879, who was advised that no change could legally be made in the rate then charged, and I believe that the law is the same now as in 1879. The hon. Member is doubtless aware that in Ireland no Excise licence is paid on carriages; whereas in England the owner of a stage coach of this character pays two guineas.

MR. CALLAN wished to know if the right hon. Gentleman admitted, as a fact, that an inequality really existed, and that the Government would not take any step to remove it?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS), in reply, said, as he had said before, that he had nothing to do with the Dublin or the London Police Acts on the subject.

PRISONS (IRELAND) ACT—THE CONVICT ESTABLISHMENT AT SPIKE ISLAND.

COLONEL NOLAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If the convict establishment at Spike Island has now been definitely broken up; and, if he is now prepared to redeem the numerous pledges given by the late Government that a convict establishment would be formed at Galway, for the purpose of improving that port?

MR. TREVELYAN: Sir, the convict establishment at Spike Island has been definitely broken up, the last of the prisoners having been removed on the

13th of this month. I think the hon. and gallant Member for Galway (Colonel Nolan) must be under a misapprehension as to pledges having been given by the late Government that a convict establishment would be formed at Galway. Undoubtedly, words have been used which require some explanation, as suggesting that such an arrangement was projected, and preliminary investigations were made; but I find that in April, 1880, the Lords of the Treasury "declined to commit themselves, even in principle, to the works contemplated at Galway;" and I can give no promise that they will be undertaken now.

Mr. HEALY asked what Government was in power at the time?

Mr. TREVELYAN: The late Government.

Mr. J. G. TALBOT inquired to where the convicts had been removed?

Mr. TREVELYAN: The male convicts are at Mountjoy, and the females at Grangegorman.

SUPPLY—THE EDUCATION VOTE—THE PROPOSED WELSH COLLEGES.

Lord GEORGE HAMILTON asked the Vice President of the Council, Whether he intends to take a Vote, or to apply any part of Vote 8, Class 4, for any portion of the current financial year, in aid of the expenses of the new proposed colleges for North and South Wales respectively; and, if so, before such Vote is proposed, he will undertake that the House shall have an opportunity of considering the scheme for "the management and maintenance" of these Colleges, referred to in a Government note to the Estimates (1883-4) for Aberystwith College (Class 4, Vote 8)?

Mr. MUNDELLA: Sir, no part of the Vote referred to is for the proposed new Colleges for North and South Wales. It is granted to Aberystwith College, pending the establishment of those Colleges. The scheme for the South Wales College at Cardiff is now before us, and we have asked the Treasury for a provisional Vote of £2,000 for the last half of the current financial year. If it is too late for this Session I shall move it early in the next. I promise the noble Lord that the scheme shall be laid on the Table before the Vote is taken.

INDIA (MADRAS)—GOLD MINING COMPANIES AND GOVERNMENT OFFICIALS.

Mr. JUSTIN M'CARTHY asked the Under Secretary of State for India, Whether, seeing that the Report of the Government of India on the connection of Madras officials with the promotion of Gold Mining Companies, promised by the Secretary of State for India early in April last, has not yet been received, he will urge upon the Indian Government the importance of having the Report completed at the earliest date possible, or at least of giving the India Office some information as to the time when its completion may be expected?

Mr. J. K. CROSS, in reply, said, that he had told the hon. Member on Monday that a despatch had been addressed to the Government of India on the 19th April last, and there had been no delay in the matter, which was sure to have the attention of the Viceroy; but he was afraid that the illness from paralysis of Sir James Gordon, who visited Mysore, would prevent the Report coming home as soon as it might otherwise have been expected.

Mr. O'DONNELL asked, if there was information that the incriminated officials were doing all in their power to delay the preparation of the Report, so that it might not reach home until after the expiration of Parliament?

Mr. J. K. CROSS: No, Sir; I am not at all aware of anything of the kind.

Mr. O'DONNELL hoped the hon. Gentleman would make some inquiry on the subject.

PARLIAMENTARY REGISTRATION—REGISTRATION OF VOTERS UNDER THE DIVIDED PARISHES ACT, 1879.

Mr. LONG asked the President of the Local Government Board, Whether any instructions have been issued to overseers defining their duties under "The Divided Parishes Act, 1876," as amended by "The Poor Law Act, 1879," with regard to the registration of voters in those parishes which have hitherto formed part of Parliamentary boroughs, and which may now be included in the county limits; and, whether any change in the mode of preparing the lists of voters in such parishes will be necessitated by the Acts referred to?

Mr. GEORGE RUSSELL: Sir, the Local Government Board have not issued any instructions to overseers with regard to their duties in respect of the registration of voters in the case of detached parts of parishes included in Parliamentary boroughs, which, under the Divided Parishes Acts of 1876 and 1879, have become amalgamated with parishes within the county limits. In the case of "Foster *v.* Medwin," it was held, in the Common Pleas Division of the High Court of Justice, that the detached part of a parish included in the Parliamentary borough of Shoreham did not become part of the Parliamentary borough of Horsham, which is conterminous with the parish of Horsham, by being added to that parish. According to the principle of that decision, a part of a parish contained in a Parliamentary borough which is added to a parish, which, for the purpose of the Parliamentary franchise, is included in the county, continues to form part of the Parliamentary borough. The amalgamation, although not altering the right of voting, will have some effect on the duty of the overseers in regard to the preparation of the lists, as the list of borough voters in the amalgamated part will have to be put up at the parish church and other places in the parish with which it is amalgamated; and such lists will, of course, have to be separate lists, relating only to the part of the parish which is within the Parliamentary borough.

PREVENTION OF CRIME (IRELAND) ACT, 1882—MR. HARRINGTON'S CASE.

Mr. PARNELL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Harrington, editor of the "Kerry Sentinel," has been arrested and lodged in gaol, in consequence of his conviction under the summary jurisdiction provisions of the Crimes Act, before two stipendiary magistrates, of printing and publishing an illegal notice; whether two young journeymen printers in the office of the "Sentinel" pleaded guilty to having printed and published the notice in question, and swore on the appeal trial that they had done so without Mr. Harrington's knowledge or consent; whether Mr. Harrington has been sentenced to six months' imprisonment, and, in pursuance of his sentence, will be compelled to wear prison clothes, to sleep on a plank bed, and to eat the prison fare in common with criminals convicted on the clearest testimony of infamous offences; and, whether he will lay the notes of the proceedings of the two trials upon the Table of the House?

Mr. TREVELYAN: Sir, Mr. Harrington was convicted before two stipendiary magistrates, under the provisions of the Crimes Act; and the decision was confirmed on appeal before the Appeal Court provided by that Act. The case was fully heard on both occasions. The journeymen printers stated, on the hearing of the appeal, that they had printed the document without Mr. Harrington's knowledge; but they had not made that statement on the previous trial; and the Court of Appeal, on full consideration of the entire evidence and the circumstances of the case, did not believe the statement. Mr. Harrington will have the same relaxations made in his favour as have already been made by us in some other cases within the last eight or nine months. As regards the last paragraph of the Question, I can only say that the House of Commons is not a Court of review over the decisions of Courts of competent jurisdiction.

Mr. PARNELL: I wish to ask the right hon. Gentleman whether it was competent for the young journeymen printers to tender evidence on the occasion of the trial in the first instance, when, as the right hon. Gentleman states, they failed to make the statement or give evidence which they subsequently gave on the appeal?

Mr. TREVELYAN: Yes, Sir; I have ascertained that point. It was competent.

Mr. HEALY: Might I ask, as there is a kind of insinuation in the right hon. Gentleman's statement that they did not give the evidence on the first occasion, whether they were not in gaol during the whole interval between the two trials, and Mr. Harrington could not have communicated with them?

Mr. TREVELYAN: I have since refreshed my memory. I have ascertained that they were perfectly competent to have made the statement on the first hearing, after they had pleaded guilty, if they so pleased.

Mr. HEALY: That is not the point. The right hon. Gentleman has not answered my Question. It is, as the right hon. Gentleman has to some extent insinuated that a communication might have been made to them by Mr. Harrington before the appeal, whether it is not the fact that the moment they were found guilty by the magistrates they were sent to gaol; and, whether it was not, therefore, impossible for anyone to have communicated with them?

Mr. TREVELYAN: He could have communicated, Sir, according to the ordinary gaol regulations. ["Oh, oh!"] He did not know why that statement excited ridicule. Under certain circumstances of grave public danger, those regulations had been altered and suspended for the precise purpose of preventing prisoners from communicating with the outside; but, under ordinary circumstances, they were not.

Mr. HEALY: Might I ask, whether it is not a fact that, when a man is sent to gaol under these circumstances, he is not allowed a visit for two months? These men were sent to gaol for two months, and were not allowed a visit during the whole time. ["Order!"]

Mr. SPEAKER: The hon. Member is entering into a matter of controversy. He must confine himself to a Question.

Mr. HEALY: Precisely; but all Questions are matters of controversy. ["Order!"]

Mr. SPEAKER: The hon. Member will attend to my direction.

Mr. HEALY: My Question is, Mr. Speaker, whether it is not the fact, although the right hon. Gentleman has insinuated that it was possible for these two persons to be tampered with by Mr. Harrington, between the date of conviction and the date of the appeal, that the prison regulations are such that it was quite impossible for any communication to have passed until the young men were produced upon the witness table?

Mr. TREVELYAN: On that point, if the hon. Gentleman will give Notice, I will make inquiry; but I appeal to the House whether, in the answer I gave to the hon. Member for the City of Cork, there was any insinuation such as is suggested by the hon. Member for Monaghan?

THE PARKS (METROPOLIS)—THE INCLOSURES IN REGENT'S PARK.

Mr. D. GRANT asked the First Commissioner of Works, Whether he will consent to place in the Library a map of Regent's Park, showing, clearly, the existing inclosures, and the modifications that it is now proposed to introduce; and, will he also arrange that no further steps shall be taken towards granting the leases until such time as the Members of this House have had an opportunity of examining the map, and forming an opinion thereon?

Mr. SHAW LEFEVRE: Sir, my hon. Friend is mistaken in speaking of these arrangements as proposals; they are complete, and have been approved by Her Majesty. I have communicated with the Treasury on the subject, and we have arranged to lay Papers on the Table which will contain a map, showing precisely the inclosed land which will be thrown open to the public.

TRAMWAYS (IRELAND)—LEGISLATION.

Mr. GUY DAWNAY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is intended to introduce this Session a Bill relating to Tramways in the West of Ireland, as suggested some time ago; and, whether it is intended to advance any, and, if so, what public money for this purpose?

Mr. TREVELYAN: Sir, I cannot make any statement upon the subject beyond this—that the Board of Trade and the Irish Office are considering the Bill relating to it, and I hope it will be before the House next week.

POST OFFICE (CONTRACTS)—THE IRISH MAIL SERVICE.

Mr. CORRY asked the Postmaster General, Whether any resolution has been arrived as to the tenders for the Irish Mail Service viâ Holyhead and Dublin; and, if so, whether he can hold out any expectation that the urgent public demand for postal communication to and from the North of Ireland by the short sea route viâ Stranraer and Larne will be favourably entertained?

Mr. FAWCETT: Sir, the Government is not in a position to announce a decision in reference to the tenders for the Irish Mail Service *viâ* Holyhead and Dublin. Until it is, I do not deem it expedient to come to any conclusion in reference to the Memorials for a sea route *viâ* Stranraer and Larne.

MR. TOTTENHAM: Will the right hon. Gentleman name any date for communicating the decision to the House? On this day fortnight, he said he would state the result in a few days.

MR. FAWCETT: I hoped, at that time, that it would be given in a very few days; and I think the House will see, when they are made acquainted with the Papers, that there has been no delay by the Government. I still hope to be able to announce the decision in the course of a very few days; but I cannot give any positive pledge, because there are still one or two points. There is no delay. We are doing everything we can.

MR. CALLAN asked, whether the delay had been caused by the Post Office or the Treasury?

MR. FAWCETT: It is not the fault of either. Both are working very hard. There are some complicated matters to be settled.

EGYPT—THE CHOLERA—THE EVICTIONS AT BOULAK.

SIR WALTER B. BARTTELOT asked the Under Secretary of State for Foreign Affairs, If his attention has been called to a statement in the "Times" of July 24th, to the following effect:—

> "The Minister of the Interior and the Prefect of Police, without consulting Sir Edward Malet, General Stephenson, or apparently any other authority, determined to evict in the middle of Saturday night the inhabitants of Boulak, and to transport them up the river to Furrah, near Helouân, where the English are forming a cholera camp. The scene is described as a pitiable one. No violence was necessary, but no attempt was made to mitigate the horrors of the situation. Meanwhile nothing had been done to prevent several of the evicted wretches from escaping, and rushing in crowds through the town;"

and, whether this statement is true; and, if so, what steps have been taken to prevent such an occurrence again taking place?

MR. GORST asked the First Lord of the Treasury, Whether any steps have been, or will be taken, by Her Majesty's Government to procure the dismissal by the Egyptian Government of the Prefect of Cairo, in consequence of his persistent obstruction to the measures of the Sanitary Council?

LORD EDMOND FITZMAURICE: Sir, in answer to the first Question, I have seen the statement to which the hon. and gallant Baronet refers; and we shall, no doubt, receive from Sir Edward Malet a full Report on the steps which have been taken by the Egyptian authorities. I may add that, owing to the quarantine regulations now in force at Mediterranean ports, considerable delay takes place in the receipt of the mails; but all Correspondence on the subject which may be of interest will be presented to Parliament as soon as possible. In reply to the Question of the hon. and learned Member for Chatham (Mr. Gorst), I have to say that, in consequence of the Correspondence from Egypt which appeared in the various journals, Lord Granville yesterday requested Sir Edward Malet to furnish a Report with regard to the action of the Prefect of Police of Cairo. Sir Edward Malet, in a telegram dated to-day, states that, in his opinion, the Prefect had been blamed somewhat hastily for all that went wrong; but that he had obtained leave from the Khedive to place Major Chirnside, who speaks Turkish and Arabic, and in whom both His Highness and Sir Edward have great confidence, temporarily under the Prefect. The Khedive had agreed to withdraw the Prefect, if Major Chirnside is not able to work with him. ["Oh, oh!"] I think that statement should be rather satisfactory to the House. It may also be of interest to know that I have every reason to believe that Surgeon General Hunter has arrived in Egypt by this time; and I may add that of the 12 doctors who besides him are going out to Egypt, some started on Tuesday, and the others start this evening.

SIR WALTER B. BARTTELOT said, the noble Lord had not answered his Question, whether the statement in *The Times* concerning the evictions was correct?

LORD EDMOND FITZMAURICE, in reply, said, that it was impossible for him, from day to day, to state whether the reports in the newspapers were true in substance or detail. As an illustration of the danger of committing himself to the statement in the Question, he would point out to the hon. and gallant Baronet that if he referred to two of the best informed morning papers of that day he would find in them contradictions of material facts previously published by them only two days before. [An hon. MEMBER: Which papers?] *The Times* and *The Standard.*

VISCOUNT FOLKESTONE asked, if it turned out that the statements in *The Times* were true, as to the frightful want of management in the hospitals, whether Her Majesty's Government would take the matter into their own hands, and not leave it, as it appeared to be, in the hands of incompetent men?

LORD EDMOND FITZMAURICE, in reply, said, he could give no such pledge. He had already explained the steps that were to be taken, and he expected very great improvement from the time of Surgeon General Hunter's arrival.

MR. O'DONNELL asked why there had been such delay?

LORD EDMOND FITZMAURICE, in reply, said, the doctors were sent out at the request of the Egyptian Government, which had refused a previous offer.

MR. O'DONNELL said, that was no answer.

AFGHANISTAN—SUBSIDY TO THE AMEER.

MR. JOSEPH COWEN asked the Under Secretary of State for India, What service Abdur Rahman is to render in return for the annual allowance of £120,000 that the Indian Government have agreed to give him?

MR. J. K. CROSS, in reply, said, the India Office had not yet received the details of any agreement which might have been made between the Government of India and the Ameer; and he was, therefore, unable to add anything to his previous answer.

AFRICA (WEST COAST)—THE SHERBRO MASSACRES.

MR. A. M'ARTHUR asked the Under Secretary of State for the Colonies, Whether he is now in possession of any official information respecting the alleged burning alive of fifty persons in the Sherbro country?

MR. EVELYN ASHLEY: Sir, when my hon. Friend about a month ago asked me about this matter, I had no information to give; but since then we have received from Chief Justice Pinkett, the Administrator of Sierra Leone, a despatch, dated the 26th of June, from Sierra Leone, in which he makes the following Report:—

> "In May last I received intelligence from Native traders that a 'witch palaver' was being held at Bonjaima, in the neighbourhood of the Bagroo River, and that it was likely that many lives would be sacrificed. I at once sent up a letter to the assembled Chiefs, pointing out the folly of such proceedings, and advising them, as a friend, to put an end to them. On the 18th instant I received a letter signed by all the Chiefs assembled at Bonjaima, saying that, before the arrival of my messengers, they had already burnt 34 persons, who had confessed to witchcraft and cannibalism, but that on reading my letter they had liberated the rest of the captives, who would otherwise have shared the same fate. The Chiefs promised to abstain from such practices in future, and I wrote back to thank them for so promptly meeting my wishes, and again expressed the abhorrence entertained by the British Government of such barbarous customs."

I think my hon. Friend will agree with me that the influence of the British authorities has been well and wisely exercised in this instance.

EXPLOSIVE SUBSTANCES ACTS—DESTRUCTION OF THE NITRO-GLYCERINE SEIZED AT BIRMINGHAM.

BARON HENRY DE WORMS asked the Secretary of State for War, Whether the destruction of nitro-glycerine at Plumstead Marshes on the 11th of April last was attended with danger to those employed; whether Sir Frederick Abel recommended that some extra payment to them should be made by the Home Office; and, whether such payment is intended to be made, and when?

THE MARQUESS OF HARTINGTON, in reply, said, the destruction of the nitro-glycerine was attended with some risk, and one of the labourers employed was recommended by Sir Frederick Abel for extra remuneration. The matter was under the consideration of the Home Secretary.

HIGHWAYS AND LOCOMOTIVES ACTS—TRACTION ENGINES.

LORD EDWARD CAVENDISH asked the President of the Local Government Board, Whether his attention has been called to an accident which happened, on the 23rd of July, to an excursion party near Owlen Bar, in North Derbyshire, owing to the horses in a waggonette taking fright at a traction engine; and, whether, in view of the frequent occurrence of these accidents, he will undertake, at the earliest possible opportunity, to issue such regulations with regard to traction engines as the public safety requires?

Sir CHARLES W. DILKE: Sir, my attention has been called to this accident. The Acts relating to the use of locomotives on roads do not authorize the Board to issue any regulations with regard to traction engines. These engines are subject to rules embodied in various statutory provisions, and also in bye-laws, which the county authority and other local authorities may make under Section 31 of the Highways and Locomotives (Amendment) Act, 1878. The statutory Rules are briefly as follows:—

"1. Three persons must be employed to drive a locomotive. If more than two carriages are attached an additional person must be employed to take charge of them. 2. One of these persons, while the locomotive is in motion, must precede it on foot by at least 20 yards, and must 'in case of need assist horses and carriages drawn by horses passing the same.' 3. The drivers are to give as much space as possible for the passing of other traffic. 4. The whistle is not to be sounded. The cylinder taps must not be opened within sight of persons in charge of horses. No steam must be allowed to blow off on the road. 5. The locomotive must be instantly stopped on the person preceding it or any other person with a horse or carriage putting up his hand. 6. Two efficient lights must be provided, to be affixed conspicuously, one at each side on the front, between one hour after sunset and one hour before sunrise."

(28 & 29 *Vict.*, c. 83, s. 3, and 41 & 42 *Vict.*, c. 77, s. 29.) Further, locomotives must not be driven along turnpike roads or highways at a greater speed than four miles an hour, or through any city, town, or village at a greater speed than two miles an hour. (28 & 29 *Vict.*, c. 83, s. 4.) Rules supplementary to those contained in the Statutes may be included in bye-laws for the regulation of locomotives on highways, and the Derby county authority have made such bye-laws. These have been confirmed by the Board, and contain provisions restricting the passing of locomotives during certain hours, prohibiting their use upon certain bridges, and requiring one person to remain in charge of a locomotive on a highway while its fire continues alight.

NAVY—EXAMINATION FOR PAYMASTER.

Mr. ARTHUR O'CONNOR asked the Secretary to the Admiralty, Whether every Assistant Paymaster in the Royal Navy has qualified to serve as Paymaster; whether the rank of Assistant Paymaster is considered as a temporary or probationary one, pending promotion to the higher rank; whether it is a fact that between thirty-five and forty Assistant Paymasters are at present actually performing the duties of Paymaster in small ships; and, whether he will state on what principle a line is drawn at the first six years of such service, that period of junior service only being allowed to count until eleven years have been served in the rank of Paymaster?

Mr. CAMPBELL-BANNERMAN: Sir, every clerk, on passing the examination for paymaster, becomes an assistant paymaster, and there is no further examination or qualification required for promotion to the higher rank of paymaster. The rank of assistant paymaster has no more of a temporary or probationary character than any other rank in the Service from which an officer can be promoted to a higher rank; it is simply a lower grade of the accountant branch of the Service. It is not customary to bear paymasters in small ships; assistant paymasters have quite sufficient experience to enable them to discharge the comparatively light duties involved; and, while performing them, they receive extra pay and are appointed "in charge." The Estimates for this year provide for 40 such appointments. The rule to which the hon. Member refers, as to counting six years of junior service, is part of a scale laid down in 1870 for the counting of junior time, which scale is applicable to navigating and engineer officers, as well as to paymasters. I have no means of knowing the reasons which led to the adoption of the particular periods laid down; but I imagine that the intention was, on the one hand, to prevent officers with the prospectively longer period of junior service, contemplated in 1870, from rising too rapidly to the higher rates of pay; and, on the other hand, to allow officers with long service in the junior rank to obtain some eventual advantage from it in the higher rank. It is not intended to make any alteration in the conditions of service.

Mr. ARTHUR O'CONNOR asked the hon. Gentleman, if he would inquire whether the system worked unjustly, and, if so, whether the Government would take steps to remedy it?

Mr. CAMPBELL-BANNERMAN, in reply, said, he must remind the hon. Gentleman that he had already answered the Question, by stating that the Government intended to make no alteration.

SOUTH AFRICA—ZULULAND—NATIVE WARS.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for the Colonies, Whether he will obtain from Sir Henry Bulwer an estimate of the number of thousands of Zulu lives sacrificed in consequence of Cetewayo's restoration. He also wished to ask, whether it is true that Cetewayo himself has fallen a victim to the policy of the Government?

Sir WILFRID LAWSON: If my hon. Friend is going to reply to this Question, I should like to ask one on the same subject—whether he will, at the same time, endeavour to obtain some estimate of the number of lives which have, from first to last, been sacrificed in consequence of carrying out the policy of Sir Bartle Frere?

Mr. BROADHURST: Before the hon. Gentleman answers, I should also like to ask him, if he can give us a clear statement of the cost to this country in blood and money of the wanton invasion by the English people of Zululand?

Mr. EVELYN ASHLEY: Sir, in reply to the hon. Member for Eye, I would say that the estimate he asks for would, in every one of its items, enter into matters of controversy and of disputed opinion. ["No, no!"] For instance, it is very much a matter of disputed opinion what would have been the condition of Zululand on this occasion, if Cetewayo had not been restored. Many of the Chiefs were in comflict with one another, and there was a considerable amount of fighting going on in Zululand previously to his restoration; and, therefore, I would answer the hon. Member in this way—that I do not believe Sir Henry Bulwer could any more easily make an estimate of the number of lives sacrificed in consequence of Cetewayo's restoration, than he could say how many lives would have been sacrificed if Cetewayo had not been restored. In answer to the further Question of the hon. Member as to news from Zululand, we have received a telegram from Sir Henry Bulwer, dated July 26, in which he says—

> "Osborne's letter of the 23rd just received, and states that, in his opinion, it is certain that Cetewayo was killed during attack on Ulundi on the 21st, although definite information is wanting."

I would draw the hon. Member's attention to what I am going to read, as an answer to the last part of his Question—

> "Mr. Finn's last letter, dated 19th, reported an Osutu raid into Usibepu's territory on the 14th instant. I expect more certain news from Osborne to-morrow. That is all the information we have got."

Mr. O'KELLY asked, whether the Government were in possession of information to the effect that these acts of violence or acts of warfare were instigated by White men among the Zulu Tribes; and, whether the Government would take steps to withdraw or expel these men from Zululand?

Mr. EVELYN ASHLEY asked that Notice of the Question should be given.

SUEZ (SECOND) CANAL—COMMUNICATIONS FROM FOREIGN POWERS.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether he will lay upon the Table or state to the House the communications addressed to Her Majesty's Government by Foreign Powers regarding the late Suez Canal proposals of the British Cabinet?

Lord EDMOND FITZMAURICE: Sir, in the Blue Book just issued (Egypt, No. 13) communications on the subject of Lord Granville's Circular of the 3rd. instant from the Russian and Italian Governments will be found. No others have been received. If the hon. Member refers to the recent Agreement with M. de Lesseps, I have already stated that a communication has been received from the Porte, the substance of which I have communicated to the House. As, however, no answer has yet been sent, it cannot be presented immediately.

Mr. ASHMEAD-BARTLETT asked, if there was any communication with the German Government on the subject?

Lord EDMOND FITZMAURICE, in reply, said, that perhaps the hon. Member would give Notice of that Question.

Mr. ASHMEAD-BARTLETT: I beg to point out to the noble Lord that the

Question is included in the Question which I have just asked. The Question I asked was, whether the Government would lay upon the Table the communications addressed to the Government by Foreign Powers, and that includes Germany?

LORD EDMOND FITZMAURICE: I shall have no objection to answer the Question, if Notice of it is given for next day. When I first saw the Question, I understood it to refer to the Question mentioned in the first part of my answer. I saw afterwards it might refer to more recent communications, and I added the second part of my answer; but if the hon. Member puts down the Question I will have no objection to answer it.

MR. O'DONNELL: Can the noble Lord state without Notice whether Germany is a Foreign Power?

SIR R. ASSHETON CROSS: Have any communications come from Germany or not?

LORD EDMOND FITZMAURICE: I have told the hon. Member, if he will ask the Question to-morrow, I will give the best answer I can to it.

MR. J. LOWTHER: Are we to understand the noble Lord to say he is in error in saying no communications have been received from Russia?

LORD EDMOND FITZMAURICE: No, Sir; the right hon. Gentleman has misunderstood my answer. What I said was, that when I first saw the Question I understood it to refer to the Circular Despatch of Lord Granville relating to the Suez Canal, and presented to Parliament some time ago. I subsequently saw it might refer to other subjects, and I answered both points; and I must say I think it would be desirable if the hon. Member for Eye would make his Questions a little more clear.

MR. J. LOWTHER: The noble Lord has not answered my Question, whether he withdraws the answer whether communications have been received from Russia?

LORD EDMOND FITZMAURICE: I have no intention of withdrawing it, as there can be no mistake about it.

MR. ASHMEAD-BARTLETT: In order that there may be no mistake about it, to-morrow I will ask whether communications have been addressed to Her Majesty's Government on the subject of the late Suez Canal proposals of the Government from Italy, Russia, Austria, Germany, or from any other European Power?

EGYPT—"ADMINISTRATIVE ANARCHY."

MR. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether the attention of Her Majesty's Government has been called to the alleged "administrative anarchy" in Egypt and to the statements made by the correspondents of English papers now in that country, especially to those published in the "Times" on Monday, the 23rd of July:—

> "Trustworthy reports from the interior show that the administrative anarchy is almost beyond credence. Every official is trying to thwart some other, and rejoicing at every calamity, the cause of which he hopes to attribute to his rival. From one end of the country to the other, from Sherif Pasha to the meanest effendi, both country and people have proved themselves beyond all expectation incapable of self-government. It may be safely said that the hardships and cruelties of Ismail's despotic thirteen years did not exceed those of the last four months of experimental self-government;"

to the further statements in the "Times" of Wednesday, the 25th of July:—

> "The utter breakdown of the whole administration has now become apparent, and, like the cholera, is no longer confined to the villages. Nothing saves the present Ministry from dismissal but the impossibility of finding less incapable men in the country. We are almost face to face with an alternative long foreseen, and which Lord Dufferin's Vice-Royalty only served to stave off—namely, of undertaking the complete administration of the country, or of leaving it literally to 'stew in its own juice;"

also the similar statements in other leading newspapers; and, what steps Her Majesty's Government, who are now in Military occupation of Egypt, propose to take in order to remedy this administrative anarchy?

LORD EDMOND FITZMAURICE: Sir, I stated on Monday last the steps which had been taken by Her Majesty's Government in connection with the cholera outbreak, and I have nothing to add at present to those explanations.

MR. ASHMEAD-BARTLETT: I must be allowed to point out that that is not an answer to my Question. My Question does not relate to the sanitary condition only, but to administrative anarchy. I would call the noble Lord's attention to the paragraph from *The Times*, in which the "administrative anarchy" is mentioned, and also to the concluding paragraph of my Question.

Lord EDMOND FITZMAURICE: Sir, it seems to me that anyone reading the Question would understand it to refer to "administrative anarchy" in connection with the outbreak of cholera. ["No, no!"] I have answered it in that sense; and if the hon. Member has any other Question to ask, I shall be glad to give whatever answer I am able to give. Very voluminous Papers have been presented to Parliament in connection with the administration of Egypt, and I do not think I can give any further information than is contained in them.

Mr. ASHMEAD-BARTLETT said, he would be reluctantly obliged to put the Question down for to-morrow.

Subsequently,

Mr. GORST asked, with regard to the administrative anarchy which prevailed in Egypt, whether the Government would pursue the same policy with respect to the Departments in question as had been pursued with respect to other Departments—that, namely, of appointing a British officer to do the work of the Department, and dismissing his Egyptian superior if he could not work with him?

Mr. GLADSTONE, in reply, said, he thought the hon. and gallant Member could not expect him to reply to this Question.

AGRICULTURAL HOLDINGS (ENGLAND) BILL.

Mr. JAMES HOWARD asked the Chancellor of the Duchy of Lancaster, Whether he can state when the Agricultural Holdings (England) Bill, as amended in Committee, will be in the hands of Members; and, when the Report upon the Bill will be taken?

Mr. DODSON, in reply, said, the Bill, as amended in Committee and on re-commitment, was, as the House was aware, delivered this morning. In answer to the second part of the Question, he was anxious to take the next stage of the Bill as soon as it could conveniently be taken. He would willingly take it to-morrow; but that was a matter which was not in his hands. It rested with the hon. Member for Stafford (Mr. Salt), who had a Motion on the Paper for that time.

Sir JOHN HAY asked, why the Scotch Bill could not be taken before the English Bill?

Mr. JAMES HOWARD asked, whether it would be more desirable or more convenient to take the Scotch Bill to-morrow night, if the opportunity offered? In that case hon. Members would have more time to consider the English Bill, which, as amended in Committee, was only in their hands that morning.

Mr. GLADSTONE, in reply, said, that was a matter for the convenience of the House. They were not without hope of getting through the Scotch Bill before midnight.

EGYPT—THE CHOLERA AMONG BRITISH TROOPS.

Viscount FOLKESTONE asked the Secretary of State for War, Whether there has been any further outbreak of cholera among the troops in Egypt since the information obtained on Tuesday?

The Marquess of HARTINGTON: Sir, I have already stated, in answer to the noble Lord the Member for West Essex (Lord Eustace Cecil), that all the information that has been received by the military authorities has been communicated to the newspapers. We have not received to-day any further telegrams. All I can add is, that although the telegrams that have been received are not perfectly clear, as far as I can understand, there have been 14 cases in all among the British troops in Egypt, of which, I am sorry to say, 11 appear to have had a fatal termination.

SUEZ (SECOND) CANAL—EXCLUSIVE RIGHT OF THE CANAL COMPANY OVER THE ISTHMUS OF SUEZ.

Baron HENRY DE WORMS asked the First Lord of the Treasury, Whether the following statement in the letter of the 20th instant from M. de Lesseps to him—

> "That constant accord had just manifested itself by a written agreement which gave that double interest satisfaction, consistent on the one hand with the obligations of the Company enjoying an exclusive monopoly of ninety-nine years for the digging of maritime canals in the Egyptian Isthmus,"

asserting that the Suez Canal Company has an exclusive monopoly for ninety-nine years of the right of cutting any canal through the Isthmus of Suez, has been or will be allowed to pass undisputed by Her Majesty's Government?

MR. GLADSTONE: Sir, I certainly have seen no occasion to dispute, or enter into any discussion upon, the passage to which the hon. Gentleman refers. I think, if he will examine that passage carefully, he will see that it does not admit of dispute. What it asserts is, that the Agreement is consistent with a certain view of the rights of the Suez Canal Company. In my opinion, the Agreement is consistent with any view whatever of the rights of the Suez Canal Company. Therefore, I cannot possibly dispute its being consistent with any particular view.

BARON HENRY DE WORMS: My Question was, whether Her Majesty's Government would allow the statement that the Company enjoyed an exclusive monopoly for 99 years for the digging of maritime canals in the Egyptian Isthmus to pass undisputed?

MR. GLADSTONE: What M. de Lesseps has said is, that the Agreement is consistent with the view that he has an exclusive monopoly. As to that view I have said nothing. It is not our duty to enter into a controversy with M. de Lesseps; and if the hon. Member recommends such a course, I am not prepared to accept the recommendation.

BARON HENRY DE WORMS: The right hon. Gentleman has already entered into such a controversy.

MR. GLADSTONE: Nothing of the kind.

MR. GORST (for Sir H. DRUMMOND WOLFF) asked the First Lord of the Treasury, Whether on the 6th of April 1863, the Porte, seeing in the concession of the Fresh Water Canal and of vast tracts of land a menace to its independence, declared, by a Diplomatic Note, addressed to its representatives in Paris and in London, its opposition to the continuance of the works of the Suez Canal; whether, in consequence, an award was made by the Emperor of the French as arbitrator, in execution of which agreements were passed between the Canal Company and the Egyptian Government, whereby such lands were surrendered to the Egyptian Government on payment of compensation to the amount of 30,000,000 of francs; whether to the agreement of 22nd February 1866 plans and tables were annexed, showing the extent of lands then fixed as belonging to the Company, and whether a right was reserved to individuals to settle along the banks of the Canal; whether the said agreement of 22nd February 1866 was embodied in the firman, subsequently given by the Sultan on the 19th March 1866, authorizing the execution of the Canal on the conditions prescribed in that agreement; and, whether any alteration can be made in the conditions under which the Canal has been constructed, without a further concession from the Egyptian Government confirmed by a firman from the Sultan?

MR. GLADSTONE: Sir, I hope the hon. and learned Member will kindly dispense with my going over the historical part of the Question, which relates to matters which are in possession of the public, and upon which I have no peculiar information. The material part of the Question I think is contained in the fifth paragraph, where the hon. and learned Member desires to know whether any alteration can be made in the condition under which the Canal has been constructed, without a further concession from the Egyptian Government, confirmed by a Firman from the Sultan? In answer to that, I would say the presumption, undoubtedly, is that the conditions cannot be altered except by a fresh concession by a competent authority. But no definite answer can be given to a particular Question of this kind without a full knowledge of each particular case as it arises.

MR. GORST asked the First Lord of the Treasury, Whether an agreement was passed, on the 23rd of April 1869, between the Egyptian Government and the Suez Canal Company, whereby the money to be received for the sale of lands appurtenant to the Canal was to be equally divided between the Company and the Egyptian Government; and, whether the Canal Company will compensate the Egyptian Government for the employment of such lands in the construction of the new Canal?

MR. GLADSTONE: Again I would say that I do not contest the accuracy of the details of what is stated in the first paragraph of this Question. But with regard to the second paragraph—the inquiry as to what the Canal Company will do, whether it will compensate the Egyptian Government for the employment of certain lands in the construction of a new Canal—I, Sir, have no information of the intentions of the Company in that respect.

Mr. LABOUCHERE asked the First Lord of the Treasury, Whether his attention has been called to the following Article in the Convention between the Viceroy of Egypt and the Suez Canal Company, dated 22nd February 1866:—

> "Art. 4. Considérant qu'il est nécessaire de déterminer, pour le Canal Maritime, l'étendue des terrains qu'exigent son établissement et son exploitation, dans des conditions propres à assurer la prospérité de l'enterprise, que cette étendue ne doit pas être restreinte à l'espace qui sera matériellement occupé par le Canal même, par ses francs-bords, et par les chemins de halage, considérant que pour donner aux besoins de l'exploitation une entière et complète satisfaction, il faut que la Compagnie puisse établir, à proximité du Canal Maritime, des depôts, des magasins, des ateliers, des ports dans les lieux où leur utilité sera reconnue, et enfin des habitations convenables pour les gardiens, surveillants, les ouvriers chargés des travaux d'entretien et pour tous les préferés de l'administration; qu'il est en outre convenable d'accorder, comme accessoires des habitations, des terrains qui puissent être cultivés en jardins et fournir quelques approvisionnements dans des lieux privés de toute ressource de ce genre, qu'enfin il est indispensable que la Compagnie puisse disposer de terrains suffisants pour y faire les plantations et les travaux destinés à protéger le Canal Maritime contre l'invasion des sables et assurer sa conversation, mais qu'il ne doit rien être alloué au delà de ce qui est nécessaire pour pouvoir amplement aux divers services qui viennent d'être indiqués, que la Compagnie ne peut avoir la prétention d'obtenir, dans les vues de speculation, une étendue quelconque de terrains soit les livrer à la culture, soit pour y élever des constructions, soit pour les céder lorsque la population sera augmenté :
>
> "Les deux parties intéressées se renfermant dans ces limites pour déterminer, sur tout les parcours du Canal Maritime, la périmètre des terrains dont la jouissance, pendant la durée de la concession, est nécessaire à l'établissement, à l'exploitation, et à la conservation de ce Canal :
>
> "Soit d'un commun accord, convenues que la quantité de terrains nécessaires à l'établissement, l'exploitation, et la conservation du dit Canal, est fixée, conformement aux plans et tableaux dressés, arrêtés, signés, et annexes à cet effet aux presentes :"

And to the following Article in the Act of Concession, signed by the Viceroy on 5th January 1856:—

> "Art. 3. Le Canal approprié à la grande navigation maritime sera creusé à la profondeur et à la largeur fixés par la programme de la Commission Scientifique Internationale ;"

and, whether, considering the limitations in these two Articles, either M. de Lesseps or the Suez Canal Company can either widen the existing Canal, or make a second Canal within the lands belonging to the Company, without the authorisation of the Egyptian Government?

Mr. GLADSTONE: Sir, the Question of my hon. Friend the Member for Northampton raises, in its last paragraph, a very important question of law in relation to the rights of the Suez Canal Company. Now, Sir, that it is a matter in the main, I apprehend, judicial, upon which it would not be within my competency to pronounce an opinion; indeed, I think it quite beyond my province.

Mr. CHAPLIN asked the First Lord of the Treasury, Whether it is the fact that he has publicly stated, as the opinion of the Government, that M. de Lesseps is in possession of an exclusive right to make a Canal, as far as the Isthmus of Suez is concerned, and that without entering upon the question of what the Isthmus of Suez includes? The geographical limits of that Isthmus are pretty well defined; and, whether he adheres to that statement; and, if so, whether he will state what are the geographical limits, which are pretty well defined, of the Isthmus of Suez, in the view of Her Majesty's Government?

Mr. GLADSTONE: Sir, with regard to the reference to a statement of mine in respect to the rights of the Suez Canal Company, I am not sure of its verbal accuracy, but of its substantial accuracy I have no doubt. I have stated already that Her Majesty's Government have not receded from any opinion which they have expressed to the House on the subject. With regard to the question of the geographical limits of the Isthmus of Suez, which I ventured to describe "as pretty well defined," the state of the case, I believe, is this:—There is ample geographical authority for saying that the Isthmus of Suez is defined by the Valley of the Nile, from which it is shut off on the West, and by a portion of the Arabian Desert on the East. Of course, those are not absolutely frontier divisions, drawn by an absolute line; but they justify the description I gave—namely, that the Isthmus is "pretty well defined." What I had in view was this. If we take the case of the Isthmus of Panama, with broad open seas on either side of it, it might be difficult to define; but where there is an isthmus like the Isthmus of Suez, meeting to a narrow sea on side, of course it helps in a great way towards a definition.

MR. LABOUCHERE said, it would, perhaps, be useful to the House if the right hon. Baronet the Member for North Devon would, on the same geographical point, be good enough to state what were the geographical limits intended to be included in his Resolution?

SIR STAFFORD NORTHCOTE: Sir, the geographical limits intended, and, I think, expressed in my Resolution are, any part of Egypt lying between the Mediterranean and the Red Sea, whether the Isthmus of Suez or any other part.

LOCAL GOVERNMENT BOARD (SCOTLAND) BILL.

MR. BUCHANAN asked the First Lord of the Treasury, Whether, considering the widespread expression of approval that has been elicited from the various public bodies in Scotland in favour of the Local Government Board (Scotland) Bill, he will assure the House that the Government will do its utmost to pass the Bill into Law this Session; and, whether he will afford time for the Second Reading at the earliest available opportunity after such promises as may have already been given with regard to the arrangement of Public Business are fulfilled?

MR. DALRYMPLE asked the First Lord of the Treasury, Whether he is aware that such expressions of approval of the Local Government Board (Scotland) Bill, as have come from public bodies in Scotland take the shape of describing the Bill as "a step in advance," as "an instalment," as "likely to do little good, but no harm," and so forth, but not as fulfilling what the people of Scotland, rightly or wrongly, desired and asked for; and, whether, looking to the late period of the Session, he will consider the reasonableness of withdrawing the Bill, so that Her Majesty's Government may review their proposal and introduce (if necessary) hereafter a measure which may be more than an "instalment," and may do no harm, but much good to Scotland?

SIR ALEXANDER GORDON asked the First Lord of the Treasury, Whether he will lay upon the Table of the House Copies of any Documents, or the Documents themselves, which Her Majesty's Government may have received from public bodies in Scotland expressing approval of the Local Government Board (Scotland) Bill?

MR. GLADSTONE: Sir, my answer to the hon. Member who puts the first Question (Mr. Buchanan) is, that we are not in a condition yet to make an arrangement in the sense of naming a particular day or a particular hour; but I most confidently intend, and most confidently expect, to submit this measure for the Local Government of Scotland to the judgment of the House at the earliest available opportunity; and I trust, as far as I can judge from the state of Public Business, that will be an early opportunity. I shall be much disappointed if it does not arise not later than in the course of next week. With regard to the Question of the hon. Member opposite (Mr. Dalrymple), I think he will hardly expect me to recede from all the assurances we have given to the House on this subject. If, indeed, it had been true that the reception of this measure in Scotland had been universally a very unfavourable reception, that might have been a reason for a change of our course; but, on the contrary, as far as I am acquainted with the opinion that has been expressed, the measure has been received with general satisfaction. Undoubtedly, some persons object, and other persons desire more; but still, on the whole, the opinion I think has been favourable to the provisions of the measure. With respect to the Question of my hon. and gallant Friend the Member for East Aberdeenshire (Sir Alexander Gordon), I think, Sir, it would be rather an unusual course to lay upon the Table all the Documents and Memorials that may be received by Ministers from Bodies all through Scotland on questions of this kind; because it is obvious that, if the parties who forwarded these Documents and Memorials desired to address the House, it would be quite open to them to do so in the ordinary course by Petition.

IMPORTATION OF FOREIGN ANIMALS —RESOLUTION OF JULY 10.

MR. CHAPLIN asked the First Lord of the Treasury, Whether, as soon as the Government have ascertained, by careful examination, whether the provisions of the existing Law are sufficient to carry out the Resolution of July the 10th, he will communicate to the House the result of their inquiry; whether he can state approximately within what period they may be expected to come to a decision; and, whether, in the event of any cargo or cargoes containing diseased animals being landed from Abroad in future, he will undertake, on the part of the Government, that the fact of their having been landed shall be published as speedily as possible?

Mr. GLADSTONE: I am bound to say, Sir, although the hon. Gentleman has complained to-day of the obscurity of former answers of mine, I am afraid I cannot add anything to their clearness or sufficiency—at all events, nothing that is material. As far as the first two paragraphs of this Question are concerned, they appear to me to convey the idea that slaughter at the port is to be abolished by some general and sweeping act of the Privy Council. Well now, Sir, we cannot adopt a sweeping conclusion of that kind, and we cannot undertake to abolish slaughter at the port. It is not possible for me to say when the examination of the subject in each case by the Department will terminate. I do not know whether my right hon. Friend the Chancellor of the Duchy of Lancaster (Mr. Dodson) can undertake to say; but I am sure he will be glad to communicate with the hon. Member on the subject, and give him all the information he can. With respect to the last paragraph of the Question, there is no doubt that at one time information of this kind was given to *The Gazette*, and I believe it could be given again. I would ask the hon. Member to consider that this is a question of public convenience, and to communicate with my right hon. Friend, who, I am sure, will give him every satisfaction.

Mr. CHAPLIN said, he would make a point of communicating with the right hon. Gentleman the Chancellor of the Duchy of Lancaster on the subject. The Prime Minister, however, seemed to have misapprehended the first part of the Question. What he (Mr. Chaplin) wanted to know was, whether, as soon as the examination was made, he would acquaint the House with the result of the inquiry, whether it was sufficient or not?

Mr. GLADSTONE, in reply, said, he was not sure what was the best form and method of publishing the result of the investigations; but it was certainly to the public interest they should be made known to Parliament.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL.

Mr. J. W. BARCLAY asked the Prime Minister, Whether he can say, definitely, whether the Agricultural Holdings (Scotland) Bill is to be taken to-night; and, when the Government will stop Supply for the purpose of proceeding with that Bill?

Mr. GLADSTONE, in reply, said, it would be a breach of his general engagements to the House if he were to give any undertaking to stop Supply for the purpose of going on with the discussion of the Agricultural Holdings (Scotland) Bill. There were certain Votes which they must ask the House to give them, and the time necessary for the purpose they must ask the House to appropriate. As to the question of going on with the Bill, the points remaining for discussion, so far as he knew, were of a simple character; and, that being so, he had supposed it might be for the convenience of the House generally, and of Scotch Members in particular, if they availed themselves even of a late hour for the purpose of closing the discussion to-night, if possible. At the same time, it was no part of the desire of the Government to press that upon the House, or upon the Scotch Members. It was entirely an arrangement intended for the general convenience; and if the hon. Member (Mr. J. W. Barclay) would communicate with the Lord Advocate, he (Mr. Gladstone) was sure they would be able to arrive jointly at what would be the best arrangement.

PAWNBROKERS' BILL.

In reply to a Question from Mr. Causton,

Mr. HIBBERT said, he had been in communication with the representatives of the pawnbroking interest, and he trusted in a few days to propose certain Amendments in the two Bills relating to this subject. He could assure the hon. Member that he would not propose the second reading of the Bills until full time had been given for their consideration.

PUBLIC HEALTH—THE CHOLERA—IMPORTATION OF RAGS FROM EGYPT.

Mr. RITCHIE: I wish to ask the Government, Whether their attention has been drawn to the serious danger that may result to this country from the unrestricted importation of rags from Egypt; and, if so, whether they propose any steps in the matter?

SIR CHARLES W. DILKE: Sir, my attention has been called to this matter, and steps are under consideration at the present moment in regard to it. I may say that in regard to the only importation from Egypt by sea, because some Egyptian rags come overland—and we cannot distinguish which are from Egypt and which are not—we did make orders in regard to the cargo; but those orders were not actually issued, because the rags went on to America.

PARLIAMENT—BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

SIR STAFFORD NORTHCOTE: I wish to ask the right hon. Gentleman the Prime Minister if he can now give the House any further information with regard to the proposed course of Business? There are several questions upon which I have no doubt the right hon. Gentleman will be able to enlighten us. In the first place, as to the Business of this evening, we want to know what the Government propose to do with reference to Votes on Account? We did not understand that we should be asked for another Vote on Account, until, at all events, the Government were in a position to tell us which of their measures they were prepared to proceed with, and which they considered it necessary to withdraw. I am quite aware that the Government withdrew a certain number of measures some time ago; but we fully expected that they would be in a position to state that there were others which they would be prepared to withdraw also. ["No!" *from the Ministerial Benches.*] If not, then I think we ought to be assured on one or two points—that a reasonable time for the closing of the Session ought to be announced, and that we should also be assured that we shall have a proper opportunity for the discussion of Supply; otherwise it would be unreasonable, I think, under the present circumstances, to ask us to make a Vote on Account. I wish also to ask what is the order in which the other Business is to be taken, when the Agricultural Holdings (Scotland) Bill will be proceeded with, and whether the right hon. Gentleman is able to name a day on which he will be prepared to allow a discussion on the Motion of which I have given Notice with reference to the Suez Canal?

MR. GLADSTONE: Sir, the demand of the right hon. Gentleman opposite (Sir Stafford Northcote) is, in general terms, a reasonable demand; and I can make even now, to a certain extent, an answer to it, which I hope to enlarge, upon receiving more positive information on certain subjects, in the course of a very short time. But I may point out to the right hon. Gentleman that, as he is aware, a discussion on the new question of the Suez Canal having arisen, and we not being quite certain what demand it may make upon us, it has somewhat deranged our expected proceedings. As regards the arrangement of Business that is still pending, I am prepared to say this, without waiting at all—that, in the first place, as the right hon. Gentleman has said, a full and fair time ought to be, and shall be, given for the discussion of Supply. We shall not attempt to throw over the further discussion of Supply until we have disposed of the legislative Business which we hope the House of Commons will be disposed and competent to deal with. There are three Bills of importance, to which I referred on a former occasion as still awaiting the final view of the Government—namely, the Contagious Diseases Acts Amendment Bill, the Bill for the Amendment of the Criminal Law, and an important measure with regard to Education in Wales. With regard to these three, I may state now that we do not entertain any expectation of being able to proceed with any of them. That will considerably lighten the list, and I think that when I see my way as to the Suez Canal discussion, I shall then undertake to state to the House more fully what we propose with regard to the arrangement of Business. As far as regards the earlier parts of the right hon. Gentleman's inquiries, I do not think that at present, probably for a week or more, it would be safe or judicious for anyone to make any anticipation as to the close of the Session, gladly as I should feel myself on the expectation of attaining that much-desired point. With respect to the important question of the Suez Canal, with which the right hon. Gentleman closed, we are quite ready to place Monday at his disposal; but in doing so, I wish distinctly to express the attitude and view of the Government without any argument on the subject. We do it out of deference to the right hon. Gentleman, and to the position in which he stands as the Representative of a very considerable portion of the House, and not because we ourselves can say that we believe public advantage will arise at the present time from any discussion, prospective in its character, upon the matters connected with the Suez Canal. I wish, Sir, to go a little beyond that, especially as it tends to narrow and not to widen the possible points of difference. Examining the Motion of the right hon. Gentleman, I am able to say, on my own part, and on the part of my Colleagues, with regard to the proposition contained in it—namely, that there ought to be no recognition of supposed rights or claims of the Canal Company in the terms therein described, we entirely agree with the right hon. Gentleman. I may state that without any qualification. At the same time, it may be for the convenience of the House, if I also go on to state that what we contemplate as desirable in the actual state of affairs is, that after what has recently passed, as regards the dropping of the Agreement, some time should be allowed to the great trading and shipping interests of the country to consider the question carefully in its various bearings, with a considerable number of rather complex matters attached to them, partly economical and partly political; and, secondly, that we do not contemplate, as in any way within the limits of probability, any early resumption of any negotiations of such a character as would possibly bear upon the question of the claims of M. de Lesseps and the Suez Canal Company. Having said that we are in agreement with the proposition contained in the Resolution of the right hon. Gentleman, I am bound to say that we entertain very strong objection indeed to the passing of any such Resolution by the House, from which we anticipate very grave public disadvantages, which we even think there may be a disposition, when they are stated, to acknowledge; and our course will be to support the Amendment of which Notice has been given by my hon. Friend the Member for Hull (Mr. Norwood). But that is without the smallest prejudice to what I have said as to our being in agreement with the proposition of the right hon. Gentleman.

Sir STAFFORD NORTHCOTE: Sir, I do not know whether the House will allow me to make a single observation. The observations of the right hon. Gentleman the Prime Minister seem to me to be rather in the nature of, I will not say an appeal to me not to proceed with my Motion, but an indication that the Government would prefer that I should not proceed with it. I wish to state, without going any further, that my object is to insure and obtain for the House, at all events, its full freedom of judgment in a matter in which I am under the impression at the present moment its freedom has been compromised by the proceedings of the Government. We can only meet that by the discussion which will take place, I hope, on my Motion on Monday.

Mr. RICHARD asked the Prime Minister, whether, seeing, as they were informed, that the Welsh Intermediate Education Bill could not be brought on this Session, he could give some assurance to Welsh Members that it would be brought on early next Session, in time for ample discussion upon it?

Mr. GLADSTONE, in reply, said, the Bill referred to required the careful consideration of Parliament and the country, and it certainly was his hope that the subject would be dealt with at the very commencement of next Session; but, of course, he could not give any assurance on the point. He must venture to appeal to hon. Members who had Notices of Motion for to-morrow evening to clear the Paper, in order that the Report on the Agricultural Holdings (England) Bill might be gone on with, and would especially direct this appeal to the kindness and humanity of the hon. Member for Stafford (Mr. Salt) to withdraw the Motion down in his name. ["No, no!"]

Mr. SALT said, he was exceedingly sorry when he could not meet the wishes of hon. Members, and particularly those of the right hon. Gentleman; but he was now in this difficulty—that some of his Friends wished him to go on with his Motion to-morrow evening, and some of them wished him not to go on. Therefore, taking all things into consideration, he thought it would be better that matters should remain as they were—["Oh, oh!"]—unless the Government would find him another day for the Motion. They were now at the end of the Session; and probably he would not have another opportunity of bringing his Motion forward, if he gave up this one. He understood, moreover, that it would not be convenient for him to bring forward the question on the Estimates as a matter of Order.

Mr. CHAPLIN asked when the stage of Report on the Agricultural Holdings (England) Bill would be taken?

Mr. GLADSTONE, in reply, said, the debate on the Suez Canal was hanging over them for Monday; and, under present circumstances, he could not tell when the Report stage of the Bill referred to by the hon. Member would be taken.

Mr. DIXON-HARTLAND asked the Prssident of the Board of Trade when he proposed to bring forward the Report on the Bankruptcy Bill? He hoped it would be brought forward before hon. Members had gone out of town.

Mr. CHAMBERLAIN, in reply, said, that, in the state of Business which had already been referred to by the Prime Minister, it was impossible for him to give any assurance on the point.

Mr. CHAPLIN said, he would appeal to the hon. Member for Stafford to withdraw his Motion for to-morrow evening. He (Mr. Chaplin) recognized the great importance of the Motion; but it would be very much to the convenience of a large section of the House, if the hon. Member could, by any possibility, consent to postpone it on this occasion, so as to enable the Report of the Agricultural Holdings (England) Bill to be taken.

Colonel KINGSCOTE said, he would also appeal to the hon. Member for Stafford (Mr. Salt) not to proceed with his Motion to-morrow evening.

Mr. J. G. HUBBARD said, the question of education was one that concerned the whole country; and, both in and out of the House, there was strong anxiety that the administration of the Education Law should be thoroughly considered. It was all very well to ask the hon. Member for Stafford (Mr. Salt) to postpone his Motion; but when would he have another opportunity of bringing it forward? He now had possession of the House, and, under the circumstances, ought to keep it.

Mr. STANLEY LEIGHTON said, he would urge his hon. Friend (Mr. Salt) not to give way. He (Mr. Stanley Leighton) believed that the withdrawal of the Motion would cause great disappointment.

Sir STAFFORD NORTHCOTE said, that the matter being a very important one, which excited very great interest outside the House, as well as in it, among persons whose opinions ought to be considered, his hon. Friend (Mr. Salt) thought it very difficult to allow the matter to drop altogether. It had been suggested that it could be dealt with in the discussion on the Education Estimates that evening; but his hon. Friend was of opinion that he would be ruled out of Order if he then brought forward his Motion. Unless, therefore, some arrangement was made by which he could have another day, his hon. Friend would hardly feel himself justified in abandoning the position he had gained. He (Sir Stafford Northcote) must point out to the Government that they had the whole of the week now, except Friday evening; and it was rather hard to levy a tax on the small portion of time that now remained to private Members.

ORDERS OF THE DAY.

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SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Class IV.—Education, Science, and Art.

Mr. MUNDELLA: Sir, I am about to apply to the Committee to grant, for the purposes of public education, an amount to complete the large sum of £2,938,930, for the year 1883-4, which, as compared with £2,749,863 granted by Parliament for the year 1882-3, shows an increase of £189,067 for the present year. This sum of £189,067 does not, however, represent the true difference between these two years; for, in February last, we had to apply to the House for a Supplementary Estimate of £42,122, for the expenses of the year 1882-3, which thus reduces the increase on the Estimate for 1883-4 to £146,945. The Supplementary Estimate of £42,122 for the year 1882-3 was required in consequence of the unusually rapid rate of increase in the average attendance of children last year; and we attribute that increased regularity of attendance, in the first place, to the influence of the Act of 1880, which made attendance compulsory generally throughout the country; and, in the second place, to the efforts of teachers, managers of schools, and school boards, to anticipate somewhat the New Code of 1882, which provided for payments for average attendances. The rate of increase which was allowed for—namely, 4 per cent, although it was apparently very ample, did not represent that which actually took place in 1882-3, for the real increase amounted to 5·3 per cent. That we are justified in attributing that rate of increase in the average attendance to greater regularity of attendance, rather than to any unusual increase in the number of schools under inspection, is shown by the percentage of average attendance, which has risen from 70·77 in 1881 to 71·97 in 1882, an advance which has brought up the average attendance in the country to the highest point that has been reached in our experience. The increase in the Estimate for 1883-4 is almost exclusively accounted for under the Vote "Annual Grants for Day and Evening Scholars," which now stands at £2,610,000, as compared with £2,423,000 for 1882-3. Our estimated increase of average attendance for the first part of the year is 4·5 per cent, and 4 per cent for the remainder of the year; or, in round numbers, an increased average attendance of 44,000. And we have had, for the first time, to make an estimate of the probable earnings of the public elementary schools under the New Code, as compared with the earnings of those schools under the Code which expired last year. Now, Sir, having *data* to go upon, we have made our calculations with great care, and, I am glad also to state, with very great accuracy. I am able to say, with reference to the probable grant for this year, that we have taken an amount which, we believe, will leave an ample margin—namely, 16*s*. 2*d*. per head. It is, of course, possible that the actual amount of the capitation grant may, by a little, exceed, or fall below, this estimate in some cases; but we hope and believe that in very few cases indeed will the earnings fall below the earnings of the previous year. I am glad to be able to announce to the Committee that the rate of the grant, which we anticipated would be somewhere about 16*s*. 2*d*., has, upon a statement of the average attendance of 229,000 received this morning, come out at 16*s*. per head for the months of June and July, as compared with 15*s*. 11½*d*. per head for the two previous months of May and June last year; so that the earnings under the New Code appear to us to be no less than the earnings under the Old Code. It is true that some schools will not earn as much, while others will earn more; those which teach their subjects best will obtain a better grant under this Code than under the former; but those which indulge in a more ambitious programme, and teach imperfectly, will find their expectations disappointed, and will get a smaller grant than under the Code of last year. The principal items on which the Estimate for the grant is based are 16*s*. 2*d*. per head for the day schools, and 9*s*. 2*d*. per head for the night schools, which were before 8*s*. per head, or 1*s*. 2*d*. per scholar more. There are various items of increase—namely, £3,730 for Inspectors' Salaries, which represents the ordinary increment under that head, and £1,000 under the head of "Travelling Allowances," for increased lodging allowances to Inspectors' Assistants from 7*s*. 6*d*. to 10*s*. a-night; the former amount being too small to enable the Assistants to remain away from home at night. There is a decrease in the Estimate of £2,880 for the payment of Children's Fees under the old system of the Act of 39 & 40 *Vict*. c. 79, s. 18, which charge is now dying out; and, at the end of another year, the grant under that head will have entirely expired. The grant for 1882-3, as I have stated, was £2,791,985, and the expenditure £2,791,340, which leaves a saving of £645. The grant for Day and Evening Scholars was £2,465,105; while the expenditure was £2,467,916, leaving a deficiency of £2,811, which is met by savings on other sub-heads of the Vote. The rate of grant for every Day Scholar was estimated at 16*s*. for last year; and the result was exactly 16*s*. 0¼*d*., or an advance of 2¼*d*. over that of the previous year, while the Estimate per Evening Scholar was 8*s*., and the result was 7*s*. 10*d*. Perhaps, at this point, the

Committee will allow me to give a few statistics of the comparative progress made during the past year. The first point I wish to call attention to is the increase in the average attendance. Children have continued to come into the schools at the rate of 3,000 a-week, being at about double the rate of the increase of population, the number which came into the schools last year being 144,000; while the increased average attendance, which we have been accustomed to estimate at about 100,000 a-year, has been exceeded by more than half that amount, and was last year 152,000. The statement runs thus—out of every 100 children on the books, there was, in 1870, an average attendance of 68·1; in 1871, 68·3; in 1872, 67·9; in 1873, 66·8; in 1874, 67·2; in 1875, 66·9; in 1876, 67·4; in 1877, 68·2; in 1878, 68·75; in 1879, 66.9; in 1880, 70·6; in 1881, 70·77; and in 1882, 71·97. The figures, I think, the Committee will agree with me in saying, show a considerable and satisfactory increase in the average attendance of children at the schools. The number of schools inspected last year was 18,289, as against 18,062 in 1881; and I am able to inform the Committee that the accommodation in 1882 exceeded that of the previous year, the number of children provided for in 1881 having been 4,389,000, as against 4,538,000 in 1882, showing an increased accommodation for 149,000. The number of scholars on the register for England and Wales in 1881 was 4,045,000, as against 4,189,000, showing an increase of 144,000; while the scholars in average attendance in 1882 were 3,015,000, as compared with 2,863,000 in 1881, which gives the increase to which I have already drawn the attention of the Committee of 152,000, or 5·3 per cent. Again, the number of scholars individually examined increased last year by 124,000, the percentage of passes having risen from 81·82 in 1881 to 82·80, or 1 per cent. The proportion of scholars examined in the Fourth Standard and upwards also rose from 26·83 in 1881 to 28·26 in 1882; and I regard it as one of the best features of the year that we are able to announce so large a number of scholars comparatively in the upper Standards. The number of certificated and assistant teachers rose from 44,580 in 1881 to 48,118 in 1882, the increase being 3,538; on the other hand, I am glad to say that the number of pupil teachers fell from 33,639 in 1881 to 28,285 in 1882, being a decrease of 5,354, or at the rate of 6 per cent, due to the fact that the working of the New Code requires more assistant masters. Now, the number of children on the roll of the voluntary schools last year was 2,884,250; while that on the roll of the board schools was 1,305,362. The amount of fees in the voluntary schools was at the rate of 11*s.* per scholar, and in the board schools 9*s.* 4*d.* per scholar. The total amount of fees paid in all schools in 1881 was £1,509,000, and in 1882 £1,586,000; the voluntary contributions having remained very much as they were—namely, at £724,846. The principal points of interest in the Statement I make to the Committee are—first, that the accommodation has increased at about the same rate as in the previous year; and, secondly, that the increase in the number of children upon the register is 4,000 less than in the previous year, and 3,000 less than the increase of accommodation, the percentage of increase of children being nearly the same for both years. On the other hand, the increase in the number of children on the register shows a greater rise than in any year since 1870. There are now places for 4,588,000 children; but I would point out to the Committee that that supply must always be in excess of the demand, because many of them are not availed of; numbers of those in the rural districts becoming less and less availed of, the migration to towns necessitates a large increase there, but leaves an excess in the country districts. I am sorry to say that, according to the late Returns, several counties are much below one-sixth of their population with reference to places, as will be seen when the Report is in the hands of hon. Members, which, as I believe, will be the case to-morrow morning, although I had hoped it would have been before, so as to have given them an opportunity of considering it before this Vote came forward; which, contrary to my expectation, has been taken to-night, instead of next week at the earliest, as I anticipated it would be. With respect to the Standards; in the Upper Standards, there has been a very large increase of scholars, the number having risen from 535,442 in 1881 to 599,029 in 1882, which shows a rise from 26·83 to 28·26 in the Upper Standards. But, Sir, that does not quite show the progress made in this respect. In 1872, the percentage of children examined in the Upper Standards was 17·96, which rose in 1878 to 20·77, and in 1882 to 28·26; but, at the same time, it must be borne in mind that this percentage is calculated on a very much larger number of children in each case. In 1872, the number of children in the higher Standards was, in round numbers, 118,000; that rose in 1878 to 324,000, by a steady annual advance; and in the year 1882 it stood at 599,029, which would show that steady progress had been made in Standards IV. to VII. Well, Sir, although this shows a steady progress, and, perhaps, to the mind of some, a very rapid progress, brought about, as I can testify, with a great deal of labour, there is still a great deal to be done, and I am not the man to stand here and diminish the importance of that work. I have always stated my opinion in this House, from the very outset of the work, that until we have brought in all the children, we cannot expect anything like an educated generation; and that, even then, it will take 20 or 30 years to get a thoroughly educated people. I say, now, there is room for improvement, because there are still 500,000 children who are not on the register; and it seems a matter for surprise that, notwithstanding the numbers who come in year after year, the real deficiency of the country in respect of education should have been so very much beyond the calculation of my right hon. Friend the Member for Bradford (Mr. W. E. Forster), or any of us. We much deplore the shortness of the school life of the English child; if one proposed piece of Continental educational legislation becomes law, that school life will be shorter than in the case of children in any country of Europe North of the Alps. The Belgian proposal is, that no child shall be employed who is under 12 years of age, and that every child shall be at school from the 6th to the 12th year; and that, I say, places every child in Europe on this side of Italy in a position more advantageous than the children in this country in respect of education. My hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler) has remarked how very few children pass the higher Standards; but I say that this is not to be wondered at, when we consider that there are more than 9,000 parishes in England and Wales in which the Standard of total exemption is Standard IV. Out of 304,000 children presented in that Standard in 1881, 130,000 disappeared from the register in 1882; and that process continues, because the children pass earlier and earlier out of school—a steady process of depletion is going on, by which the upper Standards are kept as low as possible. On the other hand, I would point out to the Committee that if the children who now pass out of the schools at an early age, and on the attainment of Standard IV., were retained until the age of 12 or 13, the increase in the number of children in the upper Standards would be something like 300,000 or 400,000. Thousands of these children, when not restrained by the Factory and Workshops' Act, have to begin labour soon after they reach the age of 10; and I have in my hand a statement showing how much earlier than usual children are passing through the Standards. A deputation a short time since waited on me, asking that the standard of education might be lowered in the agricultural parish of Meare, in the county of Somerset. The parish, it appeared, was flooded, and things there were all in a bad way. Standard V. was in use, and the deputation wanted Standard IV. to be substituted for it; and the clergyman of the parish put into my hand this paper, which shows the age at which the children passed the Fifth Standard in 1877, and the age at which they pass it now. In 1877 the average age at which the children passed Standard IV. was 14; in 1878 it was 13 years 5 months; in 1879, 11 years 8 months; in 1880, 11 years 2 months; in 1881, 10 years 10 months; in 1882, 10 years 9 months; and in 1883, the Standard was passed at the age of 10 years and 8 months. The age of 10 years and 8 months was that at which, no doubt, a large number of children in the country left school, and went to full-time agricultural employments; and my fear is that many of these children, when they have attained the age of 13 or 14, will have forgotten all that they learnt at school. I have given a number of figures, which show the large expenditure of money which has taken place, as well as the great efforts and sacrifices which have been made in the cause of education, and I have shown what are the results. These, I regret to say, are not altogether commensurate with the expenditure; and I am, moreover, of opinion that they cannot be so until we make up our minds to bring about something like uniformity of Standard throughout the country, and, at least, to fix a Standard for full-time labour to be applied from one end of the country to the other. My opinion is that Standard IV. should be required with half-time, and that Standard V. should be passed before full-time labour is commenced. Great as are the efforts and sacrifices we are making in the cause of education, there is no doubt that other countries are making greater; and I should like to give some idea of what is being done in this respect abroad. It is against my inclination to read long extracts; but I have recently received Returns from Her Majesty's Ministers abroad as to the state of education in the countries in which they reside, and, with the permission of the Committee, I will refer to some passages in them of a very striking character, which set forth our own deficiencies. There is a statement from Sir John Strachey to Earl Granville, to the effect that in Saxony, with a population of 2,907,000 in 1880, the compulsory scholastic period continues from the sixth year until the scholar has completed 14 years of age; that the proportion of children under the school liability is as 1 to 6 of the population, or, in exact figures, 16·80 for every 100 souls, the dispensations allowed being too few to affect this proportion, which is the standard for children of all ages; that, in 1880, the children announced as liable to school attendance were 493,437, of whom the children in attendance were 492,912, and those on leave of absence, sick, inmates of asylums, &c., numbered 525; so that every child was accounted for. [An hon. MEMBER: In free schools?] No. Saxony has never had free schools; she has the most perfect system of education. The compulsory finishing schools in 1880 were attended by 68,672 scholars; the children who go out at 14 years of age to work attend night schools until they are 17 years of age, or until they have thoroughly passed in the highest Standard. A similar state of things exists throughout Germany. I have a Report of one of Her Majesty's Inspectors, who visited Germany, and the account which he gives of the *curriculum* in the Berlin schools is such as would astonish my hon. Friend the Member for Liverpool (Mr. S. Smith). It puts our *curriculum* in the shade, and is something altogether different from it. The children are required to attend from 7 o'clock in the morning until noon; and every child is expected to go through, and does go through, the whole of the prescribed course. The educational systems of Sweden, Denmark, Norway, and Switzerland, are almost upon the same lines; but what is more surprising than these is the prodigious effort now being made in France. I believe that, for the present year, apart from school buildings, the grant made by the Central Government for Education, Science, and Art is £5,300,000, and that provision is made for 40,000 new schools, for which loans are to be made, and assistance given, by the Government. The City of Paris alone has spent three times as much per head as the City of London for the purposes of education. I am sure many hon. Members are asking themselves what we have to show for all our large expenditure; and we hear constantly the inquiry whether our population is more moral, more orderly, more temperate, and less vicious and criminal, than it was before education was obtainable? Sir, it is idle to talk about the effect of education on the people of the country, seeing that we have only recently got the children into school; but there is, nevertheless, a great deal to encourage us in the success which has resulted from the measure of 1867. The adults of the criminal classes are just as ignorant to-day as they were at the time of the passing of that Act; I believe the percentage of those who read and write well is 2·45; the percentage of those who can neither read nor write is 30·9 of the men, and 40·10 of the women. But there is one phase of the subject which is encouraging. I believe the board schools have done much to remove many children from the streets. Recently, owing to an article which appeared in one of the newspapers, I have had to inquire into the state of juvenile criminality in Birmingham; there are always some people who are ready to have a fling at Birmingham. I sent the article in question to Mr. George Dixon, who was a Member of this House, and respected by everyone who knew him, and who has devoted his life to the education of the population of that town; I asked him how far the article was true. The point was whether indecent profanity was on the increase since the establishment of board schools; and he replied to the effect that he had reason to come to the conclusion that since their establishment there had been a steady improvement in the language and manners of the children of the town. The average of juvenile offenders taken by the police before the magistrates was, for the five years before 1880, 1,373; the number in 1880 was 1,082; and in 1881-2, 842; the reduction from 1,373 to 842 being, I think, a very satisfactory result. But with regard to England, we have an excellent account in the last Report of the Inspector of Reformatory and Industrial Schools. The maximum number of juvenile offenders was reached in 1869, when the number of boys and girls was 10,314; this number fell, in 1875, to 7,212, since which year the number has fallen steadily, and in 1882 it reached 5,483, notwithstanding the increase that has taken place in the population. Then, Sir, for Scotland, we have a similar gratifying result. In the year 1872, when the Scotch Education Act was passed, the number of juvenile prisoners was 1,136, and that number has steadily fallen to 854; and the Edinburgh prison, which used at one time to contain a great number of juvenile offenders, is now almost entirely vacant of that class. Every day I live I become more and more satisfied; and if we are to make any inroad upon the vice and criminality of the country we must commence by taking hold of the children in their very earliest ages, by nipping evil influences in the bud at the very outset of the child's career, and not by leaving the child until it flaunts its vices in the streets, or is brought before the police court. We must take note of the beginning of their association with crime, by remarking their absence from school and the irregularity of their attendance. I look very hopefully to the Report I have received from the Royal Commissioners on Industrial Schools; and I can only repeat, especially for Scotland, where they are very anxious to have Industrial Schools introduced into their system, that I hope we shall be able to deal next Session with that question. Now some of the best friends of education think we are pressing too hard for intellectual work. I will not forestall the statement which I am sure will be ably made by my hon. Friend the Member for Liverpool by going into that part of the question; but I must, for a moment, touch upon another kindred question, which seems to me to affect the health and the progress of our school population. Whatever I may have to say in regard to the views of my hon. Friend the Member for Liverpool I will reserve until he has made his speech. My attention has been much attracted to two phases of this question; one has reference to what has been said about the alleged overwork of the children; and the other has reference to the wretched homes in which the mass of the children live, and the question of under-feeding. I am bound to say the question of under-feeding, as far as I can gather, is by far the most serious question of the two. Mr. Marchant Williams, one of the Inspectors of the School Board of London, has, from his own interest in the question, been making very careful inquiry into the condition of all the thousands of children at present attending the School Board schools in London. There is an impression among many people that education in London has not reached the class for which it was intended; that we are not dealing with the poorest classes; and that the School Board of London is not bringing under the system the very poorest, most wretched, and most miserable among the outcast population. I cannot conceive a more mistaken notion, for anyone who takes up Mr. Marchant Williams's Report, and who will visit the schools in Whitechapel, Finsbury, Marylebone, Walworth, or Bethnal Green will be somewhat astonished at the wretched character of the surroundings of the children, and the wretchedly-fed children who are to be found in those schools. My attention was first called to the question by an accident, which I will shortly relate to the Committee. I was referred to a school in the country which is doing marvellously good work, and which has had surprisingly good results among a scattered population, and I wanted to know how those results were accounted for. I made an inquiry of the Inspector with respect to that school, and I will state to the House the result. It was a rural school in Dorsetshire. [An hon. MEMBER: Whereabouts?] It is on the Coast, at the village of Rousdon; and the results of that village school have been very startling. In 1880 there were on the books of the school 89 children; the average attendance was 76; 79 were eligible for examination; and there were passed 98 per cent in reading, 96 per cent in writing and spelling, 98 per cent in arithmetic, 56 per cent in geography, 79 per cent in grammar, 8 in literature, and 5 in domestic economy. That was rather a heavy programme; but, at the last inspection, which came off some two or three months ago, I find the following was the result:—There were 84 children on the books; the average attendance was 81·6; 81 out of the 84 were eligible for examination, and there passed 100 per cent in reading, 100 per cent in writing and spelling, 98 per cent in arithmetic, 100 per cent in geography, 87 per cent in grammar; while 14 passed a good examination in literature, and 1 passed well in domestic economy. Order, discipline, singing, and needlework were reported good, and the school was classed "excellent." It is impossible that there could be a better school than that.

MR. W. E. FORSTER: Was it under a master and mistress?

MR. MUNDELLA: Yes; there are both a master and mistress.

MR. W. E. FORSTER: Is it a board school, or what?

MR. MUNDELLA: It is a National School, which was set up a few years ago by an hon. Member of this House, who, finding the success of the school lacking, the labourers wretchedly fed, the population poor and scattered over an extensive district, devised the means for getting better results than could ordinarily be obtained. He found that the children were poor and ill-fed, and that they could not walk three or four miles backwards and forwards to school two or three times a day, bringing with them wretched morsels of food for dinner, with satisfactory results. Well, my hon. Friend who set up the school perceived that something must be done in the direction of feeding the children, as well as educating them, and he solved the difficulty in this way. He said—"I will give the children one meal a-day on the five days a-week they attend the school, and they shall pay for that meal one penny a-day." My hon. Friend is a thorough business man, and he has kept an account of every penny spent and received, and the result is not uninteresting. I hold in my hand a record of the quantity of food supplied. The account of the expenditure was carefully kept to the utmost farthing; and, at the last examination, it was found that the total number of dinners given to the children was 110,221 from October, 1876, to December, 1882, at a total cost of 107,406 pence, and they were good full meals for every child. If anyone doubts how it can be done, I have here the items of flour, suet, meat, potatoes, bread, rice, sugar, and every other article consumed in the dinners supplied in that school, the total number of which was 110,221, at a cost of 107,406 pence for seven years. The average of solid food per child was about eight ounces. It could be fairly said that 10 dinners, including cooking expenses and wear and tear, did not cost more than 1*s.* The girls assisted in the cooking, which was part of the *curriculum* of the school. I thought I ought to inquire from Her Majesty's Inspector what his opinion was as to the experiment made in this rural school, and Mr. Howard writes—

> "I believe that Sir Henry Peek's experiment has turned out a very great success. What strikes one at once in coming into the school is the healthy, vigorous look of the children, and that their vigour is not merely bodily, but comes out in the course of examination. There is a marked contrast between their appearance and their work on the day of inspection, and those of the children in many of the neighbouring schools. The mid-day meal is good, and without stint. It acts as an attraction, and induces regularity of attendance. In fact, the number on the register is 59, and the average attendance, above 56, speaks for itself; but, besides that, the dinners supply physical material, by which better brain work can be done. The examination hardly does justice to the condition of the school; it gives the number of classes; but does not give the quality. In the accompanying sheets I have put down some statistics."

I will not give the statistics; but Mr. Howard shows that four out of five of the children passed easily. He goes on to say—

> "Their work is most thorough; but, without regular attendance and intelligence to act upon them, much of it would be thrown away. As

to the regular attendance, I find there are some children who have been in attendance 400 times a-year. It is not amazing, therefore, that this satisfactory result should have been produced."

The Inspector adds that—

> "It is a real pleasure to examine the Rousdon School. Before the school was started, the education of the children of the neighbourhood was as low as in any part of the district."

He goes on to describe what was the real condition of the children in the neighbourhood. I do not bring this forward for the sake of complimenting the hon. Baronet opposite the Member for Mid Surrey (Sir Henry Peek); but I want to point a moral, and to show the connection between education and properly feeding the children. This Rousdon School proves that children properly fed, and attending school regularly, not only enjoy a good *physique* and good health, but that they prosper in their education also. There is no over-pressure on those children, and it proves that there is no over-pressure where there is regular attendance and good feeding. The great difficulty we have to contend against is the lack of these two essentials. Let me refer the House to the case of the Jew's Free School, Bell Lane, Spitalfields. It is a school where the teachers have to grapple with enormous and unheard-of difficulties. There are about 3,000 children, who come in with a very imperfect knowledge of the English language, speaking a *patois* of two or three European languages, and most of them having some knowledge of Hebrew. The average attendance is 95 per cent, and the work done is amongst the highest in England. They pass a heavier *curriculum*, and in a larger number of classes, than any other school. The school is in every way excellent. Then, how is it done? I myself asked how it could be done among such a wretched population. The children, when not at school, are employed in selling newspapers, or cigar lights, or lucifer matches. They are poor Jews' children, put to earn something directly the school hours are over, and it is surprising what the enterprize of these people is. But considerable influence is exercised by the benevolence of the friends of the school, who not only pay great attention to the wants of the children generally, but also present gifts of clothing, and in other ways help the children to attend the school. I am afraid that, in this respect, the Jews are very much better than the Christians. In the West End, the Jews do their duty thoroughly by the children of the East End Jews. I wish I could see the West End Christians doing the same by the East End Christians. I have here a statement with regard to three other schools. The first is the Saffron Hill School, Farringdon Road. It is a school supported by 313 families, 182 of which, or 58 per cent, live each in one room only. There are others who live two in a room; and so they go on, living one, two, three, four, five, six, seven, eight, nine, and even ten in a room. Fifty-eight per cent of the children of the Saffron Hill School in the Farringdon Road come out of those wretched homes of one room. The Golden Lane School is supported by 487 families, 400 of which, or 82 per cent, reside in one room only; 21 per cent have six persons and upwards in a room. The Tower Street Schools, Seven Dials, are supported by 339 families, 289 of which, or 85 per cent, reside in one room each; eight of these families have nine persons in a single room; and so they range, from one to eight, nine, and ten persons in a single room. I am taking advantage of Mr. Marchant Williams's figures in regard to this question, and he reports upon a considerable number of schools. In the Drury Lane School the percentage of attendance is very excellent. The average attendance is 86 in the boys' department, 86 in the girls', and 71 in the infants' department; 52 per cent of the children come from families living in one room only; 3 per cent from families residing in two rooms; and 12 per cent live in more than two rooms. The Vere Street School, close to Clare Market, was examined by Mr. Matthew Arnold, and he states that the way in which the boys recited a poem showed that they were extremely intelligent children, and that they had thoroughly mastered what they had learned. Nevertheless, 75 per cent of those children belonged to families who reside in one room only. Many of the children are the offspring of the criminal and vicious classes. The children are to be pitied, and are sometimes found faint from want of food. Indeed, in many cases, persons have gone out to buy bread for the children, in order to enable them to stand the school labour. But if anybody supposes that these children are better out of school than in, it is the greatest possible mistake in the world. It is the one bright spot in the child's existence; it is his only place of happiness and comfort, and he is under good sanitary regulations while he is at school. He is warm, and well fed, and is subject to cheerful exercises, including singing and physical training, which are most enjoyable to him. Indeed, the children cry when their mothers want to keep them at home, and they cry also when the holidays come. There cannot be a better proof of what is being done by bringing the child into the school. I have only given the Committee facts with regard to three or four schools; but I could give a great many more, and I could show that all over London a fearful state of things exists, and that it behoves people with human hearts and ordinary minds to do something in order to help the children to attend school. I must say that my Friend the hon. Baronet who sits opposite the Member for Mid Surrey (Sir Henry Peek) has set an example which ought to be taken up all over London. There is no country in which so little has been done to help the children to go to school as in our own country—I mean to help them with food and clothing. Great sacrifices have been made by benevolent societies in America to rescue thousands of children from the streets of New York and elsewhere. Indeed, the results of those efforts have been something which we, in England, could hardly realize; but we now see that 10 dinners can be provided for 1*s.*; and if the West End would only do a little more in charity for the children of the East End, thousands of these children might be saved from broken health, and induced regularly to attend school. I am afraid I have detained the Committee too long; but I have very little more to say. While I hear complaints that we are overloading the children with work, I should like to say a word to the teachers and managers, as to making their *curriculum* too hard. I believe that this is not for a love of gain merely, because I find it is quite as bad where the teachers are paid a fixed salary; but it is done for mere ambition—from the desire to be successful in competition, and a desire to stand well with the managers of school boards. The tendency is to overload the Time Tables and to cram the children; but I believe it will be found that this system will not pay in the end. The teacher who teaches two class subjects gets 2*s.* a-head; but he only gets 1*s.* if the work is not well done; and it is far better to do one well, and get 2*s.* for it, than to teach two imperfectly, and only get the same result. I would urge everybody not to be so ambitious; but let the aim be to do solid and thorough good work. We have now just entered upon the first Code of the new Act, which I believe will produce greater thoroughness, and discourage the overloading of the Time Table. I know that one thing complained of is the caprice of the Inspectors. Perhaps I may be allowed to detain the Committee for a moment or two, while I state what has been done in this direction, in order to secure evenness and uniformity of administration, and to prevent teachers and managers from being subjected to the indivividual caprice of the Inspector. To insure uniformity, the country has been mapped out into 10 districts, an experienced person having been put over each; a list of points upon which discretion is left to Her Majesty's Inspectors, and on which methods may vary, has been drawn up, and we have arranged for a conference of the heads of the 10 districts, at which rules of procedure can be arrived at amongst themselves to be applied generally throughout the country. We have also provided for a provincial conference in each of the 10 districts, Cambridge, Sheffield, London, Newcastle, &c., with suffragans to go over the same ground. Arrangements have been made for summarizing the results of the provincial conference, in order that there may be a comparison in successive years. The seniors are to be advised of the results of every three months' work by the District Inspectors, and it is intended that there shall be an additional exchange of visits, and a general supervision of each division by a senior; and I believe that year by year we shall get the examinations much closer together than they ever have been before. I do not hesitate to say that hitherto, in some instances, the questions put by the Inspectors have assumed the aspect of arithmetical problems altogether opposed to reason and common sense. The queries put to the children have been more like conundrums and puzzles, than plain, straightforward questions; and, instead of having elicited the intelligence of the children, they have been of such a nature as to defy them to answer them. We want to stop that, and the only way we can do it is by constant comparison. As I have said, the senior is to be advised of the result of every three months' work of the District Inspectors, and we shall then be able to see all that is doing, and whether anything is going wrong. Arrangements have also been made to divide the duties between the senior and his subaltern, and the Inspectors will be able to go into any district in order to compare notes and see what the examination is. Having done this, we think we ought to insist upon fair trade between the teachers and managers by imposing average uniform tests upon every subject. I am glad to say that from one end of England to the other the interest taken in education is rather increasing than abating. Nothing is more absorbing to the man who puts his heart into the work; he only wants to know the amount of good done under his own eyes, and he is content to see the results of his zeal realized. However people may find fault with and sneer and scoff at education, everyone who has done good work in connection with it must see the blessed results which have been produced. Scotland has always been the pioneer in education, and the Scotch people are still doing their work exceedingly well, and holding their own admirably. While England is earning 16*s.*, Scotland is earning 17*s.* 8*d.*; and I am afraid it will be a long time before we overtake them, either in the amount of our grants, or in the quality of education, and the number of subjects in which the Scotch children pass. But Scotland has got advantages over England. They have a high position of long standing, and the people have a thorough appreciation of education. Moreover, they have a Commission which is doing splendid work in Scotland—namely, the Educational Endowments Commission, under the Bill which passed last year. That Commission is devoting itself loyally and manfully to its work. There are between 200 and 300 schemes already before them; and it is expected that Scotland, by means of that Commission, and by means of the munificence of its people, and by their efforts for education, will be able to obtain enormous educational benefits. There has been something like £150,000 spent for a new technical College at Dundee; and with the endowments from private munificence I believe Scotland will gradually acquire that ladder which will bridge over the gulf between the elementary and the higher schools, and provide technical schools for the instruction of its workmen. There is no lack of educational zeal in Scotland, and there is no question which we could touch upon in regard to which there is so much sentiment as there is in regard to education in Scotland. Then, again, the Welsh people are making extraordinary sacrifices. I have been astonished to learn of the sacrifices made by all classes, and especially by the miners, on behalf of the proposed Welsh University. I am told that hundreds of miners have subscribed £5 or £10 a-piece for that purpose to be paid by weekly instalments. I should not have conceived it possible that such people would have had so much appreciation of higher education as to make such sacrifices from their luxuries and comforts in order to give the children of Wales the benefit of higher education. I greatly regret that the Government have not been able to pass the Intermediate Education Bill for Wales this year; but I trust that early next Session we shall be able to do so. In all the great centres of England new technical Colleges are springing up. An immense amount of public support and generosity has been manifested. Our manufacturers are beginning to find that knowledge is really power, both morally as well as intellectually; and nothing is more wanted in regard to our industry than that kind of scientific education, which will enable our workpeople to use to the best advantage the materials they have to deal with. We have not yet acquired the state of things described by the French Minister, who, at a particular time, said that all the boys in France, of a given Standard, were learning a particular lesson; and I hope we shall never attempt a mechanical uniformity of that character. The Royal Commission on Technical Education has now been at work for nearly three years. It has traversed the whole of Europe, making an inspection of every

School, College, and University; and the Commissioners have done this entirely at their own cost. I do not know if there ever was a Royal Commission before where every Member paid his own expenses and devoted his time so freely and so largely to the benefit of the public as these Gentlemen have done. I am sure that the country will reap the greatest advantage from their labours. We are in the midst of a time of growth, and I hope of increasing strength, in regard to the education of the people; and, imperfectly as I have been able to place before the Committee the Vote I am asking for to-night, I believe that if we will only be patient and continuous and persistent in our work, in another generation England will have really national education, although the Minister may not be able to put his hand on his watch and say—"At this moment, all the children in the country are learning such a subject, and doing such a sum;" for, as I have said, I hope that time never will come; but I do trust that in our own way, and in our own time, we shall raise English education to a position in which it will bear favourable comparison with the education of the world. The right hon. Gentleman concluded by moving a Vote to complete the sum of £1,938,930 for Public Education.

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £1,938,930, be granted to Her Majesty to complete the sum necessary to defray the Charge which will come in course of payment, during the year ending on the 31st day of March 1884, for Public Education in England and Wales, including Expenses of the Education Office in London."

MR. S. SMITH said, he rose to call the attention of the Committee to the subject of which he had given Notice—namely, the over-strain on both pupils and teachers under our present system of education; but, in the first place, he should like to say a word or two to congratulate the right hon. Gentleman the Vice President of the Council (Mr. Mundella) on the admirable Statement he had just made. He (Mr. S. Smith) could assure the House that if the hearts of other hon. Members had been touched, as his had been, by the deep sympathy the right hon. Gentleman had shown for the poor and neglected children who filled the slums and poor neighbourhoods of the crowded streets of our great towns, they would join him in the hope that the words spoken by the right hon. Gentleman, and the suggestions he had thrown out, would bear much fruit in the future. He thought it was a great scandal that a country like England, the wealthiest in the world, should have so large a mass of uncared-for and neglected children—a certain source of untold evil in the future. He had no desire to speak on this subject of over-strain in any spirit of antagonism to the growing education of the country, for no one took a deeper interest than he did in educational advancement; and he had done all that he could for many years to help forward the education of the children of the town with which he was connected. He could assure the Committee that he felt great satisfaction in the advancement which had been made within the last few years in the matter of education; and he desired also to bear testimony to the able management of the Education Department under its present accomplished Head, and to the excellent work it had performed. But all things human had their faults; and he believed it was his duty to say that faults and defects of a serious kind had been growing up in connection with our educational system, which were partly a result of the very success of the educational system itself. He had been hearing from time to time, for some years past, of the grievous injury done to children, as well as to teachers, and more particularly to pupil teachers, through the excessive competition engendered by our modern educational system. He believed these consequences were, to a great extent, the result of an ambition to obtain the largest share of the Government grant it was possible to get, and which could only be obtained by pushing children forward beyond their strength. He had himself met with cases of young girls whose health had been seriously injured by the over-pressure of our school system, and it had led him to make inquiries into the subject. As the result of those inquiries, he had within the last month or two come into possession of a large amount of correspondence from all parts of the country, which more than confirmed the suspicions he had entertained before. Many of the letters, received from competent and reliable persons, contained such a tale of suffering endured by the children and the younger teachers as made his heart very sad; and he was sure that, if those letters were read to the Committee, the effect they would produce upon hon. Members would be the same as that which they had made upon his own mind. He would ask the indulgence of the Committee for a very few minutes, while he quoted some extracts, well selected, from the great mass of correspondence which had come before him. He would spare the time of the Committee as much as possible; but it was quite impossible to give anything like an adequate view of the subject without asking for a little indulgence from hon. Members. He would first read an extract of a letter from Mrs. Reynolds, the Lady Superintendent of the Training College for Mistresses at Cheltenham—a very able lady indeed. She said—

> "I constantly hear from teachers of the evils of the present high-pressure system, and it is worthy of note that these complaints come most from the most able and successful teachers. Such often say—'My heart aches for these poor children; it is downright cruelty to drive them as I do; but I must do it.' If one suggests that it would be better to act rightly and wisely by the children, even at the risk of a reduced grant, one is met by the reply—'But if I do not drive, and get the grant, the managers will get someone else who will; they must have the money.' I believe the evil is greater in voluntary than in board schools; partly because they have not so good a staff; and partly because the managers are more completely dependent on the grant for their support. It is well worthy of remark that a large number of poor children are unable to use their brains as they ought for want of food, to say nothing of the want of proper clothing and pure air; and yet these wretched children have to be driven and forced, that they may do as much as the thriving children of the well-to-do artizans or respectable clerks."

He quite agreed with the right hon. Gentleman when he expressed a belief that a large proportion of children were altogether under-fed, and that the food they obtained was neither sufficient in quantity, nor suitable in quality, to enable them to comply with the demands made upon them in connection with their school work; yet, as Mrs. Reynolds said—

> "These wretched children have to be driven and forced, that they may do as much as the thriving children of well-to-do artizans or respectable clerks."

He would now read an extract from a lady, with whom he was intimately acquainted—a lady who had been interested in the management of schools for 30 years past, and who had herself had charge of a number of orphan girls, whom she brought up and educated. Upon every word stated by this lady he could depend. She said—

> "I cannot resign to any Inspector the value of my 30 years' experience. I maintain that in my almost daily visits to the schools I had the power of looking behind the scenes, which they never can possess. Teachers and pupil teachers are over-worked, and children are puzzled and worried and punished because they cannot rise to the Standard required. There is too much hard work for the brains of girls and little children. I have watched one school through the different phases of its history—1st, private management; 2nd, moderate Government inspection; 3rd, high pressure, which is how I would designate the present phase. The requirements of the Code for Infants and Girls' Schools are far too high. Little children under seven are expected to do things which gentlemen of any sense would be very sorry for their children to do. For instance, in arithmetic, children from five to seven, scarcely able to hold slate and pencil, are required to put sums down (from dictation), requiring a knowledge of tens, hundreds, and thousands. This is done by the poor child, but at the cost of temper and time on the part of the teacher, and of exceeding worry on the part of the child. The Inspectors see the result of this tremendous labour, long hours (far too long for little brains), and they deem all is well; but teachers and pupil teachers are greatly over-worked, and lose spirit and health, and, in some cases, life. I heard from a friend of mine, who had some management in a school at Bootle, of two bright girls, both of whom died of brain fever, caused apparently by the worry of seeking to prepare their classes, while they, themselves, were preparing for examinations."

He might say, in connection with that statement, that a great number of deaths from brain fever had come before him in the course of his inquiries, both among the children and among the teachers. She went on to say—

> "Some of our teachers lost their health, and had to give up. If the Code were more reasonable, the children would be able to have more solid teaching in really useful things, tended to fit them for the duties of life."

He would now ask the Committee to listen to a letter from Mr. Francis Peek, late member of the London School Board. Mr. Peek wrote to him as follows:—

> "When on the London School Board, I observed a tendency, which I have since found extends to other school boards, as well as to the Government Inspectors, and even the Education Department itself, to welcome every sug-

gestion for an increase of the number of subjects taught in elementary schools; and as the Inspectors are perpetually striving to 'screw up' teachers and scholars to an ideal excellence in all sorts of subjects, it is absolutely impossible that children of tender age can digest most of them."

In regard to that statement, he might say that he had been gratified at the remarks which had fallen from the right hon. Gentleman with reference to the subject. Mr. Peek went on to say—

> "As, however, a pass in these brings an extra grant, the result is 'cramming' on the part of the teachers, and superficiality in the children, who seldom retain for long what has been thus 'crammed' into them; while even the little that is retained is in such disorder that it is practically useless. Payment of the teachers by results greatly aggravates the mischief, and the whole system makes the profession of a school teacher a misery, too often destructive of both health and peace of mind. In face of all common sense and experience we are torturing our teachers in an attempt to turn children, with no natural advantages, into painful phantoms of undigested knowledge. I am convinced that we are thus destroying the health, elasticity, and power of enjoyment of the rising generation, and that the certain effect of such an over-strain, if persevered in, will be a sad deterioration of the English people, both physically and mentally."

These were very serious and grave words, coming from one who had paid as much attention to education as any man in that House. Personally, he (Mr. S. Smith) was convinced, from the evidence which had come before him, that experience in regard to the present school system proved that its tendency was to weaken the physical stamina and mental power of the children subjected to it, and that, ultimately, it must tend to deteriorate some of those high qualities for which the British race had hitherto been so much distinguished. Some might think that an extravagant opinion; but he would read a few lines from a very competent authority—Professor Gamgee—Brackenbury Professor of Physiology in Owen's College, Victoria University. Professor Gamgee wrote as follows:—

> "Several years ago, when acting as assistant physician to the Manchester Hospital for Sick Children, I had occasion again and again to notice the bad effects of excessive work on the feeble organization of children attending the board schools. Amongst the patients attending the dispensary connected with the Hospital, such cases frequently occurred, especially among girls. Severe headaches, sleeplessness, and other symptoms, characterize these cases; and I have, indeed, often made the observation to persons who have spoken to me of overwork, that the most characteristic and undeniable cases of overworked brain are to be found amongst the children, especially the girls, attending our public elementary schools."

He had another testimony, from a very able physician in Scotland, of large experience—Dr. Strachan, of Dollar, who said—

> "My experience, gained during 20 years' medical practice, leads me to look upon the great pressure now brought to bear upon school work as a very serious evil indeed. It has always been found, too, that the continued strain upon the growing brain, when it does not induce disease and death, interferes with the development, and prevents the brain attaining to its full strength and vigour."

He believed no truer words had ever been written. Dr. Strachan went on to say—

> "Formerly, only the clever children suffered; but the Code has changed all this. The duller children who form the 'tail' of the class must, in some way or other, be brought on a level with the clever ones, and alas! for the 'tail.' Prizes have no keen attraction for them. As with the old man's donkey, when the bait hung before their noses fails to tempt them on, they must be whipped up from behind—and a great deal of whipping-up it requires. Still, it must be done, or the Inspector will give a bad report, and the teacher will lose his money, perhaps his situation. The 'tail' and the 'head' must, by some means or another, be kept abreast, and all must equally toil along the weary path of childhood, and be alike worn out before manhood is reached."

These were very strong statements, but they only represented hundreds of similar ones received from all parts of the country; and the only difficulty he had to contend with was that of making a selection out of the vast amount of materials he possessed. He did not know whether it would be right for him to detain the Committee much longer; but he had still many interesting papers in his possession, from which he would just give one or two brief quotations. He had one from an able man, known personally to himself, who had long been a schoolmaster. He wrote—

> "By the pressure of the Code I was positively driven from the work of teaching at the early age of 50, the alternative being an early grave, or an asylum. How many younger men have succumbed under this 'reign of terror' (I can give it no milder name), I could relate from my own experience. After resigning teaching, I travelled a good deal in Germany, Switzerland, and the United States, observing specially the difference between the schools in these countries and the inspected schools in England in the following particulars."

He wished to call the attention of the House especially to what followed:—

> "1. The careworn and anxious look of both teachers and children in inspected schools in England are in striking contrast with the joyous, cheerful appearance of the children in the American schools, especially. 2. In none of these countries is the principle of paying teachers upon the results of the examination of each individual child ever dreamed of. In 1876, I attended an International Congress of Educators in Philadelphia. Most of the States were represented, and most of the countries of Europe. When I described the system of examination in English inspected schools, everybody expressed the utmost astonishment and incredulity, and asked whether Englishmen were mad in this matter."

In connection with that subject he had also the testimony of Mr. Oscar Browning, of King's College, Cambridge, who said that—

> "At the International Educational Congress held in Brussels, in 1880, the English system of payment by results met with universal disapproval."

He had also the testimony of the medical attendant of one of the largest lunatic asylums in Scotland—namely, Dr. Clouston, of the Royal Asylum, Morningside, Edinburgh—

> "In my professional experience in this asylum, where we have 500 pauper patients, and 300 private patients, and 350 yearly admissions, I have constant proofs of the ill effects on the brain of wrong methods of education."

There was other testimony as to the effect of this high-pressure system in bringing about lunacy. Mr. R. M. Chamney, head of the Training College for Male Teachers at Cheltenham, said—

> "I am quite sure that the present forcing system is unwise, and doing harm both to education itself and to the children who are subject to its influence. The best and truest teachers feel its evils most acutely."

The Principal of the Sheffield Collegiate School also stated—

> "My predecessor gave free tuition at this school to six boys of exceptional abilities taken from the board schools. All these boys fought their way up the school, and all took high first classes in the Cambridge locals; but just when they appeared to give the highest promise they broke down with one exception."

He then detailed the history of the five who, far from realizing their early promise, had become stranded wrecks, and added—

> "This induced me to give up the scholarships."

The evil of which he (Mr. S. Smith) complained ran through the whole educational system of the country from top to bottom. From this undue pressure and constant cramming, he believed the children of the wealthy suffered as much as those of the poor, and it had one effect which he regarded as most serious. It was reported on high medical testimony that brain disease among the children in Scotland had risen in the last decade by about one-half as compared with the previous decade—the figures given by Dr. Beveridge in the decade ending 1868 having been 5·8 of deaths from diseases of the brain, against 7·7 in the next decade in eight of the large towns in Scotland. [Mr. MUNDELLA asked what the hon. Member was quoting from?] He was quoting from statistics compiled by Dr. Robert Beveridge, physician to the Aberdeen Royal Infirmary, which were corroborated by statements made in other quarters; and he was sorry to say they all tended to prove the great increase of brain disease amongst children—a result which he undoubtedly believed to be due to the present system of forcing and cramming. It would only weary the House if he were to go through the vast amount of statistics which he had from various sources, such as Dr. Richardson, Professor Owen, and others; and he would now only state the conclusion he had drawn. He thought that the chief error of the present system of education was the forcing of all children of a similar age to the same point, the attempting to keep abreast of each other strong children and weak children, clever and stupid children, children from cultured homes and children who came from homes in which there was not the slightest kind of culture. An attempt was made to bring all these children up alike to the same standard; and he believed that, physiologically speaking, that was a total mistake. There was as much difference in the intellectual calibre of children as in their physical and muscular powers, as everyone knew who had paid any attention to the subject. One child, at eight years of age, would commit to memory as much as another could scarcely manage when it had attained 16. One child could hardly be taught to spell, whatever devices were resorted to, while another learnt at once. Another child had no capacity for numbers; while others had an abnormal capacity for them. There never was a greater absurdity than to attempt to bring children of the same age up to the same standard of knowledge. It was quite as absurd as it would be to attempt to force all boys of the same age to lift the same weight, or run the same distance, in an hour. There was, he repeated, the same difference in the mental capacity of children as there was in their physical and muscular powers. Many slow children who did not do well in examinations turned out the most robust and useful men and women; whereas, on the other hand, the nervous and precocious children usually declined, and made no mark in after-life. He believed that it was a well-known fact that a large number of precocious children proved sad failures, and greatly disappointed the expectations of their friends in after-life. He was prepared to say that the Standards adopted by the school boards were, in many instances, a great deal too high—certainly, a great deal too high for poor children in the East End of London. The great evil of the system was that it forced all children to undergo identical training. The schoolmaster was forced to put great pressure upon his pupils, in order to get as many passes as possible in the examination. One who had already screwed his scholars up to the highest pressure was told that unless he brought up the school to, say, 95 per cent of passes, he would lose his situation; and thus the screw was applied harder and harder every year, until, at last, the result became quite alarming. Taking 100 children in any well-conducted school, there would be no difficulty, he believed, in passing 80 per cent of them; but to pass 90 or 95 per cent meant forcing the children far beyond their powers; and, in some cases, especially of weakly, stupid, and dull children, it almost meant death. It was a merciless system, and its tendency was quite as strongly felt by the school teachers and by the school managers as by the children. He might state that a great number of cases had been brought before him, in which little children of eight or ten years of age suffered from sleeplessness. They lay awake at night, going over their lessons; and when they got up in the morning they were unable to eat their breakfast, but were quite worn out, and were then forced off to school to begin work again. One lady friend told him that in the village in which she lived some cases had occurred which quite puzzled the doctors. There was a new disease which had broken out among the children. The little things could not sleep at night, and had got into the way of going over the sums they had learnt in school. The doctors could not make it out, until two of the children died of brain fever; and then, at last, it began to dawn upon them that it was the effect of over-pressure at school. He believed that persons with strong brains, and strong *physiques*, had very little idea of the terrible effect which the system he had described produced upon little children, and especially upon girls. No doubt, if we went on, generation after generation, increasing the tendency to nervousness in the young, especially in girls, we should go down in the scale of nations; and many of the advantages we had hitherto enjoyed from the robust constitutions and vigorous faculties which had distinguished the natives of Great Britain from ancient times would be lost to our country. The New England States had, for a long time, practised a high-pressure system of education; and the result was to be seen in nervousness developed to a high degree, with people pale, sickly, and suffering from dyspepsia. He was told, on good authority, that if the New England States were not constantly supplied with fresh blood from Europe, there would be a tendency on the part of the population to die out. He had hitherto said very little about the pupil teachers; but he wished to remark that the sufferings of the children were not at all equal to those which had to be endured by the pupil teachers. He did not think there was any class of people in the British Isles so over-strained and over-taxed as these poor pupil teachers. Many of them were young girls, who were subjected to a great strain at a time when it was most dangerous that any pressure should be put upon them at all; and yet they were compelled not only to labour in the schools for five hours per day, but they were expected afterwards to study for another five hours as well. And that was not all, for they had not even a Saturday half-holiday. The Saturday holiday was almost unknown to pupil teachers in our large towns. He was told that in the London board schools the pupil teachers had to work from half-past 8 in the morning till 8 o'clock in the evening of Saturday. They had to attend lectures and classes without end, so that life was one incessant grind; and several instances had come before him of loss of memory, loss of eyesight, partial paralysis, and general break-downs. Many of the cases were most lamentable. He could see no remedy except the gradual discarding of pupil teachers altogether as part of the machinery of teaching, and supplying their places by properly-certificated teachers of older years. Masters and mistresses of schools were also over-worked, and one effect produced upon them by the system was irritability of temper. They were so over-worked that they often became quite irritable, and lost their temper with the children; and the school, instead of being a place of happiness and contentment, where the teacher set an example of moderation and calm demeanour towards the children, was one where he gave way to temper, and whipped and spurred the poor children, until the school became—he was going to say a place of torture—but he would say, the very reverse of what they would desire a school to be. It seemed to him that the whole educational system of England was suffering from "cram." He was very sorry to see that we were getting into the way of making every test of human life depend upon an examination. He could not conceive anything more injurious to the highest faculties of man than this system of "cram," which was destroying, to a large extent, the thinking and reasoning power of the human mind. Young people who passed well were constantly spurred on to attain some higher standard, which could only be reached by crowding the mind with crude, ill-digested knowledge, which weakened the thinking powers, and produced weariness and satiety in after-life. After having passed such severe condemnation upon our educational system, it might be asked if he had any recommendations to offer. He did not pretend to offer any complete panacea for a class of evils which had sprung up gradually during a series of years. The first thing was for the country to realize the extent of the evil, and then the remedy was likely to be devised. There were, however, some points which had suggested themselves to him, and which he might refer to before concluding his observations. He was of opinion that education should have a more direct bearing upon the work of life, and that its object should be to fit children, when they reached mature age, to act the part of good citizens, and to discharge, with vigour and robustness, the functions they would be called upon to fulfil in the world. It was evident that in any system of education which would tend to fit a child for the duties of life, the physical powers must be attended to quite as much as those which were intellectual. There should not be more than three hours per day of pure study or mental work for young children. Dr. Richardson, one of the highest authorities we possessed on hygiene, declared that the time set apart for study should not exceed that amount. He (Mr. S. Smith) believed that Dr. Richardson was perfectly right, and that the amount of work done by a young child in a day should not exceed three hours. Then, after these three hours of mental study were over, he would allow some time to be spent in gymnastics, singing, and other exercises, which did not draw upon the mind. He thought that the Education Department should turn its attention much more than it had done to gymnastics. Let them remember that the playground was just as essential for the well-being of a child as the school-room. They ought to send out a Circular with instructions to all the schools of the country, pointing out what were the requisites for sound physical health. One of those was that the school-room should be cleared every hour, when the windows should be opened, so that a fresh supply of air could come in. He had known of children kept in a small room for an unreasonable number of hours, till the atmosphere became quite foul, in the vain attempt to force the dull children up to the level of the clever ones. In many cases children were kept in school for three hours at a time, without being allowed a draught of fresh air, and they were sometimes detained till 6 in the evening, while the teachers were striving to force on the stupid ones to the required standard. The next thing he would suggest was that there should be a medical inspection of schools. Among the Inspectors there should be a certain number of medical men, who had sympathy with children, and a knowledge of the nature of children; and there might be among them some leading sanitarians, of whom this country now possessed a large number. Then there ought also to be a Commission to visit the various schools in the country, carefully noting everything bearing upon health, consulting the parents, and inquiring as to the various affections of the children, such as sleeplessness, want of appetite, nervousness, &c. He believed such tales would be told to the Commission as the House of Commons little imagined, and then Reports could be laid before Parliament from time to time. The right hon. Gentleman the Vice President of the Council had alluded to the importance of extending feeding schools amongst the poor. He (Mr. S. Smith) thought that nothing was more needed. It was lamentable to think that thousands of children went to school, often without breakfast, and sometimes with scarcely anything in the shape of dinner, and that they sat in school for hours, endeavouring to cram learning into their enfeebled brains. If Parliament compelled persons by force of law to send their children to school, and the little ones were to be forced to undergo such a grinding system, they ought not to injure them in so doing, but should provide them, in cases of proved necessity, with sufficient nourishment to enable them to stand the pressure. He would also recommend the extension of the half-time system. The children who attended school three hours a-day often learnt quite as quickly as those who attended for six hours, and were much more healthy and happy, and more fitted for the work of after-life. If they could devise some means by which they could bring a large number of our ragged children to school for three hours a-day, and give them industrial training as well, he believed it would do much to reduce the pauperism of the country. He knew that these views would be regarded as partaking somewhat of the region of Utopia; but he thought they might have institutions in which industrial and mechanical education could be imparted to the children of the poor in large towns. It was becoming a very pressing question whether they should not give our pauper class an industrial or mechanical education, and thereby fit them for an honest future life. So far as the Inspectors were concerned, he objected to those whom we employed in elementary school inspection being selected from University prizemen, who, unfortunately, had little knowledge of the capacity of young children, and who were more fitted to put questions in the nature of conundrums, than to conduct little children through the simple exercises appropriate to their time of life. He was entirely opposed to the present system of choosing the Inspectors. He thought they ought to have been chosen from the most accomplished and the most successful teachers, who would be infinitely better fitted for the work than University Dons. Then, again, he would prefer that those teachers should be chosen for Inspectors who were fathers of families, and who thus possessed that intimate knowledge of the capacity of children which only parents themselves could have. Lastly, he would suggest—and this was the most important suggestion of all—that not only should we have a medical inspection of schools, but that the grants should be partly dependent upon the physical health of the children. He thought, if they accepted that principle, they would strike a vital blow at the system of over-straining. They wanted something to act as a counter-inducement to this over-pressure—something as potent in force as the causes which were impelling them in the wrong direction; and he thought there would be nothing so efficacious as to make the grant of money partly depend upon the health and happiness of the children. If they had two different influences bearing upon the children—one dealing with the mind, and the other dealing with the body, and each independent of the other—great advantages would be derived. He should strongly favour the medical inspection of schools, so that there should be a proper development of the physical as well as of the mental qualities of the child. In consequence of the want of such inspection, there was a great deal of silent suffering on the part of pupils and pupil teachers, who had no Representatives in that House; and education ought to be imparted under better, happier, and healthier conditions. We were applying sanitary science to our great towns, and we should apply the same science also to the educational system of the country. It might be said that all this might cost a great deal, and that it would add considerably to the expense of education. No doubt it would; but he was willing to face that. The present cost of our educational system was only ½ per cent of our national income. He thought that was an extremely small amount, and he thought a country so rich as ours could well afford to devote a much larger sum of money to the education of its children, and especially of those living in the large towns. He did not think they would regret paying an extra 1*d.* of Income Tax if it would enable them to give to their children a healthy elementary education. He apologized to the House if he had spoken with undue warmth; but he felt strongly in this matter, and he was pleading the cause of the weak and the helpless, who had no voice in that House. He had spoken as the friend, and not as the enemy of education. He pleaded for a higher system, for a fairer and a more harmonious ideal—for the comprehensive training of the youth of the nation, which would better fit our future population for the toil and strain of life. He would venture to suggest to the right hon. Gentleman now sitting before him (Mr. Mundella)—and he was sure the suggestion would meet the approval of the Committee and of the country—that he should appoint a Select Committee to inquire into the hygienic aspects of education. If the right hon. Gentleman would give some assurance to that effect, he would cause a thrill of satisfaction amongst multitudes of overworked teachers and anxious parents. The result of our modern system of education was to make the machine roll on remorselessly, producing a great amount of suffering among the poor weak creatures it crushed beneath its wheels. Just as the conscription in foreign countries fell heavily upon those who were weakly and unfit for military service, so did the educational system of this country coil, like a huge boa-constrictor, around the children of the nation, drawing its folds tighter and tighter, till at last it came to produce no small amount of real suffering. He strongly recommended that the State should do all in its power to make the school life of the children healthful, happy, and profitable; and, in conclusion, he begged to thank the Committee most cordially for the patience with which it had listened to his remarks.

Sir LYON PLAYFAIR: Sir, the subject brought under the attention of the Committee by the hon. Member for Liverpool (Mr. S. Smith) is of extreme importance, and well worthy of our most anxious consideration. Unfortunately, I had not observed his intention of bringing it forward till yesterday afternoon, or I would have been better prepared than I am at present to take part in the discussion. But the subject is not new to me, and it is one which has all my sympathies, and, I may say, excites my constant suspicions. Perhaps I may be allowed to say that no one in the House has raised a warning voice so often, or has written more upon the evils of examination, and upon the dangers of overwork in our schools and Universities, than myself. I have always looked with jealousy and suspicion on the rapid growth of examining systems, through competitions and examinations, and I am not likely to have neglected the changes in our school system as likely to intensify the evil. It is teaching, not examination, which is the great duty of schools and Universities. Examinations have been the only means discovered to test the efficiency of the teaching; but, in themselves, they form, in my opinion, a weakness and a danger in our educational system, and should be watched with jealousy and suspicion. I therefore thank the hon. Member for Liverpool for drawing attention to these evils; and, if I have not come to the same conclusion as he has done, it is only because the facts have been too stubborn for me, and not because I have been disinclined to look upon them in a fair and impartial spirit. The condition of mental work and overwork are the same in the brain as they are in other parts of the body. Every organ is benefited by work, and every organ is subjected to injury by overwork. On the muscles, as in the brain, a fair amount of work improves it. Well-regulated work, when the supply of growing material is sufficient, will develop and strengthen the brain, as it develops and strengthens the muscles under proper exercise. Insufficient work is bad for both. Irregular work, when the brain is stimulated too much at one time, and too little at another, is not adapted to its healthy growth. These are elementary truths; but they bear upon the subject to which the hon. Member has invited our attention. Our national system of education in elementary schools is based upon these truths. There are seven Standards, embracing subjects suitable for different ages. The lowest Standard cannot be passed before a child is seven years of age, and its demands are exceedingly low. Each successive Standard, up to the Sixth, advances by degrees, little by little, each child having a year to acquire the advance. The obligatory subjects, reading, writing, and arithmetic, are certainly very moderate in their successive requirements. By the time a boy is 10 years of age, he is only asked to read a passage, to write six lines, and to do the four rules of arithmetic, with the addition of money. By the time that he is 11, he reaches Standard IV., which is the chief statutory condition of labour; and he need only read and write a little better, and know sums relating to money and to weights and measures. These are all the subjects which the State demands as a condition of Government aid. The pupil may, or may not, take up a class subject; and if he is capable of applying his reading to a little more knowledge of English and geography, he can win additional grants. Specific subjects may be left out of consideration for the present, as they cannot, in the English Code, be taken under Standard V., when a child is 12 years of age. The Time Tables provide that the attention to these various subjects shall be distributed over the hours of attendance, so that the brain shall not be overtaxed by too long attention in one direction. The question now is, are these requirements too high for the great bulk of the pupils in our schools? Among 4,500,000 scholars attending our schools, you must always find some who would break down under any requirements. If you have scholars badly cared for at home, stunted in growth, and under-fed, you will find some who will not prosper under any condition of school life, or, indeed, of any kind of employment; but the question is, are the conditions suitable to the many, though they may be unsuitable to the few? We may try to answer this question in several ways. The first would be to compare our educational requirements with those of other nations which have had a much longer experience in national systems of education. If you do this, you will find that the requirements of the English Code are inferior to those of all other leading nations, both in Europe and America. We give five years to a child to become tolerably proficient in reading, writing, and arithmetic. Germany, with considerably higher conditions, only allows three. Our ancestors did not require five years for such elementary education. In Scotland, where national education has prevailed for centuries, the great educationist, John Knox, only gave two years to the acquisition of this elementary knowledge. His words are—

> "Two years are more than sufficient for to learn to read perfectly, to answer the Catechism, and to have entries in the first rudiments of grammar."

With the experience of other countries, aiming to do in three years what we exact in five, with lower conditions of learning, I would be surprised to find that there was any general breakdown of the system. That there have been cases of breakdown I admit, and will presently allude to; but, on the whole, is there substantial evidence of such a breakdown in the great mass of our 4,500,000 scholars? Let us examine the question by the aid of our mortality tables. I hold in my hand the Journal of the Statistical Society for June, in which, without reference to the question of scholars, the mortality of children is given for every 1,000 children from 1838 to 1854, and for the five years from 1876 to 1880, when our school system had got into full play. I will not trouble you with the detailed figures; but the broad result is this—that ever since our national system of education has come into play, the reduction of mortality among children has been surprisingly great. Between 5 and 10 years of age, boys have a lessened mortality in the latter period of 30 per cent, and girls of 33 per cent. Between the age of 10 to 15, boys have a lessened mortality of 32 per cent, and girls of 35 per cent. That finishes the ages of school children; but, lest you should think that the evils of work might show itself as age advances, I give one more period. Between 15 and 20 years of age, boys have a lessened mortality of 30 per cent, and girls of 35 per cent. These are very remarkable results, and they are verified by the figures of the Registrar General, who tells us that, taking all the children under 15, in the 10 years preceding the Education Act of 1870, and the 10 years subsequent to it, there is a reduction of 19 per cent in the mortality in the later period. This is a less percentage reduction than that I have already mentioned, simply because the mortality of children under 5 years of age is included; and in all classes of disease the reduction is manifest, except in brain diseases, which remain identically the same in both periods, having been only one death in 2,000 of the juvenile population—an amount so small that it has no significance in either period. So far, then, as mortality is concerned, the evidence is all the other way. The apparent result of improvements in hygiene is, in itself, only 6 per cent, so that the high figures during school ages must have a specific cause. School life seems to have had a most favourable influence on the health of the children of the whole population. They have been taken out of the streets and alleys, and from the vitiated atmosphere of their own homes, and they have been brought into schools with proper sanitary arrangements, and the benefit to their health has been a surprise to sanitarians from the largeness in the reduction of the mortality. But it has been urged, in the recent pamphlets which have been issued on the subject, that the increased brain strain evidences itself in the augmented number of suicides which have startled the country. Undoubtedly, there is some over-strain in the competition of the world, in our struggles for existence, which is increasing the number of suicides, and these are certainly more common among educated than among uneducated people. But the cause, whatever it is, has nothing to do with our schools; for the number of suicides advances as age increases, up to the advanced age of 65. Among mere children there are no suicides. From 5 to 10 there are 3½ per 1,000,000; from 10 to 15 years of age there are 24 per 1,000,000, equally among males and females, which shows that, at this age, sexual causes govern it, for after that the suicides of females are comparatively small; but those of males are above 300 per 1,000,000 when they reach 50 years of age. The question of suicides has clearly nothing to do with the overwork of school life. On the whole question, therefore, I see no evidence to believe that our school system is doing anything to injure the health of our population, but much evidence to prove that it is benefiting their general health. Now, let me come to the specific cases mentioned by the hon. Member for Liverpool. I do not deny that some of them are genuine instances of overwork, only I object to his generalizations. There is a weakness in the present system; and where it manifests itself, the school managers and the teachers ought not to escape responsibility. The principle of the Code is regular, graduated, and systematic teaching all through the year, and that ought to be the habitual method of all schools. But a lazy or indifferent teacher may slacken his efforts for nine months in the year, and make a very heavy whip to cover his deficiencies for the last three months before the examinations take place. I hear—indeed I know—there are schools where this cramming system prevails. When this system of relaxed school effort for nine months, and excessive coaching for three months prevails, the bad results described by the hon. Member for Liverpool may naturally be expected. It must be borne in mind that the schools throughout the country are not the schools of the State. They are either schools managed by school boards, or by committees of managers. The State simply says to them—"If you do certain work in these schools in a methodical way, we will give you certain grants in aid of your efforts to promote the education of the poor." If the schools lose hold of the principle of spreading over the whole year the graduated education suitable to the age of the children, and allow slovenly teaching for nine months, and then cramming for three months, the responsibility should rest on school managers and teachers, and not on the State. The recent Code was fixed after a year's deliberation by all persons interested in education. All parties interested were heard, and their objections considered—the result being certainly a Code which, at all events, lessens to a considerable extent the probability, or even possibility, of cramming. As compared with previous Codes, this Code rewards thoroughness and excellence of teaching, rather than mere mechanical results obtained. Thus, specific subjects are relegated from Class 4 to Class 5.

Scholars may be withdrawn from examinations for reasonable causes without lessening the grants. Children can again be presented in the same Standard for good reasons. Thoroughness of teaching and systematic teaching are well rewarded; so that it is now better for a teacher to teach one subject well, than two subjects only fairly. All this is, at least, in the direction of mitigating the evils of which the hon. Member for Liverpool complains. I trust that the discussion today will lessen them still more; for schools in which they occur will now feel that they are not the result of the scheme of national education, but because they have not sufficiently supervised it in their schools. If such evils result, the teacher is to blame, and the school managers ought to make him responsible. Over the mass of 4,500,000 scholars no such evils are apparent. In the case of the few, they may appear in individual cases; and the bad health of the scholars may be the cause of the breakdown, and not the action of the teacher. But if a whole school, or the greater part of it, shows symptoms of lassitude and overwork, either the teacher is at fault, or the managers of the school who stimulate that teacher to undue exertion. Let the responsibility be understood, and I believe that the occasional breakdown of scholars will be much lessened.

SIR HENRY HOLLAND said, he was sure that those hon. Members who had heard the very able and interesting speeches of the right hon. Gentleman who had last addressed them (Sir Lyon Playfair), and of the hon. Member for Liverpool (Mr. S. Smith), would feel regret that a larger number of hon. Members had not been present. He (Sir Henry Holland) confessed that he thought the charges of the hon. Member for Liverpool against the existing system had been fully met by the speech of the right hon. Gentleman; but, in one matter, he entirely concurred with the hon. Member for Liverpool—namely, that very close attention should be paid to the qualifications of the gentlemen chosen to be Inspectors. He (Sir Henry Holland) did not believe that first-class men from Oxford and Cambridge necessarily made the best Inspectors; and he thought, moreover, that more care should be taken to secure, as far as possible, greater uniformity in the mode of conducting an examination and of inspecting schools. He was very glad, therefore, to hear from the right hon. Gentleman the Vice President of the Council of Education (Mr. Mundella) that his attention had been directed to this point; and he (Sir Henry Holland) thought, as far as he could judge from the statement of the right hon. Gentleman, that the new arrangements to secure a more uniform and thorough inspection were satisfactory. He would now proceed to state the special case which, at the request of his hon. Friend the Member for West Surrey (Mr. Brodrick), who had paid great attention to the subject, but who, unfortunately, could not be present that evening, he had undertaken to bring before the Committee. He desired to press upon the Education Department the case of certificated teachers appointed before 1846 and 1851. The question was, whether some provision could not be made to secure pensions to them upon retirement? The case was, he must admit, not a new one; it had been brought forward more than once; but he ventured to urge a favourable reconsideration of the subject upon two grounds—first, on account of the hardship to the individual teachers; and, secondly, on the ground of public policy, that education was hampered and injured by the continuance of those teachers in their different schools, who, although often incapacitated by health or age, were unable, though ready and willing, to retire, because they could not receive any pension. Now, first as to the teachers themselves. A Minute of the Committee of Council, of December, 1846, enabled the Committee of Council to grant retiring pensions on certain conditions. Many teachers regarded that Minute as a promise of pensions to "all" who fulfilled the conditions. He (Sir Henry Holland) did not contend for the correctness of that view. He agreed with the Report of a Committee which sat in 1872, of which he would read an extract:—

> "Your Committee are of opinion that these Minutes of 1846 were not intended to hold out any such promise; but that their true construction is that which is put on them by the Minutes of 6th August, 1851, and the Circular Letter of October, 1851—namely, that the Committee of

Council on Education took power, but did not pledge themselves, to grant pensions."

There is no doubt, also, that by the Circular of October, 1851, distinct notice was given to all teachers that no pensions could be claimed as a right. That view the Education Department have repeatedly held, and he was not prepared to dispute it. But, admitting that those teachers had no legal claim, they surely had a strong, equitable, or moral claim. They had laboured long in the service; they had done good work, which now, from ill-health, or age, they could not properly continue. They fell, then, strictly within the terms of the Minute of 1851, which was declared to be intended to facilitate the appointment of competent successors in the place of "meritorious, but incapacitated," teachers. He was, of course, only pleading for those who were meritorious and incapacitated; and that their case deserved most careful consideration and assistance was shown by an Amendment proposed to the Committee of 1872, and only lost by 2 votes, which was to the effect that the case of certificated teachers who had devoted many years to continuous service in elementary schools was deserving of considerate attention at the hands of the Education Department and Parliament. But the misfortune was that money was wanting. By the Minute of 1851, an annual sum of £6,500 was granted for pensions and gratuities to retiring teachers; and that amount was, he had been informed, slightly increased by the noble Lord the Member for Middlesex (Lord George Hamilton) when he was Vice President of the Council. [Mr. MUNDELLA said, that was not the case.] Well, at all events, the amount of £6,500 was continued; but it had not proved nearly sufficient. It had been urged that the teachers should have put by money, and thus made provision for their old age or loss of health. But the salaries were now much larger than they were before 1846, or for some years after that date; and if the point was a good one against existing teachers, it did not follow that it held good against the teachers who were appointed before 1851; nor could it, in fact, be justly pressed against them. So much, then, for the case of the individual teachers. He would now press the claim upon the second ground —namely, of public policy, which it was clear was a very strong one. It would be needless to point out how schools must suffer, and how seriously education must be hindered by teachers continuing to manage the schools, although really incapacitated for work. He had been furnished with a list of some cases, which fully bore out that statement, and he would venture to read one or two of them. There was the case of a schoolmistress, whose pension was refused on the ground of there being no funds. She was 58 years old, and had taught for 30 years, and she was keeping on the school, though "unfit for work." There was another case of a teacher, who had served about 34 years, and was reported as "entirely disabled." No hope was held out to him, as there were so many claims. Another case was that of a teacher, 62 years old, who had taught for nearly 40 years, and was reported as "totally incapacitated by an incurable disease." His name had been put on the list; but no hope of a pension was held out to him. He had only cited those three cases; but the list would be found, on inquiry, to be, unfortunately, a very long one, containing very sad cases. The evil had been fully admitted; and attempts had been made, from time to time, to grapple with it by some superannuation scheme. The Committee of 1872 reported that suggestions had been made to them for superannuation schemes, not only in the interests of teachers, but on the ground of public policy, which they thought worthy of consideration, and they suggested that they should be re-appointed for the purpose of considering them; but it appeared that effect was not given to this suggestion, and, as a matter of fact, no scheme of superannuation had as yet been approved. Another way in which attempts had been made to deal with the question, or rather to meet particular cases of hardship, was brought under the notice of the Public Accounts Committee of this year. The managers of some schools provided pensions for former teachers out of the funds of the schools. The Comptroller and Auditor General objected to this expenditure of school funds, and raised the question whether it was not irregular, and contrary to the terms of the Education Act, 1870. A Departmental Committee was appointed to consider that and other questions, and they reported that the power given to the Education Department, to grant pensions to teachers in certain cases, did not disable the managers of any school who could afford it from undertaking, out of their own funds, this frequently indispensable condition of restoring or maintaining the efficiency of schools. The Public Accounts Committee, after careful consideration of the Report, were satisfied with the explanation given by the Departmental Committee, and held that the application was within the meaning of the Act of 1870. That expedient for securing the retirement of teachers might, then, be considered regular; but it was hardly desirable that school funds should, if it could be avoided, be applied in that way. He saw no remedy but to increase the Pension Fund. The increase would not be permanent, and would steadily diminish as the ages of the teachers for whom he was pleading—namely, those who were appointed before 1851—varied from 57 to 68. If the Education Department could persuade the Treasury to allow some moderate increase of the present Pension Fund, so as to provide pensions for most, if not all, of the meritorious but incapacitated teachers to whom he had referred, he believed that a very great hardship would be removed; that great benefit would accrue to the cause of education from the increased inefficiency of schools; and that Parliament would readily ratify and approve of such a temporary addition to the present Pension Fund.

Mr. RICHARD: I rise to move the Amendment that stands in my name, to reduce the Vote by £2,000, the amount of the grant to the Training College at Canarvon, in North Wales. I do not intend to make any general observations on the interesting statement submitted to the Committee by my right hon. Friend the Vice President of the Council (Mr. Mundella) beyond saying this, that it affords additional evidence of the ability and earnestness with which he administers the business of the important Department under his charge. I wish to thank my right hon. Friend for the hearty tribute of respect and admiration he has paid to my countrymen for the ardour with which they are prosecuting the work of education. It is to me a matter of infinite regret, as it is, I believe, to all the Welsh Members, as well as to the people of Wales generally, that the Bill, which I know has been prepared by my right hon. Friend, for Intermediate Education in Wales, has to be postponed for the present Session. But I draw some consolation from the hope held out to me by the Prime Minister, in the early part of the evening, that that Bill would be "among the earliest"—and I emphasize that expression that it may not be forgotten—to be introduced next Session. But the one point on which I wish to make a few remarks is that to which I called the attention of the Committee at some length two years ago—namely, the denominational character of our Training Institutions. My hon. Friend the Member for Oldham (Mr. Lyulph Stanley) has published a pamphlet, in which the whole case is presented with great clearness and force. My hon. Friend shows that the number of children in school boards is increasing at a rapid ratio, so that it now amounts to nearly 1,000,000, all of whom are taught on the undenominational system; but that out of 39 Training Colleges in England and Wales, 34 are strictly denominational—that is, entirely under sectarian management and independent of Government control. And what renders that more anomalous, is the fact that 29 per cent of the funds for building and establishing these institutions is derived from the State; while 73 per cent of the annual income by which they are supported is derived from the same source; of the remainder, nearly 14 per cent is paid by the young people who are trained, so that little more than 12 per cent of the whole cost is defrayed by voluntary contributions. Some of these institutions are not merely distinctively, but rigorously, denominational. They all require candidates to submit to examination in the Prayer Book. In some, they are asked if they have been confirmed, according to the rites of the Church of England, and whether they are Church communicants, or intend to be so; and, in certain cases, a pledge is exacted that they will only teach in Church of England schools. Now, surely, there is here gross injustice to Nonconformists—that they can be admitted into these State-supported institutions only by submitting to conditions that are offensive to their consciences. I can give the House an illustration of the flagrant excess to which this is sometimes carried. It is the case to which my Amendment refers, and which has already been brought before the House in a Question asked by my hon. Friend the Member for Wolverhampton (Mr. H. H. Fowler). There is a College at Carnarvon, in North Wales, presided over by a clergyman, who carries his High Church proclivities to the most extravagant pitch. Quite recently, a young man applied for admission to the College. He was brought up, I believe, in a National school, and had been confirmed by the Bishop, and communicated at Church. But he was of Nonconformist parentage, and had been baptized by a Dissenting minister. This was the reply of the Principal to his application—

> "This being a Church College, none but Churchmen can be received as students. Now, at present, as I gather from your papers, you are not a member of the Church of Christ at all, but merely of the Congregational Society, into which Mr. John Roberts says he admitted you on February 10, 1868. Before I can place your name on the College list of candidates, it will be necessary for you to obtain from your parish priest the conditional baptism which the Prayer Book provides for such cases. When you have sent me this certificate I will write again."

The Rev. Mr. Rees, Vicar of Conway, by whom the young man had been recommended, was shocked at this display of intolerance, and wrote to remonstrate with the Principal. He was reminded that even lay baptism had been declared valid. He wrote back, adhering to his decision, and saying that Dissenting ministers were not even lay Churchmen. He added—

> "The various Dissenting societies are not 'Churches,' but 'clubs.' . . . Dissenting ministers have no authority to minister in sacraments but what is derived from their own assumption of sacerdotal dignity, as in the cases of Korah, Dathan, and Abiram."

In the course of the correspondence that ensued, he used these among other flowers of speech—

> "Dissenting ministers are in the condition of gas or water taps, whose connection with the main has been cut off. . . . Their outward sign must of necessity lack the inward grace, and therefore their administrations cannot have more intrinsic value than grace without meat, a shell without a kernel, or a knife without a blade."

I quote this trash, not because I attach the slightest importance to it—and certainly the Nonconformists of Wales care very little what the opinion of this gentleman may be as to their orders, their Churches, and their services—but I quote it, in order to point out to the Committee the gross adsurdity and injustice of making the people of Wales, three-fourths or more of whom are Nonconformists, pay for the support of institutions where doctrines are taught so offensive and insulting to their most sacred feelings. This gentleman has been teaching these things for a long time. Twelve or 15 years ago, he published a work designed to prepare the young men under his care for their examinations—examinations, I presume, by himself. Among other instructions he gave them were these—

> "Show that the sacraments, as administered by Dissenters, must be mere blasphemous fables and dangerous deceits. . . . Show that there is perfect safety in the English Church, and that to leave her for any other Church or mere sect must be a most fatal error. . . . . Show from Scripture that a Real Presence is essential to both sacraments. Show that the phrase 'Protestant faith' indicates a ridiculous impossibility."

The Committee can conceive whether an institution so conducted is adapted for the Principality of Wales, where, as I have said, the overwhelming majority of the people are Nonconformists, and, where they are not Nonconformists, are, I believe, sound Protestants. It is no wonder, therefore, that Carnarvon College, as a Training School for Wales, has proved an utter failure. Its object was to furnish teachers for National schools in the Principality. But when the Departmental Committee, of which I had the honour to be a Member, was prosecuting its inquiries into Intermediate and Higher Education in Wales, Mr. W. Morgan, Vice Principal of this College, gave evidence, from which it appeared that, out of 33 young men at that time in the institution, only three were Welshmen; and it was made pretty clear that the reason of that was, that a great many managers of even National schools in Wales object to Carnarvon College, in consequence of the religious teaching given there. Now, I venture to press on my right hon. Friend to take this matter in hand; I further press upon him the general question of the denominational character of our Training Schools. If he remains long in his present Office—and I hope he may, for he is the right man in the right place—he will have seriously to face this subject; for I can assure him that there is a growing feeling of dissatisfaction at the continuance of this anomaly in our educational system. There is a storm threatening to gather over his head, for which he will do well to prepare. On those grounds I have placed the Amendment on the Paper, which I will now move; but whether or not I shall go to a Division will depend upon the answer I receive from the right hon. Gentleman.

Motion made, and Question proposed,

"That a sum, not exceeding £1,936,930, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for Public Education in England and Wales, including Expenses of the Education Office in London."—(*Mr. Richard.*)

MR. J. G. TALBOT said, the speech they had just listened to was in remarkable contrast to the various speeches they had heard to-night, because it raised a point of very disagreeable controversy. He did not think it would be desirable to go at any length into the matter, and the hon. Member for Merthyr Tydvil (Mr. Richard) had given them a good example in the brevity of his speech. At the outset, he (Mr. J. G. Talbot) would say at once that he was in favour of the present system of Training Colleges, holding it to be in accordance with the system upon which those institutions were founded, and on the faith of which they were built and had been maintained for so many years, and from which so much benefit had been derived by the country. He, and those who, like him, entertained that view were at one with the hon. Member in condemning much of the conduct of the particular gentleman to whom reference had been made. At the same time, he felt it would be ungenerous in him, speaking in regard to a man of whom he knew nothing, and who was not present to defend himself, if he were to say that he dissented from all his teaching, or from the way that he conducted his College. This matter raised a large question, upon which it would be necessary to hear both sides, the statement of the hon. Gentleman the Member for Merthyr Tydvil being only *ex parte.* They did not know what could be said by the Principal of this Training College; but he (Mr. J. G. Talbot) must say, that if that gentleman acted upon the remarkable principles, as to the admission of students, which the hon. Gentleman had described in the quotation he had given, those principles were entirely wrong, and he (Mr. J. G. Talbot) was sorry that this gentleman should have adopted such a line of conduct. A gentleman who adopted such a line of conduct as that was certainly a very bad friend to the Church, inasmuch as he gave to the hon. Member a ground on which to found a general charge, which he (Mr. J. G. Talbot) was prepared to show was entirely unfounded, and without any proper plea or justification. He (Mr. J. G. Talbot) had said that these Training Colleges had done good service to the State, and that statement could not be denied. It was a strange fact that hon. Gentlemen like the hon. Member for Merthyr Tydvil, whilst they were fond of impugning these Training Colleges as sectarian institutions, which deserved no pity at the hands of those who claimed to be the most unsectarian, somehow or other never seemed to go to the length of supporting their principles by their purses. These Gentlemen did not come forward to do what Church people had done—namely, to found Training Colleges of their own. That was a remarkable fact on two or three accounts, because he thought that the man who was not prepared to pay anything for his principles did not believe them. The position of these Gentlemen was remarkable, inasmuch as most of the trained teachers in the country came from Training Colleges which were the subject of the hon. Gentleman's animadversions. He saw opposite the hon. Member for Oldham (Mr. Lyulph Stanley), who was a member of the London School Board. A great number of the schools that Board had founded—and it was a grave question whether all were necessary—were conducted by teachers trained in these very denominational Training Colleges, and that seemed to him (Mr. J. G. Talbot) the plainest and most positive proof that the so-called denominational training given in these Colleges was not by any means of that deleterious description that the hon. Gentleman opposite (Mr. Richard) would have them believe. If the training were as deleterious as described, the Colleges could hardly have turned out the admirable body of men and women whom members of school boards were so glad to avail themselves of as trusted teachers. That, he thought, was enough to meet the assertion of the hon. Gentleman. One thing he was certain of, and that was that when the hon. Member said that a pledge was demanded of these teachers that they would only teach in National schools, he was proved to be wrong by the facts of the case, because where did school board teachers come from? If the hon. Member's speech was left unanswered, it would leave the impression that the system at Carnarvon, which all agreed in depreciating, and which all thought was unwise and injudicious, was, in the main, the same as in other Training Colleges. [Mr. RICHARD: I did not say so.] He (Mr. J. G. Talbot) was glad he had risen, because he had elicited a disclaimer from the hon. Gentleman; but any Member who had heard the speech of the hon. Member would have been under the impression that the hon. Member thought and wished the Committee to think that the system of Training Colleges generally was the system adopted at Carnarvon. He was glad to find that that was not the impression which the hon. Member entertained; and, so far, he was satisfied that he and the hon. Member were of the same mind upon the matter. With regard to Training Colleges generally, they had been founded on certain definite principles; but some of them were founded distinctly on Church of England principles, and there was no secret as to the principles upon which they were founded, any more than there was as to the principles upon which the National schools were founded; and although it was true that a great deal of assistance was given them by the State, that was given on the distinct understanding that they were to be in accordance with the principles of the Church of England. Therefore, he thought it would be a great breach of faith, such as no Government could assent to, if they were even to contemplate the idea of upsetting the foundation upon which they existed. He did not wish to enter upon these matters, which involved questions of theological controversy, which were always painful subjects to discuss in that House; but he felt bound to meet the observations of the hon. Gentleman, and he hoped the hon. Member would see that he had endeavoured to do so in the spirit in which he had brought the matter forward. With regard to the speech of the right hon. Gentleman the Vice President of the Council (Mr. Mundella), there was one point upon which he could not help thinking his statistics were misleading. He spoke of the great diminution of juvenile crime, and invited the House to come to the conclusion that that diminution was entirely connected with the progress of education. He would not say that the two things did not go together to some extent; but there was a great deal more to be said before coming to an absolute conclusion upon the matter, because anybody who had administered the Criminal Laws knew that juvenile criminals were a great deal better treated now than they were years ago. The sentences upon them were very much less severe than they used to be, and they must not forget the great systems of reformatory and industrial schools.

MR. MUNDELLA said, that, in the Birmingham case, he had taken the actual arrests.

MR. J. G. TALBOT said, he should be glad to think that the great progress of education had led to this diminution of crime; but they must remember that whereas, in the old days, when young persons, whether boys or girls, were taken to prison, they were put there for a short time, and after being released, and having few chances of doing better, they got into trouble again, and so swelled the number of juvenile commitments; now, on the second commitment, they were often sentenced to reformatory schools, and, therefore, did not again go to swell the ranks of criminals. He only mentioned that, because, perhaps, it was as well, when they heard these statements, not to go too far in an optimistic direction, and think that everything was to be done by sending children to school, but to take into consideration other matters which partially mitigated such statements as they had heard. There was one point upon which he should like to hear what the members of the London School Board had to say. The right hon. Gentleman opposite had, as he understood, challenged those who disputed the work of the London School

Board—or, at least, who did not believe that the Board had done enough. It was untrue, he said, to say that the Board had not got hold of the classes for which it was primarily founded—that was those whom other agencies had not gathered together—and he had given some harrowing pictures of the wretched condition in which many of the children lived—all to show how thorough was the work of the School Board. [MR. MUNDELLA: A portion of them.] He knew that; but what he wanted to hear from the members of the Board was this. He thought it was much to be regretted that, after all the agencies and energies of the School Board, they still had not reached the residuum, and that a large number of children were wandering about who ought not to be wandering about. He wanted that admitted, because then there would be something upon which to found future exertions. He should not be disposed to endorse all that the advocates of the School Board contended, when they pointed to their energetic action, and said they were the only people who could do this work. The London School Board had a power which no other body had of dealing with these children, and it was their duty to sweep up all the leavings of every other system. He did not say it was an agreeable duty; but it was a duty which the State had imposed upon them, and he was afraid they had neglected that duty. The House would probably hear more when the hon. Member for Stafford (Mr. Salt) brought on his Motion as to the rival proceedings of school boards in competition with other systems, and as to the question whether school boards were extravagant or not; but he thought that when a school board rated a district to the extent the London School Board rated the people, they ought to be able to show that they had spent their energies in doing that which was their special work, and not in drawing away children from other schools. That was the charge he wished to put before the members of the London School Board, to see if they could meet it in a satisfactory manner. He had heard it said that the principle upon which that School Board acted was to say that a voluntary school was in default in not providing the accommodation it ought to provide, and in having fees that were too high. He had heard, for instance, that in a fairly well-to-do district in London, where the people were able to pay reasonable fees, and where the fees in the voluntary schools were something like 4*d.* a-week, the School Board had said that these schools did not properly provide what was required, and, therefore, they should consider them as non-existent, and provide another school for the children whose parents could afford to pay 4*d.* a-week. If that statement was correct, the school boards were not doing what they were intended to do when they were established under the Act of 1870. He challenged those responsible for the Act to say whether that was the principle they intended to adopt? Then he had heard it said that because voluntary schools were not filled to the brim they were not doing proper work, and that the fact that they were not absolutely full showed that they were not appreciated by the people in the district; and, therefore, they were condemned. If these were the principles of the Board, he did not wonder that the rates were so high. He only wondered that the Education Department did not put some check upon these extravagant proceedings. It was said with regard to the Board—"Why do you complain of extravagance, when, after all, you have the matter in your own hands? You need not send to the Board these extravagant representatives." That was natural, perhaps, in theory; but it would not work in practice, because the opinion of the people who elected the members of the School Board were the parents of the children who were sent to the schools; and, therefore, it would be almost contrary to nature that they should not be willing to send their children to school at someone else's expense, and tax other people as well as themselves. He made these remarks in all good feeling towards the Board, for he knew that they had a difficult and an arduous task, and, no doubt, the members of the School Board would have an opportunity of correcting any mis-statements; but this was a matter which he thought should be brought under the notice of the Education Department, for if educational burdens were pressed upon the people too heavily, there was likely to be a reaction against education altogether. The right hon. Gentleman had given some parallels by which, apparently, he wished to impress the minds of hon. Members with the idea that we as a nation had not done our duty in some respects, as some other countries had. We ought, no doubt, to be willing to take example from other countries; but he (Mr. J. G. Talbot) was not at all sure that the English people would desire to see their sons and daughters grow up in the moral and physical condition of those of some of the countries mentioned. Certainly, when the right hon. Gentleman spoke of France, and the amount of money she had spent on education, he could not help considering whether a great deal of that money had been spent in consequence of the extraordinary conduct of the French Government, which had lately been irritating and discountenancing the voluntary agencies which had been so long engaged in teaching the children. That policy, he thought, had caused more expenditure on the part of the State; and if that was so, he did not think the example of France would go far to encourage this country in extravagant expenditure. Then the right hon. Gentleman said that in Belgium children were kept in school from 6 to 12; but, surely, the time of an English child was much longer. [Mr. MUNDELLA: That is the minimum.] Perhaps that was so; but the right hon. Gentleman put the minimum against the average of an English child. A great many English children went to school before they were 6, and remained after 12. When the right hon. Gentleman spoke of the advantage to children of being able to leave school at an early age, he could not help thinking that was a remarkable thing, and likely to make people oppose a system of compulsion under which children left school very much earlier than they used to do. He did not say they could avoid compulsion altogether; but it was a little remarkable that, under a system of non-compulsion, children remained longer at school than they now did.

MR. MUNDELLA said, that formerly many children did not go to school at all.

MR. J. G. TALBOT said, it was easy to say that; but he was speaking of children whose parents used to keep them longer at school than they now did; and this class of children were now being taken away earlier, because they treated the minimum as the maximum. They were now taken from school at 11 or 12 years of age, partly because they could by law be taken away at that time, and partly because of the pressure of the work. The right hon. Gentleman had also stated—and very interesting it was—that children now reached the higher Standards earlier than formerly; but he (Mr. J. G. Talbot) would ask the right hon. Gentleman to consider, if that was so, how great must be the pressure upon these tender brains for them to reach the Fourth and Fifth Standards two or three years earlier, and whether their infant energies were not unduly pressed under the present system. Everyone must feel grateful to the hon. Member for Liverpool (Mr. S. Smith) for bringing forward this question. The over-pressure of children and teachers was a matter seriously deserving the attention of the Committee, and he was delighted that the matter had been brought forward, especially by a Gentleman on the other side, who could not be supposed to have brought it forward in any spirit of hostility to the Government. In fact, this was not a matter for Party feeling, but one upon which all Parties should be united. Looking at the different conditions under which children of the upper and middle classes pursued their education, and the number of years they had in which to mature their education, and considering how shocked people must be at seeing pressure put upon those children in the elementary schools, he thought the right hon. Gentleman ought to carefully bear this matter in mind. Then, with regard to the teachers, it was a matter for serious consideration whether we were not weakening the staff of those to whom we should have to look hereafter for educating our children. He was afraid that, if this was inquired into, it would be found that a great many of the pupil-teachers and younger students in our Training Colleges were being pressed to an extent which would be very distressing indeed, if it could be followed to its results; and that was especially the case with regard to female teachers. These young women, at an age when they had scarcely emerged from their childhood, had to fix all their energies upon subjects which were forced upon them by the Education Department; and they were injured, not only by the pressure of acquiring knowledge, but by pressure arising from feeling that their livelihood depended on their passing the numerous examinations. This was a matter which seriously deserved the attention of Parliament. He was sure all would agree in rejoicing that education was making progress in this country, and he hoped that that would continue.

MR. LYULPH STANLEY said, that this was not a debate upon the London School Board, but on the Vote for the Education of the country; and he should confine himself, as far as possible, to that question. He wished to speak in support of the hon. Member for Merthyr Tydvil (Mr. Richard), because that hon. Gentleman had illustrated, by special instances, what he (Mr. Lyulph Stanley) considered a crying evil. The hon. Gentleman opposite (Mr. J. G. Talbot) was wrong in his information as to the Church Training Colleges. He (Mr. Lyulph Stanley) would refer to two Training Colleges which the hon. Gentleman should know something about. One was Culham College, the Diocesan College for Oxford; and, there, candidates were required to produce a certificate of character from a clergyman or managers, and a certificate of baptism; and teachers were required to make a declaration that they would follow the profession of Church teachers in elementary schools. That, he thought, must mean that they would teach in Church schools; because no College would wish to exact from teachers that when they entered school board schools they would pursue their profession as Church teachers. They were also examined in the Old and New Testaments. It was bad enough to make baptism a test; but, at Carnarvon, in the case of this young man, who had been baptized and confirmed, and had become a communicant at Conway, the fact of baptism was not considered sufficient. The test of baptism did not affect the conscience of a candidate, because, as a rule, people were baptized as infants; but the test of being a communicant led directly to hypocrisy, and many years ago Parliament came to the conclusion that it was not only demoralizing, but degrading, to make the communion a test. The other case he would mention was Whiteland's College for Mistresses, and there the candidates were supposed, after training, to educate children in the principles of the Church of England. That appeared in a printed form; and it must be construed, he supposed, that they would take situations in Church schools, if requested; but he did not suppose that it meant that they would make a propaganda of Church principles if they were engaged in school board schools. Returns upon the subject of the tests imposed on candidates had been furnished by the London School Board in 1880; and there was no doubt that, since they had been before the public, the authorities of the Colleges had been more careful in what they said in answer to applicants. He was referring to what was the rule, when, comparatively lately, information was asked for with reference to this matter. They had been told that the Training Colleges had done good service to the cause of education. Everyone, of course, knew that, as a general rule, a trained teacher was better than an untrained teacher, although there were exceptions to that rule, and sometimes persons were found who made good teachers without having been trained. Every good school manager, however, would prefer a trained teacher to an untrained one; but this matter of training was practically the monopoly of the Church Colleges. It was a well-known fact that the great bulk of training accommodation in this country was Church accommodation — [" No, no!"] — and as an hon. Gentleman near him appeared to dissent from that view, he should be glad to forward him the pamphlet he had written on this subject, by which the hon. Member would see the precise amount of denominational and undenominational training accommodation, in proportion to the denominational and undenominational schools. He maintained that a great injustice was inflicted on the students who, failing to get into undenominational Colleges, were obliged to go to denominational Colleges, in some of which the teaching was of little value. In the Training Colleges he had been referring to, the students were expected to have been confirmed and to be communicants; they had no option, and must submit to the whole Church system. He was aware that, in the present congested state of Public Business, it was not possible to raise this question in a sufficient manner and in the way in which it would have to be raised hereafter; but he could assure the right hon. Gentleman the Vice President of the Council, that he would make a great mistake if he supposed that there did not exist a strong feeling upon this subject out-of-doors, because a sense of grievance did exist, and a strong belief that injustice and injury was done in this matter, which could not but tend to impair the efficiency of education throughout the country by the existing practical monopoly. It was said that those who objected to the practice at the Church Colleges should establish Colleges of their own. He remembered that, some time ago, Lord Cranbrook delivered a speech in that House, in which he spoke of "those miserable philosophers who never paid anything in support of their principles;" but he could assure the Committee that he and his hon. Friends thought very little of that taunt. He came now to the palliative which the Vice President of the Council had applied to this evil, and upon which he had bestowed so much praise; and he was sure hon. Members would give him (Mr. Lyulph Stanley) credit for correctness, when he said that the right hon. Gentleman was not at all inclined to do anything to change the present system. The right hon. Gentleman had announced his intention of supporting that system as it stood; but, for the moment, there had been a slight concession put into the Code in Article 110, and to the inadequacy of that Article to meet the evil complained of he desired to draw the attention of the Committee, in the hope that before the Code was brought out, one or two alterations would be made, which would give substantial effect to the offer which it professed to make. The proposal was to pay £10 or £15 to managers who would take a pupil-teacher into their service and furnish them with the instruction necessary to enable them to pass the certificated examination. The first blot on the proposal was that the payment was only to be made for the assistant teachers required to make up the minimum staff of the school according to the Code, which was distinctly deficient. The Education Department was aware that no school managers could do justice to the requirements of the Code, if they had to work with the miserable staff under the Code, which counted a certificated assistant teacher for 80, an ex-pupil-teacher for 60, and the head master for 40 pupils. He did not believe that a single good manager of a school could be found who attempted to work his school with the minimum staff of the Code. His next objection to this article was that the pupil-teachers were required to serve three years in the same school. He thought, if these persons served three years under the same employers, no more could be reasonably asked of them. He hoped these points would be borne in mind by the right hon. Gentleman the Vice President of the Council; and, although he (Mr. Lyulph Stanley) could not promise him any abatement in their agitation to secure equal justice in the matter of Training Colleges, anything that was done for the young people in question would be greatly appreciated. He sympathized with the New Code, which he regarded as a great improvement on the last; and he believed it would tend to the great object of thoroughness of teaching, which they had in view. But it gave a tremendous power to the Government Inspectors; and that made it all the more necessary that the Department should be very careful in their appointment of Inspectors. He did not agree with the remarks of the hon. Baronet opposite (Sir Henry Holland) on the subject of Inspectors, his experience being that whenever there was any complaint of the Inspectors and the way they did their work, they were generally due to the conduct of Inspectors' assistants taken from the ranks of the elementary teachers, and not from the ranks of the Inspectors. He pressed his right hon. Friend to consider that the better the Inspector, the greater his enthusiasm in education, and the more likely he would be to impose his ideas upon schoolmasters and managers. That was the danger. It was to be feared that they would cease to be School Inspectors, and become School Organizers imposing their methods on the schools. While he rejoiced in the work done by the Department in the cause of education, he could not desire the present relations of the Education Department to the schools of the country to be permanent; moreover, he was jealous of centralization in this matter, and looked forward to the time when the Central

Department would exercise less authority, and when more would be left to the free action of the localities. He hoped the Department would bear in mind, and would continuously impress on their officers, what was set forth in a Circular issued to them some years ago—namely, that they were Inspectors only, and were not to interfere with the management of the schools. As an illustration of what he considered interference on the part of the Department, he would mention the Circular issued last year, in which an order was given that the names of the children should be kept on the register for six weeks. He maintained that that was going beyond the proper province of the Department, and that they might have guarded against that which they desired to prevent by saying that every child on the register should be examined, or accounted a failure. He was sorry to hear the right hon. Gentleman the Vice President of the Council speak of our ambitious programme, because he had admitted that it was a poor and paltry Code as compared with the Codes on the Continent; and he (Mr. Lyulph Stanley) could not but think that the right hon. Gentleman had been a little frightened by the cries of over-education that had been heard from the Front Opposition Bench. There seemed to him a disposition to shrink from a liberal programme, and they were told by the right hon. Gentleman that it was impossible for a boy to take up specific subjects in the Fourth Standard. Why, then, did he allow scholars in the Fourth Standard to take up specific subjects in Scotland? He was sorry to hear the right hon. Gentleman say that a half-time system should be introduced, to begin uniformly when the child had passed the Third Standard, because he (Mr. Lyulph Stanley) thought it would be better that the Standards should be raised. He objected, where school boards had a higher standard of exemption to the extension of half-time compulsorily, to a lower Standard. As regarded any over-strain, he did not believe that anything of the kind existed in the schools, except where it was the natural result of underfeeding, and the miserable state of the children's homes. But in one Department there was over-straining, and that was in the case of the pupil-teachers, and especially the girl pupil-teachers, who had to teach all day, and study at night, when they ought to be in bed and asleep. The cause of that was in the mistaken economy which underlay the educational system of the country. The amount we spent per head upon education was paltry and miserable as compared with what it should be; and if hon. Members looked at the system of Switzerland, Germany, and Holland, they would find a much more liberal scale of expenditure. It was true that abroad teachers were not paid so much in money as in England, because labour was not paid for on the Continent so highly as it was in England; but the salaries of teachers were nearer the English level than were the salaries of School Inspectors and of officials in the Education Department. The fact was, we were teaching children by means of children, who ought to be themselves learners and not in the position of teachers; and he should be glad if a system could be introduced, with as little delay as possible, which would allow the pupil-teachers to work in school for half the day, and devote the rest of it to their own studies.

MR. H. T. DAVENPORT said, he should like to call the attention of the Committee to the unsatisfactory condition of many private schools in towns and country districts that were outside the purview of the Act. He ventured to say that these stood in need of a much larger amount of control than was at present bestowed upon them. In the discharge of his duty he had visited 200 or 300 of these schools, when he was appointed Inspector of Returns in 1870, and he had, upon his experience, formed a strong opinion that, in the interest of education, they ought to be suppressed. He ventured to suggest that the schools he was referring to should be inspected and reported upon, both to the Department, the Home Office, and to the magistrates of the district; and that, in the event of the schools not being reported efficient, and the managers not cooperating with the Education Inspectors, the certificates for half-time given by them should not be recognized by the Factory Inspectors. Further, he believed that if pressure were put on the magistrates, asking them not to receive the excuse given by parents, when summoned before them, that their children were attending one of these wretched establishments, it would tend to their suppression, and produce a most beneficial result. He did not want to weary the Committee by detailing the miserable conditions on which the schools were carried on; but he might mention that the majority of them were held in the back kitchens of cottages, in the lofts over stables, and generally in places devoid of all educational appliances. Then, as to the teaching, he had known instances of schools being kept by women who could neither read nor write, and by people unable to give any sort of education at all; while, with regard to those kept by persons capable of imparting knowledge and instruction, the teachers were, for the most part, people who had failed in every other walk of life, or who, as teachers, had been dismissed from their situations for incapacity and dishonesty. Moreover, these places stood in the way of the school board, inasmuch as they afforded a refuge to which parents could send their children, in order that they might escape the attention of the school board officers. He hoped the right hon. Gentleman the Vice President of the Council would institute an inquiry into the condition of these schools, and that he would devise some system under which a careful examination of them could be made, allowing those that were properly conducted to remain, and putting down with a strong hand those establishments which were a great hindrance to the cause of education, and a fraud upon the parents.

SIR JOHN LUBBOCK said, he thought it would be desirable that some further time should have been allowed the Committee to consider the general statement with regard to this Vote before discussion upon it took place. There were one or two points to which he would call the attention of the Committee and the right hon. Gentleman the Vice President of the Council. The subjects taught in the elementary schools were divided into three classes. First, the obligatory subjects—reading, writing, and arithmetic; secondly, four class subjects—history, geography, English, and elementary science; and, thirdly, a certain number of optional subjects, which could only be taken by the elder children. With regard to the latter, he would say nothing; and with reference to the specific subjects he would only, in passing, express his regret that the right hon. Gentleman should have prevented these subjects being taken up in the Fourth Standard, and have confined them to the Fifth, Sixth, and Seventh Standards, contrary to the practice in Scotland, which had led to satisfactory results. He had received a letter from the Secretary to the Liverpool School Board, expressing the great regret of the Board at the change which had been made by the Education Department, and which had deprived the children of that town of a system of education that had been found to be very advantageous to them, 2,000 children having been presented for examination in specific subjects while in the Fourth Standard. He did not for a moment wish these subjects to be made obligatory in the Fourth Standard; but the point was one which might safely be left to the discretion of school boards and committees. Passing from this to the class subjects—namely, history, geography, English, and elementary science, of which only two might be taken up, he complained that the study of grammar was made an arbitrary subject. The effect of this he believed the Committee would see would do nothing less than discourage the study of elementary science in National schools. His right hon. Friend said it was desirable that one subject should be taken up before another was dealt with; but did his right hon. Friend mean to say that no child was to be taught arithmetic and geography until he had a thorough knowledge of history? If not, then there was no reason why three subjects should not be taken. Great progress in science could not, of course, be made in the case of children; but what they were taught could be taught thoroughly—that was to say, they could be well grounded in it, which was a very different thing to having a mere smattering of the subject. He hoped the time would come when no child would leave an elementary school without having a grounding in elementary science, in history, and the other subjects. He might observe that Canon Mosely, in one of his Reports, supported this view, when he said—

> "In an elementary school, the learning of one thing aids the learning of another; and if various things be taught, not only is the knowledge thus acquired greater in respect to the aggregate, but in respect to each element."

Everyone knew that you could not keep children to one subject; you must give them variety, or they got tried, and really ceased to learn what they were being taught. Variety in mental diet was as necessary as variety in bodily diet; and, for his own part, he thought that three subjects might be as easily learnt as two. That, however, he was willing to leave to the discretion of the school board authorities. Having listened to the remarks of the hon. Member for Liverpool (Mr. S. Smith) on the subject of overstraining, the Committee might think that he, in advocating elementary science, was advocating something which involved a further strain on the children; but that was not the case, because, if there were any strain at present, it was due to the character of the knowledge now imparted, which was almost always derived from books. Over-education might, he admitted, be a real danger if it were purely literary. English poetry, history, lists of dates and kings, battles, names of places, and outlines of maps, all tended to tax the memory; and he believed it would be found that elementary science would constitue a relief, rather than a further tax upon the mental capacities of children. Under the present Code, however, the number of class subjects being limited to two, and grammar being obligatory, he feared that elementary science would be practically excluded. In fact, the study of science was a rest to the children; and that was, no doubt, one reason why it was so popular. He found, in taking a vote at one school, that of the four subjects—history, geography, grammar, and elementary science, over 60 per cent of the children preferred the science, 16 per cent the history, 13 per cent the arithmetic, 10 per cent the geography, and not 1 per cent the grammar. That was, of course, no reason against teaching the latter subject, but it was a strong argument in favour of teaching elementary science. They knew that half-time schools were very successful, notwithstanding the shortness of the hours devoted to study, because the physical training benefited the children; and he believed that science, properly taught, far from interfering with the other subjects, would positively benefit them. He hoped hon. Members would not be carried away by the somewhat ambitious title of "elementary science." It meant nothing difficult, or abstruse, nothing beyond the limits of a child's apprehension or the range of his observation; but, on the contrary, simple explanations and illustrations of the every-day facts of Nature which came before him. It was a curious illustration of the manner in which they were often misled by words. If they only had in their language some simple title for the explanation of common things, he doubted whether anyone would for a moment propose to exclude such a subject from their schools. Dr. Crosskey, Chairman of the School Management Committee of the Birmingham School Board, had favoured him with a very interesting memorandum on the mode and results of the scientific teaching in that town, where about 2,500 were now receiving such instruction. The results had been most remarkable and satisfactory. The effect had been to raise the whole intellectual life of the children. They took a most keen interest in the ministrations afforded them; and this was, perhaps, more strikingly the case in the the lowest parts of the town, and among the very poorest children. The keenness of observation taught them by the constant struggle for existence seemed to make them enjoy all the more vividly the new world thus opened to them, and they really revelled with delight at the result of the experiments shown them. Scholars who were irregular in their attendance on other days were always most regular on the days when the science lessons were to be given. There had been one rather amusing result of the science lessons in Birmingham. A remarkable social change had been brought about in particular parts of that town, for the Scripture lessons had led to an alteration of the washing day. That day happened to fall on the day on which the science lesson was given, and the mothers found it impossible to keep their daughters at home, so determined were they not to lose that particular lesson. The parents had, therefore, completely to alter their domestic arrangements on that day. It was evident that intellectual tastes were fast being aroused which would lead the children, when they should leave school, to pass into the various evening classes. The experience of Birmingham was the same as that of Liverpool and other places. The classes which distinguished themselves most in the elementary science teaching also did best in the other subjects, the children's minds being quickened in every way by the scientific training. It was hardly necessary to point out how evident it was that we had in the great mass of our population a store of latent scientific capacity, which only needed the opportunities of cultivation to render it most useful in developing the resources of the country. Moreover, in this matter the idiosyncracies of schoolmasters ought to be considered. It was, no doubt, possible to render grammar very interesting. A master who could do so would, probably, take this idea up; but to force it on everyone, irrespective of circumstances, would surely be a very great mistake. There was one other reason he would urge, and that was the desirability of leaving, as far as possible, freedom of action to school boards and committees. When we had bodies like the School Boards of London, Birmingham, Liverpool, and Manchester, it was surely ridiculous to dictate to them on such matters. He thought he might claim the vote of the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross). In a recent article in *The Contemporary Review,* that right hon. Gentleman had said—

> "The functions of the Local Government Board and of the Central Authorities had, in some instances, been pressed too far, and more license and liberty of action might fairly be left to the several local authorities."

He thought he might also claim the sympathy of the Prime Minister, because, in the debate on "Grants in Aid," on the 17th of April last, the right hon. Gentleman had said—

> "One of the greatest objections I entertain to this method of subvention is founded on its tendency to promote centralization, the greatest of all evils, and the most menacing, in my opinion, to liberty with which the country can be threatened."—(3 *Hansard*, [278] 520.)

He would, therefore, ask his right hon. Friend (Mr. Gladstone) not to promote this "greatest of all evils." He hoped the Committee would not suppose that the expression "elementary science" meant anything difficult or abstruse. It referred only to simple explanations of the ordinary facts of Nature; and he earnestly commended the subject to the attention of his right hon. Friend the Vice President of the Council, because the Code as it stood was an unnecessary interference with local self-government, and directly tended to exclude the book of Nature from our National schools.

Mr. H. H. FOWLER said, he did not wish to discuss the details of education; but he desired to say a word or two upon the general question which the hon. Gentleman the Member for Oldham (Mr. Lyulph Stanley) had alluded to at the commencement of his speech. That hon. Gentleman had said that the question before them was that of a grant of public money for the purposes of National Education; and he (Mr. H. H. Fowler), taking, as he did, rather a gloomy view of that subject, would like to say a word upon the state of affairs as disclosed by his right hon. Friend that evening. His hon. Friend the Member for Oldham had expressed his dissatisfaction at the amount which was being spent in that country upon National Education, and had intimated that Parliament was guilty of having acted in a miserable spirit of economy. Now, the figures did not carry out this statement, because last year there was spent, in elementary education, £6,500,000. His right hon. Friend (Mr. Mundella) had moved that night the largest Vote that had ever been moved in the House of Commons for the purposes of National Education. It must be borne in mind that, besides the Government grant, there was raised last year £1,834,000 by school rates. Therefore, in dealing with this question of National Expenditure for Education, they had staring them in the face the fact that, last year, £6,500,000 was spent on the elementary education of the children of the people of this country, of which £4,250,000 was being raised by public taxation. In putting these figures before the country, he did not want it to be understood that he defended a penurious system of education. He knew no expenditure, if satisfactorily managed, which would give a better return, or be attended with a more satisfactory result, than the expenditure upon education; but he thought, as administrators of the public purse, they were bound to ask, Were they getting their money's worth? There had been a sort of doctrine preached during the last few years, not confined to this Administration, that the expenditure on account of education was a sort of sacred subject, which must not be touched. They might urge economy with reference to the Army, Navy, or Civil Services; but the sure test of educational efficiency was the expenditure, and the more they spent, the more efficiently the Department was conducting its duties, and the more satisfied the country ought to be. He repudiated this theory. The question he wanted to ask was, What did we get for this enormous expenditure, and was the money being spent as it ought to be expended, and were we getting a proper return? The Committee would observe that every speaker had pointed out the lamentable deficiences in the present system, and had urged that, in some mode or shape, there should be some material alteration. Last year the right hon. Gentleman (Mr. Mundella) told them that there were on the register 4,189,000 children. Well, they were very satisfactory figures, and the Committee cheered them when they first heard them. When they came to analyze the figures, however, they found that 416,000 of the children were under five years of age, and that 898,000 were under seven years of age. Therefore, they had 1,314,000 children under seven years of age. [Mr. Mundella: Hear, hear!] The right hon. Gentleman the Vice President of the Council cried "Hear, hear!" but he (Mr. H. H. Fowler) was of opinion that the figures he had quoted were more applicable to a National nursery than to a National system of education. As a matter of fact, there were something like 2,750,000 children under 10 years of age. The right hon. Gentleman referred to the school age in Belgium and in other European countries. There was no doubt that, however much we might be efficient in our Standards of Education, and in our Code, we were behind other countries in reference to age. The too early age at which we began, really meant the too early age at which we finished. There were, in this country, 3,000,000 children, or only 75 per cent, in average attendance at school. The next fact that ought to be taken into consideration after the average attendance was, what was the result of the examination? The actual number of children presented for examination was 2,150,000 out of 4,100,000; so that, practically, there were 2,000,000 children of "school age"—namely, over seven years of age —who were presented for examination; and, so far as age was concerned, they were equally divided between under 10 and over 10. Now, every one of the 1,000,000 children over 10 years of age, ought to have been presented in Standards IV., V., and VI.; but, as a matter of fact, there were only 591,000 presented in those Standards, and only 60 per cent of them passed in the three subjects. They might test the efficiency of the present system of education in another way. Of the 2,000,000 children presented for examination, only 1,378,000 passed without failure; and, of that number, 734,683 were under 10 years of age. The Committee thus arrived at the result that there were only 643,492 children, no matter to what Standard they belonged, over 10 years of age, who had passed in reading, writing, and arithmetic. Now, that was the actual net result for the expenditure of upwards of £6,000,000 of money, of which £4,250,000 came out of the Public Funds. He, therefore, could not join in the chorus of jubilation which had been chanted, on account of the progress of National Education in this country. No doubt, the country was much better off in the matter of education than previously, and he would admit that his right hon. Friend was doing all he could to improve the National Education; but they were deluding themselves, they were deluding the ratepayers of the country, if they believed that it was satisfactory that, for such a large expenditure of money, under 650,000 children over 10 years of age, should pass in reading, writing, and arithmetic. He had still further unsatisfactory figures with reference to the higher Standards. In Standard V. there were 184,000 children presented for examination, and out of that number 73,000 failed. The most lamentable test of all was that in Standard VI., where there were only 68,000 children presented, out of 4,000,000, and only 42,000 passed. The right hon. Gentleman the Vice President of the Council pointed out, that evening, what really was the source of this evil—namely, the early age at which the children left school, and the different Standards which were set up for exemption. He (Mr. H. H. Fowler) thought that, of all questions brought before them that evening, there was none which deserved more serious consideration than the different Standards prevailing in different school boards and school attendance committees districts as regarded the age for exemption. They had, even in the same districts, different Standards existing in different schools; and he thought that whatever might be the advantages or disadvantages of centralizing the system, he did not think they could do anything better than get some uniform rule with regard to examinations. There was another reason why education in this country was so backward, and that was the unfortunate machinery which was called into operation by the Act of 1876. School attendance committees had now had a fair trial, and it might safely be said that they were a great failure. He had read the Reports of eight School Inspectors, Those Reports related to various parts of the country, and the School Inspectors reported upon the hostile attitude assumed by the school attendance committees, not only with regard to the provisions of the Act, but in respect to educational results. The Inspectors stated that the difficulty they had to deal with in the case of school attendance committees was that they would not enforce the law—that they did not want education; that they were adverse to education altogether, and believed it to be totally unnecessary, and unsuited to the people. The educational machinery, in the shape of school attendance committees, had broken down entirely; and he thought they would have to look this question in the face very seriously sooner or later. He desired to say a word or two about the cost of education. There had been a good deal of controversy raised, and there was a Memorial presented the other day to the Prime Minister with reference to the great injustice which had been done in denominational schools by the operation of the present system; and he (Mr. H. H. Fowler) thought it was right they should ascertain whether there was any ground of complaint on this matter. The hon. Gentleman the Member for the University of Oxford (Mr. J. G. Talbot), in his speech that evening, alluded to the cost of the London School Board specifically, and implied that that Board was acting unjustly and unfairly towards denominational and voluntary schools within the area of its jurisdiction. He (Mr. H. H. Fowler) found that, so far as voluntary effort was concerned, there had been little increase in this country during the last 10 years. He found that the subscriptions, which, in 1873, amounted to £418,000, had now increased to only £724,000, so that the real increase in voluntary effort during the last 10 years was represented by the small sum of £306,000; but there had been an increase in grant during that period of £800,000, and in the pence of £500,000. Therefore, for £306,000 increase in voluntary subscriptions, the State had practically secured for the voluntary schools an addition of income amounting to £1,300,000. He believed this question would be raised to-morrow night upon the Motion of the hon. Gentleman the Member for Stafford (Mr. Salt), and, therefore, he would not anticipate the discussion which would then take place. He could, however, if it were desired, show that the practical operation of the Education Act of 1870, instead of being a disadvantage to the National Society, really gave to the Church of England £1,000,000 per annum for educational purposes. The special question, however, to which he wished to call the attention of the Committee was that with reference to the working of the Education Act in rural districts, as affecting rural Nonconformists. He had no desire to refer to what had taken place at Carnarvon, and he did not wish to approach this question from a Party point of view, or from a point of view of Nonconformity as opposed to the Church of England. What he wanted to call the attention of the Committee, and the attention of hon. Gentlemen opposite, to was, that, under the Act of 1876, they had practically made education compulsory in every parish in England. But what had they done? They had made education compulsory in attending denominational schools. There were, as it was well known, in nearly every parish, a church and two or three chapels. The presence of the chapels indicated the presence of a population which, at all events, was not in direct harmony or sympathy with the church. They compelled the child of a rural Nonconformist to attend a school where the teaching was certainly, in some respects, such as the parents did not approve of. He knew it would be said that a child had the benefit of the Conscience Clause; but it was well known that the Conscience Clause could not easily be put into operation. A Nonconformist could not isolate his child; and the effect of the Act had been that they had sold the education of the parish to the denomination which provided the parish school, and they had done that at a time when the special teaching of a very large class of the clergy of the Church of England was more distasteful—to use the mildest term which he could find—was more distasteful to conscientious Protestant Nonconformists than it had been during the last 200 years. He should be sorry to introduce any subject of theological controversy; but he wanted the naked fact to be brought home to the Vice President of the Council and to the Committee, that they were compelling the children of Nonconformist parents in the 12,000 or 13,000 parishes of England to attend schools in which, in the great bulk of the parishes, the religious teaching was in direct hostility to and condemnation of the faith and opinions of the parents of the children. There was another aspect of the question in which a similar great injustice had been done, and that had been the transfer of denominational schools to school boards, upon certain terms, which practically made the schools obtain support out of the public purse, and, at the same time, continue of a denominational character. For instance, the school of the Church of England was transferred to the school board; but the school board was only to have the use of the school from 10 till 5, so that from 9 to 10, and after 5 o'clock, as the case might be, the religious teaching in the school was to be the same as that under the old *régime*, the only difference being that whereas, formerly, the cost of the school was defrayed by subscription, it was now defrayed by the rates. By this arrangement these schools so transferred were not nominally board schools until a given hour of each school day, but each morning, before the hour specified, the school was opened and conducted as a denominational school. Arrangements were made whereby the school should remain in charge of the same teachers, both during the time it was conducted as a denominational school and during the hours it was conducted as a board school. This system gave a distinct denominational character to those board schools; and he maintained that it was a direct violation of the spirit of the Act of 1870. It was a direct violation of the pledges given to the House of Commons by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), and also by the right hon. Gentleman who was then at the head of the Government (Mr. Gladstone). He (Mr. H. H. Fowler) did not make these remarks in any spirit of hostility to the Church of England; but he did so on the broad principle of injustice to Nonconformists as Nonconformists. It was not fair or just that schools supported out of the public purse should be carried on as denominational schools, and be under denominational management, which created a great deal of unpleasant friction in the working of the schools in various localities in England. He was sorry to have troubled the Committee at that length. He had not said all he had meant to say, because he felt the time of the Committee was too precious. All he wanted to put to the Committee was this simple query—Whether the country was getting its money's worth for its expenditure upon National Education? His belief was that the efficiency of the system of education could be, and ought to be, greatly improved, and his knowledge was that the present system was working unjustly and unfairly to a large class of Nonconformists in different parts of the Kingdom. He thought they were all anxious to obtain the best and fairest system of National Education at the least possible cost; and, in his opinion, the time had arrived when, in the interest of education, it would be desirable that a Select Committee of the House should be appointed to examine into the working of the Education Act, and to inquire into the complaints made, and to ascertain whether a mode could not be found for promoting efficiency, removing injustice, and, at the same time, ensuring economy.

LORD GEORGE HAMILTON said, he would not have interfered in the debate but for the observations of the hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler). The hon. Gentleman seemed to think that the Act of 1870 had operated unfairly to Nonconformists in rural districts. It must be remembered, however, that Churchmen complained that the Act of 1870 had operated in large towns unfairly and unjustly towards them. If the principle of local self-government were adopted in regard to National Education, and the majority in any one district were allowed to be more or less supreme, the Nonconformists must submit when they were in a minority, just as Churchmen must when they were in a minority. Now, in large towns, as a rule, Churchmen had to contribute not only to the maintenance of voluntary schools, but also to schools, some of them secular, and others in which religion was only taught at certain hours. As to rural places, he undertook to say that in not one single instance had there been an infraction of the Conscience Clause that the Education Department had not taken notice of. During the time he was Vice President of the Council, various complaints came up from the rural districts; but he could assure the hon. Member for Wolverhampton they were of the most frivolous description. If he remembered aright, there was only one instance in which anything like a sectarian spirit was displayed; the Nonconformists gained the supremacy, and they immediately discharged the schoolmaster, who was a Churchman, for no other reason than that he was a Churchman. These questions would from time to time occur. He was certain that although complaints might reach the ears both of Conservative Churchmen on that side of the House, and of Nonconformist Liberals on the other side, the Act had, on the whole, worked well, and that the Education Department would only be too ready to take notice of any infraction of the Conscience Clause, or of the spirit and intention of the Act. During the long discussion which had taken place that evening they had travelled over a multitude of subjects, and there had been a tendency on the part of some speakers to depreciate what had been done in the way of primary education. His strong impression was, that if they could get accurate statistics as to what was spent on primary education in other countries, it would be found we spent more. Let anybody look into the expenditure of a school, and they would find the main item of expense was the salary of the teacher. The salaries of the teachers in this country were far higher than in any other country. The right hon. Gentleman the Vice President of the Council (Mr. Mundella) said that the Municipality of Paris spent three times more per head on primary education than was spent in London. [Mr. MUNDELLA: On education; not primary education.] That made all the difference. As a matter of fact, there was no public money spent in London, except upon primary education. The London School Board spent, apart from the Government grant, £2 2*s.* per head on every child in their schools. Apart from the expense of building the schools, it had struck him that it was absolutely impossible that a local authority could spend £6 6*s.*, or 160 francs, per head upon every child in the school.

MR. MUNDELLA said, he meant that the taxation per head of the population was, in the Municipality of Paris, three times more than it was in London—not the expenditure—on every child.

LORD GEORGE HAMILTON said, that, whatever might have been the comparison the right hon. Gentleman (Mr. Mundella) made, he (Lord George Hamilton) maintained that the amount spent on primary education in this country, no matter from what source it sprang—whether from subscriptions, or rates, or Government grant—was equal per head to that spent in any other country. The right hon. Gentleman drew a somewhat depreciatory comparison between the number of hours children attended school in this country and in Germany. The right hon. Gentleman told them that the children of Germany attended school four hours in the morning and five in the afternoon, and did home lessons in addition. Perhaps that accounted for the fact that every third German wore spectacles. [Mr. MUNDELLA: I did not advocate it.] He was glad to hear that. He listened with great interest to the observations of the hon. Member for Liverpool (Mr. S. Smith) as to the results of what was believed to be the over-strain upon young children and teachers in our elementary schools. The system now in force was one of payment by results. The system was established by Mr. Lowe, now Lord Sherbrooke. At that time there was nothing like compulsory attendance; and anybody who happened to come into contact with Lord Sherbrooke, and discuss with him what his motive was, they would learn that his great object was to get children to school, and that, in his opinion, the best method of doing that was to pay by the results of their attendance. Lord Sherbrooke never intended that the system of payment by results should apply to many subjects now tested by it; but, the system having been adopted, it was necessary to develop it, and its development was attended by many inconveniences. At present there was a system of universal compulsion from one end of the country to the other; and it seemed to him (Lord George Hamilton) that whoever occupied the position of Vice President of the Council should endeavour, as far as he could, to relax the iron rigidity of the system of payment by results. One of the reasons which induced him (Lord George Hamilton) to give his sanction to the New Code was that it gave greater latitude to the teacher, and more discretion to the Inspector He was persuaded that a great deal too much detailed work was imposed on the Education Department, and that too many appeals were made from schools and managers on small points, which ought to be settled in the localities themselves. He was glad to hear the Vice President of the Council address a warning to those who endeavoured to make their *curriculum* too ambitious. He (Lord George Hamilton) had always had a theory that, if they wished to institute a sound system of elementary education, they should have as few subjects as possible taught, but taught thoroughly, and that they should afford facilities to clever children to pass up to the higher grades. There were schools in which as many as 12 subjects were taught, and it was because such a large number of subjects was allowed to be taught, that there was a great strain put on teachers and pupil-teachers. Some managers thought that masters ought to teach all the subjects. The subjects were proper to be taught in certain schools; but at no University would a man be found who could or who would be prepared to teach all subjects. The tendency, undoubtedly, was for teachers in elementary schools to endeavour to gain some knowledge of all subjects. It was absolutely impossible that they could obtain a sufficient grasp even of a small portion of them to be able to teach them efficiently, and many of the teachers broke down in the effort to do so. He had always felt that what they ought to do was to simplify the system of the elementary course, but afford every facility for children to pass up to the higher grade schools. There had been much criticism upon the system of Training Colleges. It must, however, be borne in mind that the criticisms had been passed by hon. Gentlemen who admitted they were opposed to a voluntary system of education. If there was to be a system of denominational education, these Training Colleges were absolutely necessary. He, however, thought it right that they should intimate to those who were placed at the head of these Colleges, that they must conduct them according to the ideas of the day; that if they chose to indulge in religious prejudices, they must expect to bear the consequences. He would not enter into any lengthy criticism of the expenditure of the London School Board. He believed that expenditure was extravagant previous to the last election; but, now, a considerable change had taken place, and he was of opinion the fact was due to the smaller number of ladies now serving on the School Board. When the hon. Gentleman the Secretary to the Treasury (Mr. Courtney) was making his eloquent speech the other night in favour of conferring political rights on ladies, he (Lord George Hamilton) could not help hoping that, if the day ever arrived when ladies were sitting in the House as Members, it would fall to the lot of the hon. Gentleman to be Chancellor of the Exchequer. He (Lord George Hamilton) believed that now the London School Board were doing their best to deal with the practical difficulties which must surround primary education in London. Undoubtedly, from time to time, they might justly expose themselves to the charge of extravagance; but, in the past year or two, they had, on the whole, done their work well. The hon. Baronet the Member for Midhurst (Sir Henry Holland) had alluded to the limit imposed on pensions, and he and other hon. Members had advacated that the fund of £6,500 should be extended, and that the teachers who entered previous to 1862 should be put on the same footing as they were some 20 years ago. The difficulty which he felt in supporting any Motion or proposal of that kind was that, when the late Government were in Office, Lord Sandon felt very strongly the difficulty in which the Education Department were placed in consequence of the withdrawal of the pensions, and the Duke of Richmond put pressure on the Treasury to allow a sum of £6,500 per annum to be granted in pensions to necessitous teachers. The Treasury assented to place such an annual charge on the Estimates, on the understanding that no claim for arrears would be made. No one could be Vice President for one year without experiencing the hardship of selecting, from the number of necessitous cases brought before them, the teachers who should receive pensions. If the right hon. Gentleman could induce the Treasury, either to increase the fund, or make any other arrangement which would provide for the limited number of teachers who entered previous to 1862, he would do a good and benevolent work, which the teachers from one end of the country to the other would gratefully recognize. He (Lord George Hamilton) would apologize to the Committee for having detained them at that length; but he hoped, in concluding, he might be allowed to congratulate the right hon. Gentleman the Vice President of the Council upon the satisfactory statement he had been able to make, as well as upon the conciliatory manner in which he had dealt with the many difficulties which in the course of the year had been laid before him.

Mr. ACLAND said, reference had been made to the inefficiency of school attendance committees. He had worked on a school attendance committee ever since the system was started, and he quite admitted there was some foundation for the remarks of the hon. Member for Wolverhampton (Mr. H. H. Fowler) upon the subject, to the effect that such committees had proved failures on many occasions. Those who worked amongst agriculturists experienced great difficulty in getting them to do their utmost to secure the attendance of children at school, when the children were able to do work on the farm, and so to earn wages for their own support, as well as to be useful to the farmers. School boards, as well as school attendance committees, were, however, severely handicapped in their operations by the unwillingness displayed by magistrates to convict in the cases of non-attendance brought before them. He did not know whether the right hon. Gentleman the Vice President of the Council was able to do anything in this matter; but he hoped that, during the ensuing year, the right hon. Gentleman would turn his attention to the subject, and endeavour, at least, to obtain Returns from the different districts of the number of cases in which parents had been summoned for the non-attendance of the children at school, and of the number of cases in which magistrates had failed to do their duty in supporting the school attendance committees in their efforts to secure the attendance of children at school.

Mr. CROPPER said, he wished to say a word or two upon the desirability of a general superannuation fund for schoolmasters. The subject of pensions to the teachers certified before the year 1862, which was introduced by the hon. Baronet the Member for Midhurst (Sir Henry Holland), and subsequently commented upon by the noble Lord opposite (Lord George Hamilton), had its own very important place; but he (Mr. Cropper) felt that the sense of necessity for such a fund as he advocated was growing largely in the minds of the schoolmasters in the country. Schoolmasters, very properly, desired to know whether they would be met in the matter by the Department. The large employers of labour, including the great Railway Companies, were finding it essential to provide superannuation funds, to which their workmen could subscribe, because it enabled them to obtain better workmen, and it prevented valuable and trusted workmen being thrown on the rates in their old age. It was a disgrace that schoolmasters and schoolmistresses should, in their old age, be thrown on the rates; and he should be glad to know whether the right hon. Gentleman (Mr. Mundella) would be willing to consider favourably some scheme by which school teachers should have some superannuation of their own which should be a permanent charge on their salaries? There were many persons who would unite in promoting such a scheme, and he believed such a scheme would be greatly welcomed by the teachers whom it would be calculated to benefit.

His hon. Friend the Member for Liverpool (Mr. S. Smith) had spoken of the system of cramming children. He (Mr. Cropper) was convinced that if it were possible to prevent overtime in the school, and to discourage the habit of taking work home to do, which often kept the children up until 11 o'clock at night, their health suffering in consequence, we should be relieved of some of the distressing cases which his hon. Friend had so touchingly referred to. He hoped the right hon. Gentleman would "pass the word" that there should be no undue retaining in school after hours, and no great insistance upon home lessons. If he would do that, he would do immense service to the children of this country.

Mr. JESSE COLLINGS said, he wished to reply to some remarks of the noble Lord opposite (Lord George Hamilton). The hon. Member for Wolverhampton (Mr. H. H. Fowler) had rightly complained of the injustice done to Nonconformist children in rural districts; and, upon that, the noble Lord said he had rarely heard of any case of violation of the Conscience Clause. The noble Lord must be aware that, perhaps, by not one in 100, or even in 1,000, was the Conscience Clause taken advantage of in the rural districts; because, if parents demanded that protection, the child became marked. That was the real answer to the noble Lord. During this interesting discussion, a feature had been introduced which, he thought, showed that there were a large number of children who were not able to learn their lessons through a want of sufficient food. That was a feature in the social condition of the country which should be borne in mind; but there were other matters connected with the speech of the right hon. Gentleman (Mr. Mundella) which required some attention—for instance, the fact that there were 500,000 children who were not on the registers; and that, in 9,000 parishes, children had been allowed to go as efficient when they had not attained the Fourth Standard. The progress of education, doubtless, was good, when it was compared with the state of things a few years ago; but it was not so cheering when compared with what it ought to be; and he agreed in the view that the results were small from one point of view, considering the price that was paid. About 600,000 children were presented for the Fourth Standard, and upwards. He believed the average cost in Church schools was about £1 14*s*. 6*d*., and in Board schools £2, or an average of £1 17*s*. In manufactures, waste was taken into account, and the articles were put on the market at a price determined by their being fit for the market. In education, anything below the Fourth Standard was not of value; for what a child learned up to 10 years of age was forgotten by 14; but every child turned out under the Fourth Standard cost the country £9 4*s*. or £9 5*s*. per annum. He did not agree with the hon. Member for Wolverhampton in finding fault with the price, for he considered education cheap at any price. He did, however, think we might get more for the money we spent. He had stated at many public meetings—and it might be an answer to the hon. Gentleman opposite (Mr. J. G. Talbot), who said the people would get tired of the burden of education—that we might stop the Education rate when it reached the amount we paid for the Army; and he had never yet heard any serious opposition to that suggestion. The right hon. Gentleman the Vice President of the Council (Mr. Mundella) had said the great difficulty was in securing regular attendance, and he gave a good many examples; but in all those examples, except Saxony, the good results were due to there being free schools. No doubt, we might get that system in a generation of time; but that was not a sufficient answer, because the point was, what was to become of the children of the present generation? It would be poor satisfaction to them to know that, a generation hence, children would be well educated. He (Mr. Jesse Collings) had been for some years a member of a school board, and he did not know anything more painful than the difficulty arising from the poverty of people, to whom 1*d*. was a matter of the last importance. In Birmingham, last year, 2,000 children were taken before the magistrates for non-attendance, and the major number of the cases sprang from the real inability of the parents to pay the fees—and what were the fees? In Birmingham a very large sum was drawn from school fees; but from that had to be deducted the salaries of the Board Inspectors, who were principally occupied in looking after the children. They would not be necessary but for the fees; and, besides that, there was the expenses of collecting the fees. Schools in Birmingham were not filled, and did not yield satisfactory results when the fee was 3*d.*; but when the fee was lowered to 1*d.*, there was no difficulty in filling them. Then there was the question of waste; and he believed that fees that were given up would be recouped over and over again by the extra amount of work which would result from regular and larger attendance, as the result of the abolition of fees. From an economical point of view this consideration was irresistible; and the principle of compulsion must ultimately carry with it the abolition of fees. It seemed to him as absurd to ask a child to pay for going to school as it would be to ask a soldier to pay for becoming a soldier, or a policeman to pay for being a policeman. How long the working classes would stand that system he did not know; but he did not think it would be very long. He knew that the right hon. Gentleman had no power, except under exceptional circumstances, to grant free schools; but he had the power to reduce the fees to 1*d.*, and he (Mr. Jesse Collings) hoped he would exercise that power. Before very long, the Birmingham authorities were coming to him to ask for permission to reduce the fees all round to 1*d.* At present there were hundreds of children who could not pay the 3*d.* fees; but there was not enough room in the schools where the fee was 1*d.* The consequence was great detriment to education; and he hoped the right hon. Gentleman would go as far as he could in the direction of lowering the fees to 1*d.*, which he had the power to do; but free education was the real solution of the matter.

Mr. ILLINGWORTH said, he hoped the right hon. Gentleman the Vice President of the Council (Mr. Mundella) would deal in a very decisive manner with the Principal of the Training College which had been mentioned, for it would be a discredit to the Education Department, and an outrage upon the House of Commons and the country, if a gentleman who had so far forgotten what was due to those in the Establishment was allowed to remain in that position. Those Colleges, if they were to continue, must answer some national end; and they could not be primarily or exclusively sectarian. He would remind the right hon. Gentleman that the centre of gravity of the Education Question had completely changed. Originally, we had an exclusively denominational system of education, and Training Colleges and institutions of a similar character were fostered by the State; but they were founded upon what he (Mr. Illingworth) considered a false system of education. Board schools were now getting a majority of the children within their walls; and, as soon as there was a general system of local government in the country and popular representation, there would be an increased demand for board schools, even in the agricultural districts of the country. The right hon. Gentleman could not deny that there were many defects in the present denominational schools, and in their management. He thought the right hon. Gentleman would wish to be somewhat in advance of the noble Lord opposite (Lord George Hamilton), who had already gone so far. There was an increasing demand for non-denominational Training Colleges, and the sooner that was assented to the better. He should welcome day Training Colleges; but he would not press that matter now, because he had confidence that the right hon. Gentleman would seriously consider that question. There would, however, be serious disappointment felt by those who rejoiced at the satisfactory state of education generally if something substantial was not done. With regard to the question of pensions, while recognizing some claims under the old arrangements, he should strongly deprecate pensions for elementary teachers under the New Code. He did not know why it should be expected that teachers in our elementary schools should not be required to exercise forethought and frugality, or why the State should undertake an increased burden at a time when the public charges were so heavy. The proposal was an unfortunate one, and there was a great deal to be said against it. When we were dealing with English Training Colleges, we must not forget that the question of Irish Training Colleges would shortly be before the House of Commons. When the question of elementary education was being fought out in 1870, and so much denominationalism was imported into the English

Act, and so much more into the Scotch Act in the following year, he made up his mind that whenever a demand for denominational Training Colleges in Ireland was made, he should be unwilling, because of the strong differences which existed between him and the majority of the Irish people, to take up the ground of bigotry and oppose such a demand; and he should rather welcome the proposal about to be made by the Chief Secretary for Ireland, which, at any rate, would establish uniformity.

Mr. WHITLEY said, he was sure every friend of education must have listened with great pleasure to the very satisfactory statement of the right hon. Gentleman the Vice President of the Council (Mr. Mundella), and he congratulated the right hon. Gentleman on the way in which he had carried out the Education Act. He should be very sorry if this question of education was pressed, as some hon. Members were inclined to do, from the point of view either of the Church of England or of Nonconformity; for he hoped the day had gone by when they would approach the questionin that way; for, after all, the great object was to see that children were properly educated. He was very much obliged to his hon. Friend and Colleague (Mr. S. Smith) for having brought forward the question of overpressure. In days gone by, and under the Old Code, that was a very urgent question indeed, and he (Mr. Whitley) had presided over many meetings of teachers, by whom this question had been brought before the Committee of Education. He had been obliged to make many charges against Inspectors of pressing education to a far greater extent than children could possibly bear; but he was thankful to be able to admit that the Code of last year made a great difference in this respect. Nothing had pleased him more than the statement of the right hon. Gentleman that the great question in the present Code was not the advancement of a few children, but the general merits of the schools altogether. That object, he was sure, had been attained in a great measure; and, so far as his experience went, the right hon. Gentleman was correct in saying that the effect had not been to materially increase or diminish the grants to schools. It was very satisfactory to people to feel that their children were not being over-pressed with education, and that the great object was the general benefit of the children. In that respect, the New Code was a great improvement on the Old Code, and he was sure he could express to the right hon. Gentleman the gratitude of the teachers for the change he had introduced. He sympathized very much with the hon. Baronet the Member for Midhurst (Sir Henry Holland) in regard to pensions, and he hoped the right hon. Gentleman would consider the case of the old teachers under the Act of 1862. Their case was a very hard one, for, no doubt, they had been induced to enter upon teaching by the impression, and under the pledge of Parliament, that they would receive some pension; and if the right hon. Gentleman could see his way to enlarging the present grant of £6,500, which was quite inadequate, he would be conferring a great boon on teachers who had now been working for more than 30 years, and who deserved the gratitude of the country. He had very little knowledge of secondary schools; but in Liverpool there had never been any difficulty between the Nonconformists and the Church of England. Liverpool had one of the best school boards in the Kingdom, and very much of the success of education was due to the wise and practical way in which they had worked. There had been no difficulty between the school board and the denominational schools; they had worked amicably together, and had only the one object in view, of giving the best education to the children. The Liverpool School Board, in this respect, were entitled to the gratitude of both the city of Liverpool and of the community at large. The Conscience Clause was adopted in the Church of England schools; but many Nonconformists, who sent their children to those schools, would be the first to admit that the management of those schools had been wise and excellent, and that they had nothing to complain of with respect to the Conscience Clause. If all schools were conducted as they were, there would be no denominational bigotry; and everybody could give themselves heart and soul to the great work which the House of Commons sought to effect—namely, the education of every child. He hoped the day was coming when all denominational differences would be lost sight of in the great work of education; and that the work would continue to go on in the prosperous way in which it had progressed during the past year.

Mr. MUNDELLA said, the debate had ranged over a great many subjects relating to education, and, for the first time that Session, the friends of education in the House had retailed a long list of grievances. It would have been a great advantage to the Committee, if the various points raised could have been discussed separately. Personally, he felt a great difficulty in dealing, in the few minutes more that was left to them that evening, adequately with the voluminous and interesting matter which had been laid before the Committee since 6 o'clock. He would endeavour, however, as perfectly as possible, to meet every point that had been put before him, and he trusted the Committee would forgive him if he did so with the greatest possible brevity. Hon. Members would pardon him if he began backwards, by dealing with those subjects which were the most fresh in his memory. The question of the Carnarvon and other Training Colleges had been raised by his hon. Friend the Member for Merthyr Tydvil (Mr. Richard), and the noble Lord opposite (Lord George Hamilton) had very properly said that such institutions ought to be conducted in accordance with the ideas of the day. The Department had felt it to be their duty to tell the managers of the Carnarvon College, that they must institute a thoroughly radical reform in their training; that they must make it thoroughly efficient for the Welsh people, or else their grants would cease. Nothing could be fairer than the way in which the Department had been met, because the managers had intimated to the Department, that it was their intention to effect a complete and entire change. They only asked for time in which to be able to make the necessary arrangements. As far as the Carnarvon Training College was concerned, everything had been done that ought to be done, or that any reasonable man could demand in order to make a complete radical reform, and the Department expected the College in future to do as good work as any other Training College in the country, and do it in a right and proper spirit. There was a Training College in England, in regard to which it would be necessary to require as great a change. That College was not efficient, and the Department must tell the managers, as indeed they must tell the managers of all Training Colleges, whether Church or Nonconformist, that they must make themselves thoroughly efficient, otherwise the grant could not be continued. The hon. Gentleman the Member for the University of Oxford (Mr. J. G. Talbot) had spoken of the Church-paid Colleges. He (Mr. Mundella) hoped that, when he came to deal with the question of Scriptural knowledge, he should have the support of his noble Friend opposite (Lord George Hamilton) in asking the Church Training Colleges not to place the obstacle of Scriptural knowledge in the way of teachers who wished to enter these Colleges. The insistance upon Scriptural knowledge was most unfair to the teachers, and he hoped it would be abandoned. The question, however, of maintaining Training Colleges as denominational institutions was not one for him to decide, but one for the House itself to determine; and if hon. Members desired that Training Colleges should cease to be denominational institutions, the Act of 1870 must be repealed, and Training Colleges entirely altered. His hon. Friend the Member for Oldham (Mr. Lyulph Stanley) had asked why grants were given to denominational schools, and why Parliament subscribed £750,000 a-year to maintain those schools; he had asked why they did so, when the schools might, in addition to the instruction required of them by the Department, be allowed to give that religious instruction which they believed to be desirable? Now, he asked his hon. Friend the Member for Oldham, how he would enforce the attendance at schools of Roman Catholic children, if they had no Roman Catholic teachers to instruct them? By what the hon. Gentleman proposed they would place a great obstacle in the way of education. If what his hon. Friend meant was that the Church Training Colleges should teach as many as they required for their own purpose, and that the Roman Catholics should do the same, and that the British and Foreign Schools should do the same, he (Mr. Mundella) agreed with the hon. Gentleman. But what was the effect of the proposal? When they spoke of difficulty, where did the pinch come in? He (Mr. Mundella) only asked, the other day, the Secretary of the British and Foreign School Society whether he could admit any more teachers in their Training Colleges; and that gentleman told him that they could admit a few more, and they were making arrangements. He further asked the gentleman if he could establish a day Training College, so that the teachers might, if they liked, live in their own homes, and go daily to the College? The answer he received was—"Why should we do that? I do not think that we can find places for the men we are now training. We are really training more than we can find employment for." He (Mr. Mundella) believed it was a fact that some of the last Christmas teachers were now unemployed; he understood that many denominational teachers could not even find employment. The question, therefore, was a very pertinent one—"Why should denominational Training Colleges be set up if the teachers cannot find employment?" He (Mr. Mundella) was anxious that there should be no grievance in matters of conscience—that no one should be excluded from a Training College because he was a Churchman or a Nonconformist. They must all admit that the Act of 1870 was a noble measure, that it was doing a great work; and he begged hon. Members not now to indulge in agitation, but to get one generation of children educated, and then, if they liked, make a change. He implored them not to plunge again into the religious turmoil which prevailed at the time of the passing of the present Act. In the meantime, he would be only too happy to do what he could to remove all unnecessary difficulties in the way of any teachers on the question of conscience; and he should ask Church Training Colleges, who still retained the obstacles referred to, to remove them, and deal with the state of affairs according to the spirit of the age. His hon. Friend the Member for East Cornwall (Mr. Acland) complained of the conduct of magistrates. So did he (Mr. Mundella). He had to complain every day; and it was not school attendance committees who alone had to complain. School boards had just as much cause for complaint as school attendance committees—indeed, many school boards had sent to him to say their work was completely set at naught and their influence frustrated in consequence of the action of the magistrates. Unhappily, the Educational Department had no control over the magistrates; but he hoped some means would be found to bring them to their senses. He held it to be the duty of the House of Commons to speak very plainly upon this subject, and he hoped that hon. Members would bring all cases of magistrates refusing to do their duty before the House. It was high time that the country had magistrates who would perform their duties; and he hoped one effect of the action of hon. Members would be that some higher authority would see fit to either censure or to remove those magistrates who failed to discharge the duty the country required of them. The hon. Gentleman the Member for Kendal (Mr. Cropper) had spoken of the evil of home lessons, and another hon. Gentleman had said that the Department ought to stop home lessons. That, however, was a question for managers of schools. What were managers and school attendance committees for if they did not attend to such matters? Were the Department to issue an edict that no pupil was to learn two verses of poetry of an evening? His hon. Friend (Mr. Cropper) also asked him if he would be willing to do anything towards the superannuation of teachers? Ever since he had been in Office that question had constantly cropped up, and he would be only too happy, if he could, to find some means of settling it. Teachers ought to be provided for; and he would admit that it was a scandal that teachers in their old age should, in many cases, have to go to the workhouse. But teachers were getting good salaries; and if anybody ought to set an example of thrift, it ought to be the teachers of our youth. They were not the grievance of the State; the State did not employ them. They got the best price they could from their employer. What control could the Department have over teachers? How could they exact from teachers payments in a superannuation fund? It was said the Department might stop the grant, might make a reduction in the grant. What did that mean? It meant superannuating the teachers at the expense of the subscribers or the rateyayers. If teachers ever came to be superannuated, they must come within the range and class of civil servants; and if they became civil servants, they would not obtain anything like the salaries they were getting to-day, and they would find promotion very slow indeed. They would find also that they could not carry their talents to the best market; indeed, they would soon come to find that their present condition was, after all, the best. Still, if it were possible, he should be glad to be the instrument of founding a superannuation fund; but, at present, he could not see the way clear. The noble Lord the Member for Middlesex (Lord George Hamilton) had been exceedingly kind and practical in his remarks, and he (Mr. Mundella) was very grateful for the support the noble Lord always gave him, and fully appreciated the very fair and candid manner in which the noble Lord always dealt with these questions. He (Mr. Mundella) was bound to say that, since he had been in Office, no one had been more considerate and more impartial in his criticisms and less of a politician in his action than the noble Lord. He (Mr. Mundella) was glad to acknowledge such a disposition on the part of the noble Lord; and he trusted that when it became his lot to sit on the opposite side of the House, he should benefit by the example now set him. The large expenditure upon education in Germany had been referred to; but the reason, in Germany, why education was so costly was because they had no such things as pupil-teachers—they had no assistant teachers; but they had a large and excellent staff of masters to every class, and a class room for every 50 children. That was the reason why education was so much better and so much more costly with the Germans than with us. The hon. Gentleman the Member for Wolverhampton (Mr. H. H. Fowler), in his very powerful and able speech, struck a very high note, and he (Mr. Mundella) was glad the hon. Gentleman did so. He was very grateful to the hon. Gemtleman, and also to his hon. Friend the Member for Oldham (Mr. Lyulph Stanley), for raising the question of a higher Standard of Education. He (Mr. Mundella) should be very glad if they could obtain a higher Standard, and he hoped they should; but they could not advance at once to the position the hon. Gentleman the Member for Wolverhampton asked them to take. The hon. Gentleman complained that so few children were passed into the higher Standard, and said that, in this country, we began education too early, and left it off too early. He had said, moreover, that there were 1,000,000 children, under seven years of age, at school, and that, therefore, our schools amounted to nothing more or less than National Nurseries. Infant training, however, was the very foundation of good education. It was an immense advantage to the children, and also to the parents, when the mothers went to labour, that the children should go to the infant school, and the children were much better trained than they could be if they were kept at home. The Act of 1870 was purely a compulsory Act. At that time managers of schools chose their own Standards. He (Mr. Mundella) had refused low Standards, and he never meant to accept a low Standard in the future, and he trusted that no attempt would ever be made to minimize the Standards. The hon. Gentleman the Member for Wolverhampton called his attention to the difficulty which the Nonconformist suffered from what he termed compulsory attendance at Church schools. No matter, whether the school in a parish was a Church school or a Nonconformist school, children must attend school; and, of course, it must be always remembered that every child had the benefit of the Conscience Clause. If there was no Nonconformist school in a parish, whose fault was it? The Department never placed any obstacles in the way of the formation of Nonconformist schools. He had never refused annual grants to Nonconformist schools; but, on the other hand, he had made grants to a large number of new Wesleyan and other Nonconformist schools. How could it be said, therefore, that the Department had one dictum for Church schools and one for Nonconformist schools? If the hon. Gentleman the Member for Wolverhampton knew of any place where a Nonconformist school could be established with advantage, and if he would only establish it for 12 months, he (Mr. Mundella) would promise him that he should have an annual grant. The hon. Gentleman stated that schools were charged in very unfair conditions, because he said that, in some cases, Church schools had been charged for as Board schools. He (Mr. Mundella) doubted whether such a practice was legal, and he would take good care to have the matter thoroughly looked into. He did not mean to say that his Predecessor had done anything illegal; but he doubted very much whether it was in accordance with the spirit of the Act that Church schools should receive support as Board schools. Personally, he was of opinion that a school paid out of the rates ought to be exclusively undenominational. His hon. Friend the Member for the University of London (Sir John Lubbock) dealt, with his usual ability, and in his usual fascinating style, with the question of scientific instruction, and rather complained that the Department had removed the specific subjects from Standards IV. and V. The Education Department had come to the conclusion that it was better to remove from these Standards the teaching of specific subjects. The hon. Gentleman had asked why the Department should interfere in the matter; why should schools not be allowed to make their own choice of subjects? Now, he (Mr. Mundella) would give an instance, which he discovered the other day, of the manner in which the choice the hon. Baronet advocated had been exercised. One of Her Majesty's Inspectors was inspecting an excellent school board school. It was good from top to bottom; a thoroughly good school, from the infant class to the Sixth Standard—nothing could possibly be better; but there was a specific subject taught, and the Inspector asked the reason. He asked the master what could have induced him to teach such a subject, which was not at all suitable for a London school. Well, the teacher had got his certificate, probably with a view of teaching in a rural district. He had, however, obtained a situation under the London School Board, and he, no doubt, thought it a pity that his training should be lost, so he resolved to instruct the children upon the subject of agriculture. He (Mr. Mundella) knew of no better subject or more valuable subject to teach in a rural school; but he could not regard it as otherwise than as entirely out of place in a London board school. Why did they insist upon the teaching of what his hon. Friend called grammar? He begged the Committee would not be led away by supposing that it was dry Lindley Murray simply that was taught. It was the whole range of poetry; and nothing could be better than that a child should learn so much poetry, that he should be grounded in it, and know the meaning of words, and know, in fact, the meaning of his own language. Professor Huxley had said that every other country in the world taught language but England. That learned Professor said—

> "Begin by teaching children the meaning of words, and then they will be able to grasp their own language."

One of the best science schoolmasters in London was asked the other day how he was able to teach science so well; and his reply was—

> "I begin by teaching English first, and when children understand the meaning of words, they can safely be taught science."

He (Mr. Mundella), the other day, took his hon. Friend's (Sir John Lubbock's) Motion to the Chief Inspectors, when they were sitting in council, and he asked them to consider the Motion, and to give him their deliberate opinion in regard to it. What was the answer they wrote him before they left the Office? Why, that they had come to the unanimous conclusion that, in the interest of education, he (Mr. Mundella) ought to stamp his foot upon such a proposition. With respect to the very interesting speech delivered by his hon. Friend the Member for Liverpool (Mr. S. Smith), he (Mr. Mundella) could only say that he approached the question almost as enthusiastically as the hon. Gentleman himself. He (Mr. Mundella) had insisted upon reducing the hours of pupil-teachers; but who had opposed him in that step? The National Society had protested against it from first to last; the clergy from one end of the country to the other, and the managers had protested against it, and had said he was going to make their system of education more expensive. If he could do it, he would reduce the hours from 25 to 15 a-week. That would be a wise step to take, because it was unreasonable that young men and women should have 25 hours' teaching a-week, and after that to encounter all the difficulties of their own education, and have to prepare, besides, for their annual examinations. The hon. Baronet the Member for Midhurst (Sir Henry Holland) made a very proper speech on behalf of the old teachers, and the noble Lord the Member for Middlesex stated the case admirably, showing what was done some years ago in this respect, and how the matter was then left. A Committee of the House reported that the teachers had no legal claim. He should be glad if he could give something more than was being at present granted—he should be glad if he could soften the heart of the Treasury, in order that he might be able to deal liberally with these poor old teachers. If he could do that, it would be a great relief to him, for the most unhappy day, or rather two days, he had in the year were those upon which he had to go through the applications of these old, infirm teachers, and found it necessary to reject 50, 60, or 100 of them. He was sure that a no more difficult task could be allotted to a Vice President than to have to give out a few miserable pensions, leaving so many of the applications undealt with. But, of course, the Secretary to the Treasury looked closely after him in these matters. He would promise to make an appeal to the Treasury upon this subject. As to what had fallen from the hon. Member for Oldham (Mr. Lyulph Stanley), he believed the Training College to be an excellent one. On the whole, he was thankful to hon. Members for the spirit they had exhibited throughout this debate. He was quite sure that all must rejoice at the tone and spirit of the debate, which had been fair and honourable to all Parties, and he hoped it would be an advantage to the education of the country. He trusted that now they might be allowed to proceed to the Vote.

Mr. RICHARD said, that, after the statement of his right hon. Friend (Mr. Mundella) as to the measures he had taken, and was taking, with reference to Carnarvon College, he should not think it necessary to press his Amendment. He only hoped his right hon. Friend would not hold his hand until the reforms which were promised were really carried out. He should like to correct an involuntary error into which the right hon. Gentleman had fallen as to Homerton College. The right hon. Gentleman had said that many men were educated in the schools of that College for the ministry of Congregational bodies. Formerly that was the case; but some years ago it was altered. There had been a junction made between this and some other Nonconformist bodies in London, and the Establishment had been rendered an undenominational Training College. The young men trained there, as a rule, devoted themselves now to teaching.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £255,723, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for Public Education in Scotland."

Mr. ANDERSON said, he was not going to make any complaint as to the length of the debate on the English Education Vote. Having heard a great part of the debate, he was bound to confess that it had been an extremely interesting one, and one of very high tone; indeed, he could have wished it had been longer, rather than shorter. But it was an extremely unfortunate thing for Scotch Members that their Educational Vote should have come on at 10 minutes past 1 o'clock in the morning, at which time it was impossible for them to begin an academical discussion on the question. He would simply thank the right hon. Gentleman the Vice President of the Council (Mr. Mundella) for the generous appreciation that he had given of the efforts that were being made in Scotland to improve education, and the success of which was shown by the fact that they were able to earn 17*s.* 11*d.* per scholar against 16*s.* 2*d.* in England. Thanking the right hon. Gentleman for that appreciation, he would postpone any remarks he had to make on the subject until another occasion.

Sir JOHN HAY said, he had to complain that it was customary now with the Government to hustle through all Scottish Business after half-past 1 o'clock in the morning. He saw the right hon. and learned Gentleman the Lord Advocate in his place, and he should like to ask him whether they were to be kept here at such a time as that to discuss the Scotch Education Vote, when those hon. Gentlemen who had observations to make would be prevented from making them by reason of the fact that, at that hour of the night, the Committee was absolutely exhausted? It must be borne in mind that they had to meet at 2 o'clock that day; and, under the circumstances, how could it be supposed that hon. Gentlemen could address themselves satisfactorily to matters which were of the greatest importance? In addition to that, they had before them on the Paper five other important Scotch Votes, all of which had to be discussed. These were the Exchequer and Audit Offices Vote, the Fishery Board Vote, the Lunacy Commission Vote, the Registrar General's Office Vote, and the Board of Supervision Vote. In addition to these, they had also to discuss that night the Agricultural Holdings (Scotland) Bill in Committee, and there were still 11 pages of Amendments to be considered. It seemed to him absolutely necessary that Scotch Business should be better attended to. He did not know of what advantage this new Bill would be to them, giving them a Scotch Minister who was not in the Cabinet. To his mind, it would merely be a peg on which to hang objections, and from which they would derive no benefit at all. He was sorry the hon. Member for Glasgow (Mr. Anderson) had not bestowed upon them the advantage they would have derived from hearing his speech on the Education Question. He wished it to be recorded that he, for one, protested against Scotch Business of the greatest importance being put down for consideration at half-past 1 o'clock in the morning.

MR. WEBSTER said, that, for once, he found himself entirely in accord with the right hon. and gallant Member opposite (Sir John Hay). He (Mr. Webster) was the last to complain of there being usually any neglect of Scotch Business; and he thought they had very little cause to find any fault on that subject, English Business being, as a rule, quite as much put aside as Scotch Business. On the present occasion, however, they had great cause for complaint. He himself had wished to make some remarks on the subject of education in Scotland, and he knew that other hon. Members on that side of the House had wished to do the same at an hour when their observations would have had some chance of being fairly heard. The subject of Training Colleges in Scotland was one upon which Scotch Members felt strongly. He had himself intended to address the Committee upon it, and he had reserved his observations, which he might otherwise have made on the English Vote, until they arrived at the Scotch Votes, from a desire not to interpose on the English discussion. From the course the Government were taking, however—from the way in which Business was being rushed through that night—Scotch Members found themselves prevented from discussing this important question. It might be said—"Why don't you proceed to discuss it now?" But he would ask hon. Members —"How is it possible to expect a House exhausted with nine or ten hours' important Business to pay calm attention to remarks of Scotch Members upon Scotch subjects at such a period of the morning?" He must say he felt very much inclined to move to report Progress. [*Cries of* "Move, move!"] Well, as it seemed the desire of the Committee, he would move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Webster.*)

MR. HEALY said, he was very glad that the hon. Member opposite (Mr. Webster) had taken that course, because not only was it proposed to bring on that Scotch Education Vote, but the Government also intended, he was informed, to ask for a Vote on Account of some hundreds of thousands of pounds later on. Considering the important questions they had to bring before the Committee upon these Votes, it was very unfair that they should be proposed at such an hour as this. He had been anxious, a few nights ago, to raise a question as to the Wexford riots; but he had not had a favourable opportunity, and he had, therefore, intended to bring the question forward that night. He did not, however, see the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland in his place, and he was sure the Attorney General, who was present, did not know anything about it. When Scotch Members had vented their ire on the Government, the Committee would be asked to take a large Vote on Account, which was lower down on the Paper, and then the right hon. Gentleman the Chief Secretary for Ireland had to introduce his Irish Police Bill, the merits of which Irish Members had been waiting there that night to hear. One Irish Police Bill was not enough, it seemed, for one Session, but they must have another. He trusted the hon. Gentleman opposite would stick to his Motion, and that if it was resisted by the Government, another Scotch Member would get up and propose that the Chairman do leave the Chair.

Mr. RAMSAY thought that the hon. and learned Attorney General must be aware that Scotch Members had a great deal to endure; but he was rather sorry that his hon. Friend (Mr. Webster) should have moved to report Progress. He would ask the hon. Member to take into consideration the state of Public Business generally, and to bear in mind that, though the Government were guilty of neglect, the present moment was not a favourable opportunity for making the complaint. The state of Public Business was such as to fill with anxiety all those who were interested in the condition and prospects of the Legislature; and he thought, therefore, that that was not a proper time to bring Scotch grievances before the Committee. He rose for the purpose of asking his hon. Friend to withdraw his Motion, and to allow the Committee to proceed with the Vote.

Mr. J. A. CAMPBELL said, he thought the Scotch Members would have a grievance, if the Government persisted in going forward with that Vote at that present moment, inasmuch as they had heard no remarks with regard to it from the right hon. Gentleman the Vice President of the Council (Mr. Mundella). The interesting remarks the right hon. Gentleman had made at an earlier hour were entirely confined to the English Vote, and the statistics he had given them did not include any reference to Scotland. Under the circumstances, if Scotch Members were called upon to give a vote upon this subject at the present moment, they would be voting in the dark.

Mr. BUCHANAN said, he trusted the right hon. Gentleman (Mr. Mundella) would not proceed with this Vote to-night. He wished to point out that the same thing had taken place last Session on the Education Estimates—that was to say, the English Vote was discussed and passed, and the Scotch Vote was taken at a late hour in the evening when it was impossible for it to be discussed. To-night, there had been no explanation from the right hon. Gentleman the Vice President of the Council with regard to the Scotch Vote, and there had been no opportunity for any Scotch Member to say a word about it. The right hon. Gentleman, as had been pointed out, had delivered a most instructive speech—a most delightful one to listen to—but it had contained not one word about Scotland. It was only fair that the discussion should be postponed. The other Votes, after the two English Votes to come on, were Scotch; and if they postponed the Education Vote and the other Scotch Votes, they would be able, on some future occasion, to come down to the House with some security that Scotch Business would be taken, and they would then be in a position to have adequately discussed the proposals of the Government. He trusted the right hon. Gentleman would agree to postpone these Votes.

Mr. MUNDELLA said, that he had said as much in his speech as he could with regard to Scotland; but it would not have been in accordance with the Rules of the House for him, in moving the English Education Vote, to have made any observations on the subject of the Scotch Education Vote. He had been sincerely hoping that they might have got to the Scotch Vote at an early period. As the hon. Member for the Falkirk Burghs (Mr. Ramsay) had said, it was the state of Public Business which placed them where they were. If it were the desire of Scotch Members, he would not, for a moment, oppose the postponement of the Vote; and if the hon. Member for Aberdeen (Mr. Webster) would withdraw his Motion for reporting Progress, he (Mr. Mundella) would withdraw the Vote, although he must say it would have been much more convenient to have passed it that night, and to have taken the discussion on Scotch Education on the second reading of the Education (Scotland) Bill now before the House. He thought that would have afforded a much better opportunity than even this evening for the discussion.

Mr. W. H. SMITH said, that, before the Motion for Progress was withdrawn, he would ask the attention of the noble Marquess (the Marquess of Hartington) to the Vote on Account which was to follow. The Prime Minister had stated that it was the intention of the Government to ask for a three weeks' Vote on Account, but the Vote on the Paper was for five weeks; and it was, therefore, at variance with the promise made to them, and which he was sure the Prime Minister had intended to make in perfect good faith. The effect of the proposal would be very marked indeed on the proceedings of the House; and he therefore hoped that Progress might be reported, in order that the Vote might come on to-morrow, when a question might be put to the Prime Minister as to whether he did not intend to adhere to the promise which he had made?

MR. COURTNEY said, it was true that the right hon. Gentleman (Mr. Gladstone) had said something about a three weeks' Vote; but there was a little misunderstanding at the time, and it was necessary that the Vote should run over a little longer period. He (Mr. Courtney), however, would make this suggestion to the right hon. Gentleman opposite (Mr. W. H. Smith), which, he thought, would meet with his approval—namely, that he should deduct from the total Vote one-fifth. Each item, of course, would be proportionately reduced.

MR. WEBSTER said, that, on the understanding pointed out by the right hon. Gentleman (Mr. Mundella), he would withdraw his Motion for reporting Progress. It was not necessary for him to repudiate any such motive as that suggested by the hon. Member for Monaghan (Mr. Healy). At the same time, he must confess he had made the Motion from the conviction that this was about the most important Business in which Scotch Members could be engaged, and that it was not doing justice to these most grave subjects to have the discussion upon them at half-past 1 o'clock in the morning.

SIR R. ASSHETON CROSS said, it was a question whether it would not be desirable now to report Progress. The understanding certainly had been that the Vote on Account should be for three weeks, and the statement on the Paper was for a five weeks' Vote, which would practically, so far as the Committee were concerned, be giving up all control of the finance to the Executive for the rest of the Session—for no one contemplated that the Session would last more than five weeks from the present time. He was sure the Committee would not allow such a thing as that for a moment. The hon. Gentleman opposite (Mr. Courtney) suggested that they should deduct one-fifth; but he (Sir R. Assheton Cross) would point out that, in order to keep faith with the Committee, it would be necessary to deduct two-fifths, as the Prime Minister had promised that he would only take three weeks' Supply. Unless the hon. Gentleman did that, the Committee would persist in the Motion for reporting Progress. Surely the noble Marquess opposite (the Marquess of Hartington) would wish to abide absolutely and implicitly by the promise of the right hon. Gentleman the Prime Minister. He (Sir R. Assheton Cross) supposed they should have an answer?

THE MARQUESS OF HARTINGTON said, he understood that the Prime Minister did not say definitely three weeks' Supply, but that what he had said was that a Vote on Account for about three weeks would be asked for. He understood his hon. Friend (Mr. Courtney) to say that it was not the fact that the Estimates on the Paper were for five weeks. His hon. Friend had proposed to reduce the Vote by one-fifth, which would practically amount to reducing the Vote to three weeks' Supply. It was not the intention of the Government to depart from the spirit, though they might have done from the letter, of the Prime Minister's assurance. As soon as progress had been made with the legislative Business before the Committee, and some of the pledges of the Government had been carried out, it was their intention to devote every available day to make progress with Supply. That intention would not be in the least altered by any additional sum that might be obained on account that night. The proposal which had been made by his hon. Friend was made with a wish to adhere to the spirit, if not absolutely to the letter, of the proposal of the right hon. Gentleman the Prime Minister.

SIR R. ASSHETON CROSS hoped the hon. Gentleman the Secretary to the Treasury would deduct two-fifths from the Vote, which would make the sum just as easy to calculate as it was at present. If he did that he would come within the spirit and the letter of the Prime Minister's proposal, and there would be no difficulty or delay in the Committee. Were they to have an answer to that? If there was a two-fifths' deduction made hon. Members would not divide.

Mr. W. H. SMITH said, it would be in the recollection of the Committee that the engagement was a positive one that the Vote should be for three weeks, and that the Prime Minister expressed his intention, after the Agricultural Holdings Bills had passed through the stage of Report, not to proceed with Supply before the other Bills on the Paper were disposed of. The noble Marquess opposite (the Marquess of Hartington) had said that the Vote was not for quite five weeks. Well, the Estimates for the Civil Service were £9,996,000, and the Vote now proposed was for £990,000, and if they multiplied £990,000 by 10, they would arrive at the total sum of their Civil Service Estimates. The fact was that the sum asked for was a little more than five weeks' Supply. It seemed to him that it would be to the advantage of both sides of the House if engagements once made were fairly and honourably adhered to. He thought hon. Members would feel that when an engagement was made with the House full, that engagement should be strictly kept with the House when it was nearly empty.

Mr. RAMSAY hoped the Government would consent to report Progress, and that no further time would be wasted in discussing the matter.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, the Committee had been discussing the question for some considerable time, and he feared, if they went on, valuable time at the end of the evening would be lost. Therefore, sooner than lose time, he would consent to take three-fifths.

Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

(2.) Motion made, and Question proposed,

"That a further sum, not exceeding £1,032,570, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1884, viz. :—

CIVIL SERVICES.

Class II.—Salaries and Expenses of Civil Departments.

England :—	£
Privy Seal Office	- -
Woods, Forests, &c., Office of ..	1,800
Mercantile Marine Fund, Grant in Aid	- -
Secret Service	1,800
Scotland :—	
Exchequer and other Offices ..	600
Fishery Board	1,200
Lunacy Commission	300
Registrar General's Office	300
Board of Supervision	1,800
Ireland :—	
Lord Lieutenant's Household ..	600
Chief Secretary's Office	3,600
Charitable Donations and Bequests Office	240
Local Government Board	30,000
Public Works Office	6,000
Record Office	600
Registrar General's Office	1,800
Valuation and Boundary Survey ..	2,400

Class III.—Law and Justice.

England :—	
Law Charges	3,000
Public Prosecutor's Office	240
Chancery Division, High Court of Justice	9,000
Central Office of the Supreme Court, &c.	6,000
Probate, &c. Registries, High Court of Justice	3,000
Admiralty Registry, High Court of Justice	600
Wreck Commission	1,200
Bankruptcy Court (London) ..	3,600
Land Registry	600
Revising Barristers, England ..	- -
Police Courts (London and Sheerness)	600
Metropolitan Police	60,000
County and Borough Police, Great Britain	600
Convict Establishments in England and the Colonies	30,000
Prisons, England	42,000
Broadmoor Criminal Lunatic Asylum	1,200
Scotland :—	
Lord Advocate, and Criminal Proceedings	3,000
Courts of Law and Justice	6,000
Register House Departments ..	3,000
Prisons, Scotland	3,000
Ireland :—	
Law Charges and Criminal Prosecutions	12,000
Supreme Court of Judicature ..	9,000
Court of Bankruptcy	900
Admiralty Court Registry	90
Registry of Deeds	1,800
Registry of Judgments	180
Land Commission	18,000
County Court Officers, &c.	9,000
Dublin Metropolitan Police (including Police Courts)	12,000
Constabulary	90,000
Prisons, Ireland	12,000
Reformatory and Industrial Schools ..	- -
Dundrum Criminal Lunatic Asylum ..	300

CLASS IV.—EDUCATION, SCIENCE, AND ART.

England:—

Science and Art Department ..	24,000
National Gallery	2,400
National Portrait Gallery	180
Learned Societies, &c.	2,400
London University	- -
Aberyswith College	600
Deep Sea Exploring Expedition (Report)	300
Transit of Venus, 1882	- -

Scotland:—

Universities, &c.	1,200
National Gallery	- -

Ireland:—

Public Education	18,000
Teachers' Pension Office	120
Endowed Schools Commissioners ..	60
National Gallery	360
Queen's Colleges	- -
Royal Irish Academy	- -

CLASS V.—FOREIGN AND COLONIAL SERVICES.

Suppression of the Slave Trade ..	900
Tonnage Bounties, &c.	900
Suez Canal (British Directors) ..	180
Colonies, Grants in Aid	3,000
South Africa and St. Helena ..	600
Subsidies to Telegraph Companies ..	- -
Cyprus, Grants in Aid	25,000

CLASS VI.—NON-EFFECTIVE AND CHARITABLE SERVICES.

Superannuation and Retired Allowances	18,000
Merchant Seamen's Fund Pensions, &c.	600
Pauper Lunatics, England	- -
Pauper Lunatics, Scotland	12,000
Pauper Lunatics, Ireland	6,000
Hospitals and Infirmaries, Ireland ..	1,200
Miscellaneous Charitable and other Allowances, Great Britain	900
Miscellaneous Charitable and other Allowances, Ireland	120

CLASS VII.—MISCELLANEOUS.

Temporary Commissions	600
Miscellaneous Expenses	- -
Total for Civil Services ..	£514,570

REVENUE DEPARTMENTS.

Customs	36,000
Inland Revenue	130,000
Post Office	280,000
Post Office Packet Service	- -
Post Office Telegraphs	72,000
Total for Revenue Departments	518,000
Grand Total ..	£1,032,570

SIR JOHN HAY said, the Vote contained a number of items which deserved some attention. The first was the Privy Seal Office, which was particularly interesting to Scotland at this moment; £1,000 had already been granted, and there was a balance of £1,825. This item, he thought, deserved some explanation from the Government.

THE CHAIRMAN: The Privy Seal Office is not included.

SIR JOHN HAY said, the Vote contained in the first line "Privy Seal Office."

THE CHAIRMAN: No money is taken for it. The money column is blank.

SIR JOHN HAY said, he saw there was no amount set down; but it was stated that £1,000 had been granted, and it was as to the appropriation of that amount that he wished for an explanation. There was no amount put down; but the matter was before the Committee, by the statement that £1,000 had already been voted; and, as he understood, he had a right to ask a question of the Government with reference to the appropriation of that amount. They had been informed that there was no person holding this particular Office, and that the money voted for that purpose was to be devoted to local government in Scotland.

THE CHAIRMAN: The right hon. and gallant Baronet is in error. It is not proposed to vote any sum at this moment on account of the Privy Seal Office; and, therefore, the right hon. and gallant Baronet will be out of Order in discussing the Privy Seal Office, which was not included in any way.

SIR JOHN HAY said, he should not dispute the Chairman's ruling; but he had always understood that when a sum had been voted, as in this case, remarks were allowed upon it, and that questions might be asked with reference to the appropriation of the money.

THE CHAIRMAN: The right hon. and gallant Baronet is in error. There is no sum in the Vote now for the Privy Seal Office, and the right hon. and gallant Baronet will not be in Order in discussing it.

MR. HEALY asked the Chief Secretary for Ireland, whether, at that hour of the morning, he proposed to go on with the Police Bill? Nearly every item in this Vote was contested. There was the Lord Lieutenant's Household, the Chief Secretary's Household, the Local Government Board, the Public Works Board, the Land Commissioners, the Registrar General's Office, the Dublin Police, the Constabulary, Prisons and Reformatories, and other Votes; and upon all these, he, and his hon. Friends, wished to speak. As this was only a Vote on Account, they did not wish to give the Government too much trouble, and if the Government would postpone the Irish Police Bill, they would endeavour to meet the Government in the same spirit. They wished to know what was the substance of the extraordinary Bill which the Chief Secretary for Ireland proposed to bring in? But he would suggest that the right hon. Gentleman should postpone the important statement he would have to make upon that Bill, to a more reasonable hour.

Mr. TREVELYAN said, the hon. Member for Monaghan (Mr. Healy) seemed to consider that he was making a concession in agreeing to pass the Vote on Account for the administration of several Offices in Ireland which were generally largely discussed; but he was not quite justified in drawing certain deductions in reference to the Motion which he (Mr. Trevelyan) was about to make later. Even, at an earlier period of the Session, it was considered not only legitimate, but according to the Rules of the House, at any hour of the evening, to allow such Motions to be made, and he should be very unwilling to recognize the propriety of postponing this Motion upon any account. If the Bill he proposed to introduce was a Bill of enormous importance—one of the two or three principal Bills of the Session—he could imagine that hon. Members might object to giving leave to introduce it at that hour; but it was a Bill which, however important, was still very moderate in bulk and compass. He could explain, in a few sentences, the nature of the Bill; and, according to the Rules of the House, although it was not technically a Money Bill, it could be taken for second reading after half-past 12, and, therefore, hon. Members would have an opportunity of discussing it. Certainly, at that period of the Session, he should be very unwilling to forego the right to ask leave to introduce the Bill, even at that hour of the evening; and if the hon. Member wished for information upon it now, he should be glad to give it.

Mr. O'BRIEN said, he was sorry the right hon. Gentleman had not seen his way to making a more satisfactory reply to the hon. Member for Monaghan (Mr. Healy), and he objected to the Committee being asked to go on with a Bill, at that hour of the night, which would make radical and permanent changes in the whole police system of Ireland.

The CHAIRMAN: I must point out that the whole conversation is irregular. I did not like to stop the hon. Member for Monaghan (Mr. Healy); but it is quite out of Order, upon this Vote, to enter into a discussion upon a Motion which is down later on the Paper. Any remarks made must be on the Vote now before the Committee.

Mr. HEALY rose to Order, and said, that, although it was not competent to the Committee to discuss a Bill still to come before the House, he thought it was competent to them to discuss a Vote for the Constabulary, and, therefore, it was open to his hon. Friend to make remarks with reference to the Constabulary.

The CHAIRMAN: That would be perfectly in Order; but I understood the hon. Member to be discussing the provisions of a Bill not before the House.

Mr. O'BRIEN said, he would not continue the discussion further than to say that he understood it was probable that this matter might occupy considerable time; and, under those circumstances, he hoped the right hon. Gentleman the Chief Secretary for Ireland would not ask leave to bring in the Bill that night, but would endeavour to bring it in to-morrow.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow*, at Two of the clock.

Committee to sit again *To-morrow.*

RAILWAY PASSENGER DUTY, &c. (*re-committed*) BILL.—[Bill 255.]

(*Mr. Chancellor of the Exchequer, Mr. Chamberlain, Sir Arthur Hayter.*)

COMMITTEE (ON RE-COMMITMENT).

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the

Chair."—(*Mr. Chancellor of the Exchequer.*)

SIR EDWARD WATKIN said, he wished to ask a question upon something more than Privilege. This Bill proposed to give to the Board of Trade, under certain conditions, power to restore a tax which Parliament, by the Bill, abolished; and the question he wished to ask was, whether it was Constitutional that power should be given to a Department to re-impose a tax which Parliament had abolished, without special permission being given by Parliament to do so; whether, in fact, the proposal did not, practically, vest in a mere Executive Department the taxing power belonging to Parliament alone? He had requested the right hon. Gentleman the Chancellor of the Exchequer to give the House, at least, an evening for this matter; but the right hon. Gentleman said he should bring the Bill on at any hour, and under any circumstances, and he was now ruthlessly carrying out that intention. He (Sir Edward Watkin) desired, therefore, to ask whether the proposal now to be made was Constitutional?

MR. SPEAKER: This is a matter not of Order or Privilege. It is a matter entirely for the discretion of the House; and I have no ground for interfering if the right hon. Gentleman the Chancellor of the Exchequer or the House thinks proper to proceed with the Bill.

MR. WARTON said, he wished to ask the right hon. Gentleman the Chancellor of the Exchequer what was the position of those season ticket holders who had paid for their tickets a few months ago, and the 1*s.* duty upon them? What would be their position with regard to the rest of the year? Would the duty be refunded, or were the Railway Companies to be allowed to put the money in their pockets?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS), in reply, said, he did not know whether that was a proper question on going into Committee; but he should say that it was a matter entirely between the ticket holders and the Company.

Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Abolition of passenger duty for cheap trains, and reduction on urban traffic).

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, the hon. Member for Stirlingshire (Mr. Bolton) had the two following Amendments to this clause upon the Paper:—In page 1, line 9, after "one penny per mile," insert "for the distance calculated under any Act of Parliament;" and in line 12, at end, add—

> "Provided, That any section of a railway, in respect of which special or exceptional charges have been authorized by Parliament, shall, for the purposes of this enactment, be treated as a separate railway,"

both of which he (Mr. Childers) recognized as just; and, therefore, he should propose, instead of the hon. Member's Amendments, to introduce a new clause having exactly the same effect. That would be the more convenient course, as the Amendments affected the whole Bill rather than one clause.

SIR EDWARD WATKIN said, that before the clause was agreed to, it would be very satisfactory to know what the Amendments of the right hon. Gentleman were. It was a quarter past 2 in the morning, and Government was at that hour proposing to sequester the rights of £250,000,000 of Railway property.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, they would be exactly to the same effect as those of the hon. Member for Stirlingshire, except that they would take the form of a separate clause. If they were inserted in the clause under notice they would only affect that clause; but, as a separate clause, they would affect the whole Bill in the interests of the Companies.

Clause *agreed to.*

Clause 3 (Provision for proper third class accommodation and workmen's trains).

Amendment proposed, in page 2, line 14, leave out "eight," and insert "seven."—(*Mr. Bolton.*)

Question proposed, "That the word 'seven' stand part of the Clause."

MR. CHAMBERLAIN said, he could not assent to the Amendment. There were many cases in which 7 o'clock was too early for workmen's trains. In many industries the work hardly commenced before 8 o'clock, or even 9; and 8 o'clock, he thought, was a very fair compromise, which he hoped would be accepted.

Sir EDWARD WATKIN wished to know what power the Government really intended to retain to the Board of Trade? Did they intend that the Board of Trade should have power to put on as many workmen's trains, and at any times of day or night as they chose? If so, it was obvious that, while supporting the Corrupt Practices Bill, they were giving power, in the event of a General Election, to a Department to corrupt constituencies, by enabling that Department to give something to popular demand at the cost of the railway proprietor. What was this power? He wished to understand the extent of the power which the Board of Trade proposed to take.

Mr. FRANCIS BUXTON said, he was anxious that the working people should get the greatest possible benefit from the abolition of the railway passenger duty. The Board of Trade would have power, under the Bill, to get concessions from the Railway Companies for more cheap trains, and for the running of cheap trains at more convenient hours. He would like to ask the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) whether, in the concessions which he would be able to get from the Railway Companies under the Bill, he proposed to take power to obtain advantages for the public as to the two points which were suggested by Major Marindin, in his Report to the Board of Trade on the question of workmen's trains on the Metropolitan lines? He referred to the two points which Major Marindin specially mentioned as calling for improvement. Those points were, that more information should be given in the official timebooks as to the times at which workmen's trains were run, and that bills giving similar information should be placed in prominent positions in the stations of the Companies. He (Mr. F. Buxton) believed that this was a question of great importance, and that, if more information could be obtained as to workmen's trains, those trains would be much more greatly used than at present. He would also like to know whether the right hon. Gentleman would take power to get from the Railway Companies a concession as to the issue of weekly as well as daily tickets by cheap workmen's trains? On many of the lines it would save time, and would be a great convenience to the working classes who used the trains. Major Marindin believed that the difficulties of overcrowding and the want of more trains might be met in one or more of the following ways. First, by increasing the number of trains; secondly, by adding to the length of them; and, thirdly, by running trains made up entirely of third-class carriages, and used as workmen's trains only. If, before they passed the 3rd clause, the right hon. Gentleman the President of the Board of Trade would tell them what line he would follow in getting these concessions from the Railway Companies it would greatly facilitate the discussion.

Mr. CHAMBERLAIN said, he would answer the questions asked him from opposite interests in this matter. In regard to the question of the hon. Baronet (Sir Edward Watkin), he thought a perusal of the Bill would give the hon. Baronet the information he desired to have. The hon. Baronet asked what power the Board of Trade would have under this Bill. Clearly, after inquiring whether or not a sufficient number of workmen's trains had been provided on any of the lines, if they found the accommodation provided was insufficient, they would have power to secure increased accommodation. The hon. Baronet ingeniously suggested that such power might be used in order to corrupt constituencies. There was, at all events, this safeguard against anything of that kind. The Railway Company would have the right of appeal to the Railway Commissioners; and it would only be after the decision of that tribunal that the Board of Trade would be able to enforce a demand for more accommodation. In answer to his hon. Friend the Member for Andover (Mr. F. Buxton), he had to say that if Railway Companies were running workmen's trains, it would be to their advantage and to their own interest that they should provide, and the Committee might rely on their providing, due and proper accommodation. The question of weekly tickets was a matter of detail, in respect of which they had not thought it right to impose statutory obligation on the Companies. He thought, however, the subject was one well worthy the consideration of Railway Companies.

MR. BOLTON regretted that the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) had not thought fit to accept the Amendment proposed. It was with some reluctance that he asked leave to withdraw it.

Amendment, by leave, *withdrawn.*

On the Motion of Mr. BOLTON, the following Amendments made:—In page 2, line 17, leave out "if they think fit;" line 18, leave out "shall;" line 24, after "accommodation," insert "or workmen's trains;" line 25, leave out "is" and insert "are;" line 27, after "accommodation," insert "or workmen's trains;" and in line 31, after "accommodation," insert "or workmen's trains."

MR. FRANCIS BUXTON moved, as an Amendment, to leave out all the words after the word "order," in line 33, to the end of the clause, and to insert—

> "Such Company shall forfeit to Her Majesty a sum not exceeding twenty pounds for each day during which such refusal, neglect, or evasion shall continue."

He said the object of the 3rd sub-section of the 3rd clause was to impose a penalty on any Railway Company which should not provide the extra accommodation required by the Board of Trade. The penalty that was proposed by the Bill was that the tax on the cheap trains, which, in the earlier part of the Bill, had been abolished, should be revived in the case of a delinquent Company by the action of the Board of Trade. The right hon. Gentleman the Chancellor of the Exchequer (Mr. Childers), in his speech on the introduction of the Budget, said he intended to abolish the passenger duty on cheap trains. It would be in the recollection of the Committee that those words were received with general approval by the Committee at the time. It was understood, however, that the abolition was to be a complete abolition of the duty on cheap trains. He (Mr. F. Buxton) believed that all those who, like himself, had had the honour of sitting on the Select Committee on Artizans' Dwellings must have been convinced, by the evidence adduced before the Committee, that the best way of dealing with overcrowding in large towns, and more especially in the Metropolis, was to give every facilities to the working classes to come in from the suburbs to their work by early and cheap trains. That, certainly, was the recommendation made in the Report of the Committee; and he believed it was the opinion of all the Members of the Committee. He was of opinion, from what the Committee were told, that the Great Eastern Railway Company and other Railway Companies had done all they could for the working men by giving them cheap trains, and that they could do no more, unless the duty on cheap trains were repealed. It was now proposed by the right hon. Gentleman the Chancellor of the Exchequer to abolish that duty in certain cases; and all who had the interests of the working classes at heart would thank the right hon. Gentleman for the very great step he had taken in the direction, as he (Mr. F. Buxton) hoped it was, of the total abolition of the passenger duty. It was quite true that the right hon. Gentleman told them, in the Budget speech, that he did not intend to move in the direction of total abolition; but, whatever might be the right hon. Gentleman's individual wishes on the point, it could hardly be doubted that the Committee would look upon what was now being done as a step in that direction. He supposed there were reasons why the Chancellor of the Exchequer had attempted to deal with the question in this Bill. It was conceded on all hands that every opportunity should be given for the accommodation of the working classes; but he (Mr. F. Buxton) believed that the Board of Trade and the Board of Inland Revenue had found great difficulty in levying the tax in a fair and equitable manner on the different Railway Companies, owing to the running of cheap trrins. He was sorry to detain the Committee; but he was anxious to do all he could to put his Amendment in the most favourable light. The Amendment he proposed was in the direction of enforcing a different penalty to that which the right hon. Gentleman the Chancellor of the Exchequer had proposed. The right hon. Gentleman had arranged that, in the case of a Railway Company not giving the required accommodation, the tax, which in the earlier part of the Bill had been abolished, should be revived. The right hon. Gentleman would thereby revive all the difficulties of the tax which the Board of Trade had had to deal with; and he would not be abolishing the tax at all as he promised, in his Budget speech, he intended to do. He (Mr. F. Buxton) proposed that, instead of reviving the tax, a fine should be levied on the Railway Company for every day during which the requirements of the Board of Trade were not fulfilled. In his Amendment he had used the words which were employed in the Cheap Trains Act of 1844. Under that Act, the Railway Companies had to make certain concessions, and if that provision were not complied with they had to forfeit to Her Majesty a sum not exceeding £20 for every day the "refusal, neglect, or evasion" continued. He had thought it well to use these exact words, and he now submitted the proposal to the judgment of the Committee.

Amendment proposed,

In page 2, line 33, after "order," to leave out to the end of the Clause, and insert "such Company shall forfeit to Her Majesty a sum not exceeding twenty pounds for every day during which such refusal, neglect, or evasion shall continue."—(*Mr. Francis Buxton.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. CHAMBERLAIN said, he was rather surprised that the hon. Member for Andover (Mr. F. Buxton) had moved this Amendment, considering the view he entertained on the subject. What the hon. Gentleman desired was to make it absolutely certain that the Railway Companies would provide reasonable and sufficient accommodation. In case of refusal, the provisions of the Bill would impose a far greater penalty than the hon. Gentleman now suggested. There would, in fact, be a tremendous penalty imposed upon Railway Companies if they neglected to comply with the requirements of the Board of Trade. He believed that, as a matter of fact, the London and North Western Railway Company paid in passenger duty as much as £80,000 a-year. For that penalty, his hon. Friend the Member for Andover proposed to substitute a much lesser one—namely, £20 a-day. In the interest of his clients, the hon. Member would do well to leave the clause as it at present stood.

Sir EDWARD WATKIN said, the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) had now let the cat out of the bag, for he had admitted that what he wished was that, in the case of the London and North Western Railway Company, for instance, he should be able to impose as large a fine as £80,000 a-year upon them if they did not obey his orders. He (Sir Edward Watkin) did not think it was consistent with Constitutional liberty that a Department of the Government should have power, rightly or wrongly, without appeal, to fine the shareholders of the London and North Western Railway Company £80,000 a-year.

Mr. CHAMBERLAIN begged the hon. Baronet's (Sir Edward Watkin's) pardon. He did not say anything of the kind. He did not say he desired to have power to fine the London and North Western Railway Company £80,000 a-year. What he said he desired to have was power to make it absolutely certain that the London and North Western Railway Company and other Railway Companies should fulfil the obligations imposed upon them by this Bill. As a matter of fact, a distinct appeal to the Railway Commission was granted.

Mr. FRANCIS BUXTON said, he merely wished, by means of this Amendment, to raise the question whether the tax should be revived or not. The right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) said the punishment that he (Mr. F. Buxton) proposed to inflict would not be as severe as that provided by the Bill itself. He should have thought, however, that the Board of Trade would have been able to have gained the object in view just as much by the provisions of his Amendment as by a revival of the tax. He should, therefore, take a Division, with the view of insisting on the total abolition of the tax.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, he hoped the hon. Gentleman the Member for Andover (Mr. F. Buxton) would not press his Amendment to a Division, as he threatened. If a Railway Company deliberately and intentionally failed to carry out the requirements of the Board of Trade, was it not better that that Company should be put outside the privileges conferred by the Bill? It was only in cases of deliberate violation of the law that the tax would be revived. He thought the Committee would make a great mistake if they accepted the Amendment.

SIR EDWARD WATKIN said, he must deny that the question raised was one of the violation of the law. It was a question of the violation of the orders of the Board of Trade. As a matter of fact, the Board of Trade were to be the law in future. They were no longer to have Acts of Parliament; but to have the views of the Board of Trade carried out just exactly as its President pleased, without the chance of any appeal against them.

MR. FRANCIS BUXTON said, that, if the hon. Baronet (Sir Edward Watkin) did not feel inclined to vote with him, he would not put the Committee to the trouble of a Division. He would, therefore, ask permission to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

New Clause (Provision as to special mileage and exceptional charges,)—(*Mr. Chancellor of the Exchequer,*)—*brought up,* and read the first time.

Motion made, and Question, "That the Clause be read a second time," put, and *agreed to.*

Clause *agreed to,* and *added* to the Bill.

Bill *reported;* as amended, to be considered *To-morrow,* at Two of the clock.

ISLE OF WIGHT HIGHWAYS BILL.

(*Mr. Hibbert, Mr. George Russell, Mr. Ashley, Sir Charles Dilke.*)

[BILL 268.] SECOND READING.

Order for Second Reading read.

MR. HIBBERT, in moving that the Bill be now read a second time, said, it was merely an amendment of the Isle of Wight Highways Act, which had been in operation for 70 years. The Isle of Wight had not troubled Parliament very much; and, as the proposal of the Bill was merely to put the Island on an equality with other parts of the Kingdom in regard to the management of its highways, he hoped the House would agree to the second reading.

Motion made, and Question, "That the Bill be now read a second time,"—(*Mr. Hibbert,*)—put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

FRIENDLY, &c. SOCIETIES (NOMINATIONS) BILL.—[BILL 264.]

(*Mr. Stuart-Wortley, Mr. Burt, Mr. Albert Grey, Mr. H. S. Northcote.*)

CONSIDERATION.

Order for Consideration, as amended, read.

Bill, as amended, *considered.*

Clause 10 (Direction to give notice of interest nominated over £50 to the Commissioners of Inland Revenue. Nomination or payment under this Act not to affect the liability to probate duty).

MR. H. S. NORTHCOTE said, that, on behalf of the hon. Member for Sheffield (Mr. Stuart-Wortley), he wished to move, in page 4, line 10, after the word "otherwise," to insert "under this Act." It was not necessary to detain the Committee for any length of time upon this Amendment, which was merely a verbal one.

Amendment proposed, in page 4, line 10, after "otherwise," insert "under this Act."—(*Mr. H. S. Northcote.*)

Question proposed, "That those words be there inserted."

MR. COURTNEY said, he would assent to the Amendment; but the hon. Member must not for a moment assume that the Amendment was merely a verbal one. It was a most substantial and important Amendment, and one which he (Mr. Courtney) thought would dispose of the objection taken to the Bill by the hon. Member for Morpeth (Mr. Burt).

Question put, and *agreed to;* words *inserted* accordingly.

MR. BURT said, he wished to move, as an Amendment, in line 11, after the word "of," to insert "Probate or Letters of Administration or." He thought that if the hon. Gentleman the Secretary to the Treasury could accept the Amendment, it would prevent cases of hardship, and soften the objection of the Saving Banks to the clause.

Amendment proposed, in page 4, line 11, after the word "of," to insert the words "Probate or Letters of Administration or."—(*Mr. Burt.*)

Question proposed, "That those words be there inserted."

Mr. COURTNEY said, he was sorry the hon. Member (Mr. Burt) had moved the Amendment, as he (Mr. Courtney) had hoped that the hon. Member would have been satisfied with that moved on behalf of the hon. Member for Sheffield (Mr. Stuart-Wortley), which met the difficulty in the case. He thought it was a very proper precaution, under this Bill, with regard to limited payments, that they should have receipts; and he could not accept the words of the hon. Member.

Mr. TOMLINSON said, he was certain that great conflict would arise if these words were not inserted.

Mr. WHITLEY said, he agreed with the hon. Member (Mr. Tomlinson), and could not see any objection to these words.

Question put.

The House *divided*:—Ayes 22; Noes 46: Majority 24.—(Div. List, No. 236.)

Bill read the third time, and *passed*.

PAROCHIAL CHARITIES (LONDON) (*re-committed*) BILL.—[Bill 215.]

(*Mr. Bryce, Mr. Pell, Sir Henry Peek, Mr. Walter James, Mr. Cohen, Mr. Horace Davey.*)

COMMITTEE (ON RE-COMMITMENT).

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Bryce.*)

Mr. ILLINGWORTH said, he hoped his hon. Friend (Mr. Bryce) would not persevere with the Motion at that hour of the morning. The hon. Member was quite mistaken in supposing that this was an unopposed measure. There had been no adequate discussion of its principle, which was a mistake, because it was one affecting great interests in the City. Though it was a Bill for the reform of London Charities, its proposal was to confer powers on Commissioners and officers who themselves required reforming; and, for his own part, he thought that, bad as the state of things in the City in regard to these Charities was, it would be more desirable to allow them to remain as they were than to make the alteration in the law proposed in the Bill. A year's delay in this matter was not to be deprecated, and it would be much better than allowing these things to be rushed through Parliament. He could not congratulate his hon. Friend upon the provisions of the Bill; and he should like to have some assurance that the objection he took to them would be in some way met. If such an intimation were made to him, he should be glad, as he was sorry to be obliged to have to detain hon. Members, at nearly 3 o'clock in the morning, by discussing the Bill. If he received no intimation from the hon. Member, it would be necessary for him to move the Adjournment of the Debate before he sat down, and to point out some of the objections which, to his mind, existed against the scheme. At the proper time, there would be a question to be raised as to the composition of the Charity Commission. It was impossible that that Commission, as at present constituted, could possess the confidence of either London or the country. The Bill proposed to confer upon them very large powers, and there was to be an increase of the Commissioners for the time being; and, to his mind, there should be some understanding that that Commission should be better composed before the Bill was allowed to pass. His hon. Friend was proposing to reform these Charities; but, as a matter of fact, he was leaving more than half the funds to remain unreformed, and was, therefore, guilty of a retrograde step. His hon. Friend was going to hand over an immense amount of property to the Ecclesiastical Commissioners; and he (Mr. Illingworth) ventured to say that there was no Department of the Public Service about the utility of whose functions there was so much obscurity and so much doubt. The Report of that Commission was never examined in that House, and large amounts of money were distributed by few individuals, who were in no real sense responsible for their action to the House of Commons. He should be sorry to load that Department, therefore, with additional duties, and to place in its hands still larger ecclesiastical patronage. They had no reason to think that those interested in these Charities in the City were alive to what the Bill proposed to do. In reality, the discussions upon this measure had taken place at such an hour in the morning that there had been no reports of them in the newspapers. Therefore, this great Metropolis was ignorant of what was being done in its behalf. For these reasons, and for others which he would urge at a more suitable time, he would venture to move that the debate be now adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Illingworth.*)

MR. BRYCE said, he would not defend the merits of the Bill just now; but as to rushing the measure through, he wished to say that the Bill was brought in in 1881, and was debated for a considerable time on a Wednesday afternoon. It had gone to a Select Committee, which sat 17 or 18 days upon it. It came down to the House in 1882, and it was again referred to a Select Committee. It, therefore, came now, for the third year, before Parliament with the sanction of two Select Committees, and having had a great deal more discussion than Bills of this nature usually received. It affected the interests of 4,000,000 of people, to whose benefit it proposed to apply about £200,000 per annum. He would ask the House whether progress should not be made with the Bill, instead of their allowing it to be delayed, in consequence of some abstract proposition of the hon. Gentleman (Mr. Illingworth), who did not like the Charity Commissioners.

MR. SHAW LEFEVRE said, he hoped that the hon. Member for Bradford (Mr. Illingworth) would withdraw the Motion for the Adjournment of the Debate, and that the hon. Gentleman (Mr. Bryce) would then content himself with getting the Speaker out of the Chair. The Bill had been seriously considered on several occasions; in fact, no Bill had ever passed the House which had been so materially considered in all its bearings. The hon. Member (Mr. Bryce) had now an opportunity of advancing it a stage; and he, therefore, thought it would be hard to deprive him of it.

MR. R. N. FOWLER said, that, although the Bill had come on at a late hour, and no reports of the discussion could appear in the papers, it was a fact that it had been discussed in the City, and that in the Metropolitan districts the public were alive to its nature.

MR. W. H. JAMES said, the question had been more or less before the House and the country for 16 years. So far back as 1866 the very great evils pertaining to the question of these Parochial Charities were brought before the Government, and several times subsequently the matter had been broached in the House. As the opportunities private Members had of advancing Bills were very meagre, he trusted that the hon. Member (Mr. Illingworth) would not press the House to go a Division upon his Motion.

MR. WARTON said, in fairness to the hon. Member for the Tower Hamlets (Mr. Bryce), he must say that he hoped the hon. Member for Bradford (Mr. Illingworth) would withdraw his Motion. He said that in fairness to the hon. Member for the Tower Hamlets, as he recognized in the hon. Member an honourable and gallant opponent. He (Mr. Warton) had opposed the Bill most heartily in 1881 and 1882; he had for a long time blocked it, with the object of coming to a certain arrangement with the hon. Gentleman. The hon. Member had, at length, consented to an arrangement; and if he (Mr. Bryce) would keep his word, he (Mr. Warton), on his part, would adhere to his pledge.

MR. LYULPH STANLEY sympathized with what had fallen from the hon. Member for Bradford (Mr. Illingworth) as to the desirability of not pressing on this Bill. The Bill was the result of a compromise which had been arrived at; and many hon. Members were disposed to agree to it, lest, by-and-bye, what they considered worse changes should take place. There had been a sop of £80,000 a-year given to the Church of England to buy them off. The Bill was a most important one, dealing with the Charities of the City of London——

MR SPEAKER: The Adjournment of the Debate having been moved, the hon. Gentleman is out of Order in speaking to the principle of the Bill.

MR. LYULPH STANLEY said, he would suggest to his hon. Friend the Member for Bradford that, seeing, from what they could gather, that the general feeling of the House was in favour of Mr. Speaker leaving the Chair, he should withdraw his proposal. He (Mr. Stanley) entirely sympathized with the hon. Member; but it would be well to withdraw the Motion for Adjournment if they got a promise that on whatever night the Committee stage was taken they would not be expected to sit up for an indefinite length of time—at any rate, not later than 1 o'clock—to discuss it.

Question put, and *negatived.*

Original Question put, and *agreed to.*

Bill *considered* in Committee.

Committee report Progress; to sit again *To-morrow.*

House adjourned at Three o'clock.

HOUSE OF LORDS,

Friday, 27*th July*, 1883.

MINUTES.]—Public Bills—*First Reading*—Electric Lighting Provisional Orders (No. 1)* (157); Electric Lighting Provisional Orders (No. 4)* (158); Electric Lighting Provisional Orders (No. 6)* (159); Electric Lighting Provisional Orders (No. 7)* (160); Electric Lighting Provisional Orders (No. 9)* (161); Electric Lighting Provisional Orders (No. 10)* (162); Electric Lighting Provisional Orders (No. 11)* (163).

Second Reading—Consolidated Fund (No. 4)*.

Committee—Report—Prison Service (Ireland)* (145).

Report—Companies Acts Amendment* (148).

Third Reading—Sea Fisheries (Ireland)* (146), and *passed.*

LONDON COMMISSIONERS OF SEWERS (VENTILATION OF RAILWAYS) BILL AND METROPOLITAN BOARD OF WORKS (DISTRICT RAILWAY) BILL.

MOTION FOR INSTRUCTION TO THE COMMITTEE. [ADJOURNED DEBATE.]

Order of the Day for resuming the Adjourned Debate on the Motion of the Lord Wemyss; viz.—

> "That in view of the fact that many millions of the working classes of London are compelled habitually to travel on the Metropolitan District Railway, and that their health and convenience is greatly dependent upon the improved means of ventilation recently provided by the railway company under powers granted by Parliament after full inquiry before Committees of both Houses, it be an instruction to the Committee to whom the said Bills are referred to allow the attendance before them and take the evidence of the representatives of the London Trades Council, and such other associated bodies as the Committee may desire, in order that the case of the working men may be fully heard, provided a petition from such council or other associated bodies be presented to the House;"

read.

The Earl of WEMYSS, in moving to discharge the Order for the Adjourned Debate, said, he had received a letter from Mr. Shipton, the Secretary of the London Trades Council, announcing that an arrangement had been made to enable that body to be heard before the Committee, and thanking their Lordships for their grateful recognition and generous reception of the proposition made on their behalf in this matter.

Moved, "That the said Order be discharged."—(*The Earl of Wemyss.*)

On Question? *Resolved* in the *affirmative.*

Order *discharged.*

PUBLIC HEALTH — PRECAUTIONS AGAINST CHOLERA.—QUESTION.

Earl DE LA WARR asked the Representative of the Local Government Board, Whether it was the intention of Her Majesty's Government to take any steps, by imposing quarantine or otherwise, to guard against the introduction of cholera into this country? The noble Lord could, perhaps, state whether the sanitary authorities of any port had the power of imposing quarantine; also, as regards restrictions upon the importation of rags from Eastern ports, by which the infection might be introduced; also, if there was any truth in the report that a fatal case of cholera had occurred in Wales, and one also at the London Docks?

Lord CARRINGTON: My Lords, with regard to the first Question of the noble Earl, I think I had better read to the House the opinion of the Medical Officer of the Privy Council, Mr. Simons. Mr. Simons, in 1879, pointed out that—

> "A quarantine which is ineffective is a mere irrational derangement of commerce, and a quarantine of the kind which insures success is more easily imagined than realized. . . . . Quarantine purporting to be effectual cannot rest satisfied with excluding from entry such persons as are obviously sick, but indispensably for its purpose must also refuse to admit the healthy till they shall have passed in perfectly

non-infectious circumstances at least as many days of probation as the disease can have days of incubation or latency . . . . In 1832-3, when some sort of quarantine against cholera was adopted here, the results gave no encouragement to a repetition. . . . . The thought of quarantine in England became more and more obsolete, and the possibility of enforcing it, if ever so much desired, fell more and more towards nothingness. . . . . I dare say that quarantine in England was never otherwise than very lax. At all events, for many years past it has, in a medical sense, been abolished. . . . . England, which long ago abandoned the system as of any avail against cholera, has now the consent of most European nations (as expressed by their Delegates to the Vienna Conference of 1874), in preferring for the defence of her ports another system which, under the name of 'medical inspection,' aims at obtaining the seclusion of actually infected persons, and the disinfection of ships and of articles that may have received infection from the sick."

Under these circumstances, I think I may say that the Government has no intention of returning to the quarantine system. With regard to the latter part of the noble Earl's Question, I may say that there is nothing in the record of deaths from aggravated cases of diarrhœa to cause any uneasiness. Three cases since the disease has appeared in Egypt have been specially reported. The first was that of a man employed to clean sewers at Shoeburyness on July 8; the second, a stableman, at Kensington, on July 17; the third, a fatal case in Wales, on the 25th of July. There is no reason whatever for supposing that the cholera of the nature that attacked Egypt is present in London.

EGYPT—CHOLERA AMONGST BRITISH TROOPS.—QUESTION.

Lord ELLENBOROUGH asked whether the Government had any further information to communicate to the House in reference to the number of British soldiers attacked with cholera in Egypt?

The Earl of MORLEY: My Lords, I am sorry to say that the information the noble Lord desires had not arrived when I left the War Office; but I will read to the House the latest telegram on the subject—

"From the General Officer commanding in Egypt, to the Secretary of State for War. Dated Cairo, July 27. (Received 27th of July.) Health of Cornwall Regiment improving. Total admissions for cholera — two officers and 34 men. Deaths—two officers and 23 men. Deaths since yesterday's telegram—Lieutenant Croft, R.A., and eight men, whose names and numbers will be given."

PARLIAMENT — PALACE OF WESTMINSTER — HOUSE OF LORDS — THE PEERS' ROBING ROOM.

OBSERVATIONS.

Lord MOUNT-TEMPLE said, the Robing Room was the only part of the Westminster Palace in which the wall paintings were left in a fragmentary and lop-sided condition, urgently requiring completion. The subjects to be illustrated in this apartment were Law and Judgment; the Law given on Mount Sinai; the Beatitudes delivered on the Mount; the Judgment of Daniel and of Solomon; only half were on the walls. Although Mr. Herbert had no legal claim, he was the proper person to receive the commission, as long as his powers of execution continued. He had devoted many years of anxious and laborious study to the designs of the remaining pictures, and to the accumulation of appropriate materials. His "Moses" had impressed multitudes, and had commanded the admiration of the most competent authorities; and it would not be easy to fix upon anyone to whom the commission could so safely be intrusted.

Lord LAMINGTON said, he thought that Mr. Herbert had been very badly treated in this matter. On the understanding that he was to execute the whole of the paintings for the Peers' Robing Room, Mr. Herbert had devoted much time to the study of the subjects for those pictures. He had, moreover, refused some very good offers of commissions from the Colonies, and also from Berlin; and now it appeared that after all his studies and preparations the agreement entered into with Mr. Herbert was not to be carried out.

Lord THURLOW, in reply, said, he feared he should be compelled to enter into some details in order that their Lordships might be able to form a correct judgment on the matter. The circumstances of the case, so far as they could be gathered from the Correspondence in the Office of Works, were as follows:—The Fine Arts Commissioners in 1850 entered into an agreement with Mr. Herbert, whereby he was to paint a series of nine pictures at a cost of £9,000. The time for completion was to be not less than 10 years. The estimated proportional cost of these pictures varied. The large one of "Moses coming down from the Mount" was put at £2,000. The "Judgment of Daniel" at £1,800. The "Judgment of Solomon" at £1,800, and "Daniel in the Lions' Den" at £566. Mr. Herbert was to paint these pictures in the Peers' Robing Room; but it was not until 1858—that was to say, eight years after the agreement was signed—that the room was completed in its interior decoration and ready for his occupancy. In 1863 the Fine Arts Commission dissolved, and it then devolved upon the Office of Works to carry on the arrangements in this matter. In 1864 Mr. Herbert, who had completed the great picture of "Moses coming down from Mount Sinai," asked for a reconsideration of the remuneration he ought to receive by reason of his having to adopt instead of fresco painting, which had proved a failure, the newly-discovered process of water glass painting, which would lead to an indefinite prolongation of the time, labour, and necessary cost of completing the work. The matter was referred to the Treasury, which ordered an inquiry into the arrangements made between Mr. Herbert and the Fine Arts Commissioners. This inquiry resulted in a sum of £3,000 being given to Mr. Herbert, in addition to the £2,000 already paid to him for the Moses picture; and a further agreement was made in the early part of 1866 for the completion of the "Judgment of Daniel." By this agreement it was stipulated that £4,000 in all was to be paid for that picture, and it was to be completed within three and a-half years from that date. The original agreement for the series of nine paintings was then cancelled by a Treasury letter, and Mr. Herbert gave a distinct assurance that he would make no further claim unless the other pictures were proceeded with under a fresh contract. Although, under the agreement of 1866, the "Judgment of Daniel" was to be completed in 1869, it was not until 1880, and after considerable pressure had been brought to bear upon Mr. Herbert from various quarters, that the picture was finally completed and handed over to the First Commissioner of Works. Under these circumstances, and inasmuch as the water glass process, which had been adopted, not only proved very much more costly in execution than the previous fresco painting that had been contracted for, but also caused an indefinite amount of delay, he regretted that it was not in his power to hold out to the noble Lord any assurance, or, indeed, any hope that the Office of Works would now call on Mr. Herbert to execute the original designs.

LORD EMLY said, he deeply regretted the course taken by the Office of Works. The work that had been already executed by Mr. Herbert was a credit to him and also to the country; and it was a great pity that for the sake of some further small sum of money they should not take advantage of Mr. Herbert's great ability and of the studies which he had made. He thought it a disgrace to leave the Robing Room in its present unfinished state. No doubt, Mr. Herbert had no legal claim upon the Government for the completion of the work; but he thought he ought to be dealt with generously, considering he had refused other orders so that he might undertake this work, including an order from the Colony of Victoria worth £11,000. For the sake of Art, for the sake of the dignity of that House, and on account of the moral claim which Mr. Herbert had, he deeply regretted the answer given by the noble Lord.

THE EARL OF CARNARVON said, he agreed with the observations of the noble Lord who had just sat down. He trusted the Government would reconsider this question, and not adopt a view which would be singularly ungenerous to Mr. Herbert, and inexpedient in a public point of view. On the noble Lord's own showing, the delays in the completion of the pictures were mainly due to the adoption of the new process in painting, which was urged upon Mr. Herbert by the late Prince Consort, which Mr. Herbert undertook at great expense, and which led him to repaint the Moses picture. When the question of Mr. Herbert's remuneration came before the House of Commons, the feeling was so strong in favour of the work that both Parties urged an increase of price; and he believed Mr. Bright himself pressed upon the Government the desirability of increasing the price of the work. Both on the grounds of fairness to Mr. Herbert, and of public expediency, he thought it would be a great misfortune if the pictures were not completed. He believed that the principle upon which the agreements with Mr. Herbert were entered into was that he should be the person to complete the work; and he thought Mr. Herbert had a strong claim upon the ground of the time and labour employed, and of the devotion with which he had undertaken the work. Those who knew Mr. Herbert were aware that he had thrown himself heart and soul into that work, and had, indeed, sacrificed private interests to it. He himself knew of instances in which Mr. Herbert had declined lucrative commissions in order that he might be able to devote himself to this work. He desired to make the following suggestion. The walls of the Robing Room were divided into four large panels and three or four smaller ones. Two of the large panels had been filled in, one with "Moses on Mount Sinai," and the other with the "Judgment of Daniel." Two remained to be completed, and successive Governments had paid Mr. Herbert a slight instalment of his remuneration for the work. He would propose that one, if not two, of these great panels should be completed. Lately they had had different kinds of pictorial ornamentation, some good, some bad, and some indifferent; but the general *consensus* of opinion was that Mr. Herbert had a style essentially his own, which qualified him to rank with the greatest painters of the time of Henry VIII.; and no other hand than his ought to be allowed to interfere with the work which he had begun. His work was acknowledged to be very good, and it would be a thousand pities if it should be allowed to fall into ruin in order to save a little expenditure. The Chairman of Committees was accustomed to sit in their Lordships' Robing Room, and the work which he transacted there was a remarkable contrast in its dryness to the pictures on the walls. The same contrast existed in the great Council Chambers of Italy, where, in former times, politicians and merchants transacted their business. Mighty Governments had passed away, and the merchants had gone to dust; but on the walls the great pictures of Saints and Angels remained, to delight the present generation. In the same way the pictures in their Lordships' House were designed to exist for a long time; and he, therefore, strongly urged that they should be completed and maintained in their harmonious integrity, unharmed and unspoiled by the inconsistencies of any other band.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, he thought it would be only fair to Mr. Herbert to allow him to execute, at least, one other picture on the wall opposite to the "Judgment of Daniel."

IRISH LAND COMMISSION.

MOTION FOR RETURNS.

THE MARQUESS OF WATERFORD, in rising to call attention to the evidence taken by the Select Committee appointed to inquire into the working of recent legislation in reference to land in Ireland; and to move—

> "That there be laid before this House, Returns, giving in each case decided by the Sub-Commission Courts, the old rent, the judicial rent, the poor law valuation, the landlord's valuation, the tenant's valuation, and, in cases heard on appeal, adding the appeal rent and the court valuer's valuation,"

said, that the evidence on this question had been in the course of collection since the month of March in last year, and was of a most varied character, teeming throughout with extraordinary and interesting matter. He felt how impossible it was for him to deal with every point that had been brought before their Lordships' Committee in anything like a reasonable time; and he should, therefore, only attempt to draw attention to the main points of the evidence. The Land Act of 1881 had undoubtedly been a new departure, not only as regarded the tenure of land, but also as regarded the manner in which the so-called Courts of Law were to deal with a novel law in an entirely novel manner. From the evidence given before their Lordships' Committee, one would almost be led to suppose that the Act not only instituted a new law, but also introduced a new arrangement as to the manner in which legal tribunals were to deal with the subjects brought before them, which, up to the present, had been considered the giving of impartial justice to all litigants. The first point he had to call attention to in this connection was the evidence tendered about the Chief Commissioners themselves. Within the last day or so those gentlemen had published an answer to the fourth Report of their Lordships' Committee, in which they had attempted to explain some of the statements which had been made, and to give a denial to others. The Report had been framed on the evidence which their

Lordships' Committee had gathered from the Sub-Commissioners, who acted under the Chief Commissioners, and also, to a large extent, from the counsel who practised in the Courts. The Chief Commissioners had merely attempted, in their answer, to explain or deny the statements which were contained in the Report, without producing a tittle of evidence to contradict the testimony which had been placed before the Committee. That being the case, he could hardly think that that answer would be deemed satisfactory to a series of charges which would not have been entertained by the Committee if there had not been proof positive obtained from the gentlemen who had given evidence, and who over and over again had cited different occurrences and named the occasions on which they had taken place. The answer of the Chief Commissioners had entirely glossed over that fact, and had not attempted to disprove any one of the statements. If their Lordships read the answer of the Commissioners, they would, perhaps, agree with him that they had adopted the wisest course in not asking to be examined, because had they done so it would have been necessary for them to explain the circumstances, which had been put in clear language before the Committee. In their answer the Commissioners had found fault with the Committee for not having called more officials; but it had only been on account of the repeated objections of the Chief Commissioners themselves that more officials had not been called. They had also said that the fourth Report had been framed on hostile evidence; but when he looked over the list of witnesses examined between the third and fourth Reports, he found that out of the nine gentlemen examined, four were directly connected with the administration of the Land Act, three of them being Sub-Commissioners, and one an ex-valuer. He thought their Lordships were originally under the impression that the Chief Commissioners were bound to lay down rules and certain principles for the guidance of the Sub-Commissioners' Courts. It appeared, however, from the evidence that no principles of any kind had been laid down. Mr. Litton, in his evidence, said that the Chief Commissioners had had a conversation with the first Sub-Commissioners appointed, and that "if preposterous propositions were made as to the fixing of a fair rent, the Chief Commissioners rather smiled or laughed at them." That statement would be found in Answer 3,449. The Chief Commissioners had never attempted to correct the "preposterous propositions" which they had heard from Professor Baldwin were made, and had only sought to derive amusement from that which, to the landlords of Ireland at all events, was not a laughing matter. Mr. Litton had said that the Chief Commissioners had given no directions; but stated that if the Sub-Commissioners went wrong, they could be corrected on appeal. When, however, their Lordships came presently to hear how the appeals were heard, he scarcely thought they would believe that by that means there was much chance of correcting what took place. These Courts of Appeal proceeded in an entirely different manner from that adopted in the Sub-Commissioners' Courts. They did not visit the farms, but sent their valuer to do so, who arrived at a valuation without the slightest evidence before him, except what he happened to gather from hearsay or from the tenants. They refused to have their valuer cross-examined, they refused to re-open the evidence, and they did not allow the Report of the valuer to be placed before the counsel engaged in the case; but if his estimate happened to agree with the judicial rent which was appealed against, then the Court actually tried to check appeals by reading out the evidence of the valuer without stating the Report to the counsel engaged, and asked in open Court whether, under those circumstances, they dared or were inclined to go on. Mr. Hill Smith showed, in his evidence, that by terrorizing—he could not apply to it any other word — the counsel engaged in this matter, 27 appeal cases which landlords had been put to great expense to bring up were heard in five minutes. And what did he call it? A very excellent name—a solemn judicial farce—and he ventured to say that it could not be called a re-hearing by anybody, and not even by his noble Friend opposite (Lord Carlingford). There were certain principles which ought certainly to have been laid down, in order that there should be some equality in the decisions given. But the Chief Commissioner refused to give Professor Baldwin the information he demanded, and without which he did not think it was possible that the different Sub-Commissions could arrive at equal decisions; and Professor Baldwin went on to say — in Answer 1,015— that he thought it a frightful thing "to let us loose on the property of landlords and tenants without instructions," and that he would have resigned if it had not been for the fact that he had already given up an appointment to become a Sub-Commissioner, so horrified had he been at the course pursued. Mr. Holmes and Mr. Hill Smith stated, in their evidence, that they found the Court most reluctant to state a case for the High Court, and that it threw every obstacle in the way of doing so. They did not seem, by the evidence, to consider the time during which rent had been paid, the prices obtained for produce, the price at which the tenants' interest could be sold, or the facilities of railway communication; and by checking appeals and stopping them in the high-handed manner he had described, and which seemed to cause so much amusement to his noble Friend opposite (Lord Carlingford)— though he was afraid, if he had had to come before the Court, it would not have caused him much amusement—the landlords had been mulcted in heavy costs, and decisions were upheld which differed widely as to the reductions on exactly the same class of property. An extraordinary piece of evidence was put in by Mr. Hill Smith. He said that the first Sub-Commission came down to his estate and reduced the rents 7½ per cent. The tenants appealed, and the reductions were confirmed, Mr. Justice O'Hagan having stated in open Court that if the landlord had applied to have his rents raised it would have been done. Here was a Court which they were told was instituted to settle fair rents, and yet the Chief of that Court would not do so unless the landlord applied. But the most curious part of this evidence was this. After that statement a second Commission came to this same estate—the farms lying exactly side by side of each other—and, with identically the same evidence before them, reduced the rents from 23 to 27 per cent. And what happened before the Court of Appeal? The landlord appealed; but this case was confirmed by Mr. Justice O'Hagan and the Court of Appeal, with costs against the landlord, although Mr. Justice O'Hagan stated in the first case that there should be no further reduction. He could quite understand his noble Friend (Lord Carlingford) not believing it, because it seemed almost incredible—at the same time he was only stating facts. This was all the evidence he proposed to bring before them with regard to the Chief Commissioner, although there was plenty of the same class. He now came to the legal Sub-Commissioners. Very much stress had been laid upon the fact that upon each Sub-Commission a lawyer of high position was placed who would take care that the Land Act was administered according to the legal construction. Their Lordships would see from the evidence of Mr. Reeve how far that was done. Though he (the Marquess of Waterford) disapproved of the Act himself, yet he believed if it had been administered in a fair and impartial manner, as described by his noble Friend (Lord Carlingford), and the noble and learned Earl on the Woolsack, that not much of the hardship which had been experienced would have been caused by it to the large majority of landlords, for they had been acquitted by Mr. Gladstone, by the Bessborough Commission, and by the two noble Lords of whom he had spoken, who said that the Bill was to put down rack-renters only. But had it done so? Were all the landlords of Ireland rack-renters? If the Act had been fairly administered the rack-renters would have been the only persons who would have suffered. Though Mr. Reeve believed that the Act ought to be administered in the way he had stated, it would be found that nothing of the kind was done, at any rate in the other Courts; and there was strong evidence that Mr. Reeve was unable to carry out those principles even in his own Court. It was a curious thing that it should have been proved by a Sub-Commissioner that the legal Sub-Commissioner was a cipher in his own Court. Did his noble Friend think that was satisfactory?

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL): Who says so?

THE MARQUESS OF WATERFORD: Both Mr. Foley and Mr. Reeve. They both declared that those Commissioners were perfect ciphers in determining the rents; and Mr. Reeve stated that they depended largely upon the lay Sub-

Commissioners for the valuation, which he was unable to alter. If that was so, what was the use of the legal Sub-Commissioner? Mr. Foley said, in his evidence, that he could not tell whether the principles laid down in "Adams *v.* Dunseath" were carried out or not. Therefore, he must be a cipher in his own Court if he could not tell. But there was another reason, perhaps, for this. Mr. Foley said that Mr. Forster, who appointed him, told him he had nothing whatever to do with the valuation of the land. But it was on the valuation of the land that these Sub-Commissioners had to decide; and yet, if the lay Sub-Commissioners agreed as to the value, the legal Sub-Commissioners could not interfere. Mr. Foley went on to say that it was only in case of disagreement and of the evidence being all one way that he was able to remonstrate. Was that being anything more than a cipher? The most extraordinary answer given by Mr. Foley was the following—

> "I disposed my tribunal," he said, "in this way—I endeavoured to have on either side of me a gentleman whose proclivities were in favour of property."

Fancy a Court of Law constituted by gentlemen whose proclivities were not in favour of property! He further said—

> "I have one gentleman who is in favour of the tenant."

This was a Court of Justice! Mr. Foley further said he had to write to the Chief Commissioners to say that there was no representative of property on his Commission. He was happy to observe that Mr. Foley could add his representations were at once attended to. He could go on reading Mr. Foley's answers for a week, so interesting were they; but he should quote only one more, and it was most extraordinary—

> "Whenever I got a case in which the whole of the trustworthy evidence was in one direction, as I frequently did at Armagh, I used to say over and over again—'Are you sure you are doing right in this case?' The reduction seems to me, as a lawyer, to be very large; and," added Mr. Foley, "I could do no more."

This was a Court of Justice! The lay Colleagues of Mr. Foley constantly gave decisions against the whole weight of evidence—a thing most extraordinary in a Court of Law. These statements had been confirmed and intensified by the weight of evidence before the Committee; and in such circumstances he would like to ask their Lordships, and especially the noble and learned Earl on the Woolsack, whether Courts conducted upon those principles were likely to add much to the respect in which the legal tribunals of this country had been held by all classes; and whether there was anything more calculated to destroy or imperil the opinion which prevailed as to the impartial administration of the law than the statements he had read? The reason why questions of law did not arise was that the Sub-Commissioners merely fixed the rent without stating to the counsel engaged, or to their own legal Colleagues, the mode by which they arrived at it. As no principles were laid down, the result was that the Sub-Commissioners dealt with improvements on a perfectly different plan and scale; and, therefore, the most unequal rents were fixed on exactly the same quality of land. Professor Baldwin and Mr. Hill Smith said that these variations had produced and were producing great demoralization and dissatisfaction among the tenantry, were preventing agreements out of Court, and would inevitably lead to a fresh agitation. The Chief Commissioners, whose answers were published yesterday, admitted that uniformity of decision could not be expected under the Act. That was a curious thing to admit about Courts of Law. Mr. Chambré, an experienced land agent, stated that four different Sub-Commissioners came down to value land on the same property. The land was all of one class, and the evidence was the same in all four cases; but one Commissioner fixed the rent at 17*s.* 6*d.* per acre, another at 11*s.* per acre, another at 13*s.* per acre, and the fourth at 15*s.* per acre; and the most curious point of Mr. Chambré's evidence was that the land the rent of which was fixed at 17*s.* 6*d.* was the worst land in the lot. By Answer No. 1,828 it was proved that a tenant who had five holdings claimed a reduction in respect of drainage. As a matter of fact, there was no drainage on his farm; and although no evidence was given as to any other improvements, the man's rent was reduced. Very extraordinary and conflicting statements were made with regard to reclamation. It was stated in Answer No. 1,768 that the rent of bog land worth 16*s*. to 17*s*. an acre was reduced to 5*s*. 6*d*. an acre, although it had been let 17 years ago at 10*s*. an acre for the purposes of reclamation. Mr. Holmes and Mr. Hill Smith proved that reductions were made for tenant right as well as for improvements, although the tenant right was supposed to cover all improvements. Mr. Foley said his late Colleagues did not take tenant right into consideration. That was a satisfactory statement; but Mr. Foley went on to say—"But they never lose sight of the fact that they are the tenant-right holders." Among the numerous rights granted by the Act, perhaps the most curious was the occupation right.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL): No, no.

THE MARQUESS OF WATERFORD: Well, he did not mean to say that there really was such a right; but a great deal of money had been taken out of the landlords' pockets in consequence of such a believed right. Mr. Gray, who had acted as a valuer, proved that he was obliged to knock off 15 per cent for the occupation value.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL): Did knock off —not "was obliged to" knock off.

THE MARQUESS OF WATERFORD: Well, Mr. Gray certainly had found himself obliged to knock it off. The Chief Commissioners treated this matter by laughing at it, and by stating that there was no reference to it in Mr. Gray's Report; but it was easily seen that this was done not by that gentleman only, but by the Sub-Commissioners who acted with him. For, after having knocked off 15 per cent for the occupation value, Mr. Gray arrived at 5 per cent higher than the judicial rent fixed by the Sub-Commissioners; and if they did not follow the same process, how did they arrive at their figures at all? The explanation of this he would leave to his noble Friend. Mr. Foley had said that a tenant right was often created by these reductions; and he thought that the evidence of a large sum having been paid was often taken as against the landlord, instead of in his favour, as it ought to be. They had evidence also that deterioration of land by the tenant was over and over again taken into consideration, and that the tenant reaped the advantage of his own deterioration. Evidence of this was constantly found. Professor Baldwin himself said that he valued the farms as he found them, and that it would be impossible for him to do otherwise. Therefore, a tenant who had reaped the advantage of his own deterioration of land would get another 15 per cent reduction at the end of 15 years, and probably in time he would get his rent reduced to a *minus* quantity. The Land Act was passed to punish rack-renters; but they were placed on a pinnacle, and the men were punished whom it was not intended to punish. The rents of the rack-renter were fixed at what would be fair rents; while the fair rents of the landlord, who had treated his tenants fairly, were reduced far below what a solvent tenant would undertake to pay. Everyone who came before the Committee admitted that the tenant's evidence was perfectly unreliable. Yet it was accepted, while that of the landlord was almost entirely disregarded. But, of all the extraordinary statements he had made, none was so extraordinary as the one he was about to bring before their Lordships. He referred to the disclosures which had been made, to the effect that the fair rent was being fixed by arithmetical calculation. The Sub-Commissioners appeared to ignore the landlords' interest. They placed on one side all such considerations as the price of produce, the position of the holding, and the amount obtainable for tenants' interest; and the answers of Mr. Hill Smith and Mr. Gray showed clearly that these Sub-Commissioners arrived at the judicial rents sometimes by taking the landlords' and the tenants' valuation, adding them together, and dividing them by two; and sometimes by taking those two valuations, *plus* the Poor Law valuation, and dividing them by three. That might seem incredible, but he would prove it. The figures he should quote were taken from an analysis of all the cases proved in evidence which appeared in the Appendix of the Report. And he had no doubt, from what he had heard, that if the Returns which he was moving for were granted by the Government, they would find that this system of arriving at judicial rents by an average formula had been adopted by many of the Sub-Commissions in Ireland. The first cases he would refer to occurred on four estates — the Cope, Echlin, Lord Gosford's, and the Clarke estates—and all the decisions were given in 1882 before two different Commissions — one composed of Messrs. Fitzgerald, Cullen, and Mahony; the other, Messrs. Wylie, Cunningham, and Ellis. There were 42 cases; the gross Poor Law valuation, £727 5*s.*; landlord's valuation, £749 14*s.* 7*d.*; tenant's valuation, £503 7*s.* 4*d.* Adding these three together, and dividing by three, the result brought out £660 2*s.* 3½*d.*, and the judicial rent fixed was £667 3*s.* 6*d.*, making a difference between the average formula in 42 cases of £7 1*s.* 2½*d.*, and 19*s.* 8*d.* must be deducted from this result for three cases in which the old rent was not altered. Therefore, the real difference in these cases was £6 1*s.* 6½*d.* In the second lot of figures the formula was arrived at by taking only two factors—the landlord's and tenant's valuations respectively. There were five estates. Lord Gosford, Messrs. Jervis, Kennedy, Williamson, and Riddle were the landlords; and there were four different Sub-Commissions, as, although Mr. Foley acted upon three of them, in each of the three cases he was assisted by two different lay Sub-Commissioners — Messrs. Davidson and Meek on one, on another Messrs. Ellis and Byers, and on a third Messrs. Montgomery and Simpson. And the fourth Sub-Commission was composed of Messrs. Wylie, Smith, and Ferguson. There were 59 cases adjudicated on, in each of which the judicial rent differed but slightly from the arithmetical mean. The landlord's valuation was £1,214 11*s.* 10*d.*; the tenant's valuation £828 4*s.* 3*d.* Adding those two together, and dividing by two, brought out a total of £1,021 8*s.*; and the judicial rents in these 59 cases were fixed at £1,021 9*s.* 6*d.* Therefore, the difference between this and the mean of the two valuations was only 1*s.* 6*d.* Was it not astounding that the decisions of Courts of Justice should be arrived at in such a manner? And was there any other proof needed of the unfairness of these Courts, which had been nominated by the Government, and kept under their control by the terms of their appointment for political purposes alone? He did not propose to deal with the important question of the Purchase Clauses, as the subject had been already dealt with this Session by the noble Marquess (the Marquess of Lansdowne), who he was sorry not to see in his place. On this question they had the evidence of The O'Conor Don, just at the end of the Committee's labours, in which he told of the difficulties he experienced in attempting to sell £3,000 worth of his property to his tenants, which showed the absolute necessity there was that something should be done to improve those Purchase Clauses, else it would be perfectly impossible to establish any peasant proprietors in the country. In what he had said he had dealt with the administration of the Land Act, and he did not attempt to deal with the Land Act itself. Their Lordships were well aware that, though he opposed the Act, he had, with the exception of the necessary amendment of the Purchase Clauses, accepted it as a final settlement of the Land Question in Ireland. But great changes for the better might be made in its administration; and he would now proceed shortly to point out how some of those changes could be effected, so as to insure that justice might be done to landlord and tenant alike, without interfering with, but rather carrying out, the principles laid down in that measure. In the first place, he believed it was absolutely necessary that a Code of Instructions should be carefully drawn up by the Chief Commissioners, and they should lay down the principles upon which judicial rents should be ascertained. That he thought necessary in order to produce uniformity amongst the decisions of the numerous Sub-Commissioners throughout all parts of Ireland. Secondly, he thought that the reasons for the alteration of the existing rent should be clearly stated in Court by the legal Sub-Commissioners in each case decided, so that the legal Sub-Commissioner might show that he was doing his duty, and was not the mere cipher that he (the Marquess of Waterford) had shown him to be; and that also the same thing should be done at the re-hearing before the Chief Commissioners' Court. In the third place, the originating notice should have affixed to it a Schedule of the improvements claimed by the tenants; and the Ordnance map of the holding should be handed in at the same time, so that the boundaries might be known accurately. The Chief Commissioners said, in their answer, that the cost of compelling 40 tenants to give the landlord particulars of their improvements need not excel £2. He was, however, informed by solicitors in large practice that this estimate was totally absurd, and that at present the costs of the landlord would be at least 10 times that amount. In the fourth place, he believed that the value attached to each improvement, and the amount of the reduction made in consequence, should be recorded with the decisions in order to prevent the same improvements being claimed for again in 15 years, which he believed would be the case under the present procedure of the Land Act. Fifthly, notice should be given to the head landlord or to the mortgagee before any rent was fixed, or any agreement was sanctioned, in order to prevent the possibility of their interests in either case being confiscated either by collusion between the tenants and the head landlord, or the tenants and the mortgagee. Then, sixthly, the Commissioners should have power, on the application of the landlord, to abolish the system in Ireland known as "Rundale," by which a tenant held a field here, there, and everywhere over a property, and to consolidate the divided holdings, if the landlord should apply to them to do so. In the seventh place, if the tenant neglected to keep the drains or outfalls on his farm open, or neglected to carry out an order of the Commissioners to build a labourer's cottage, his failure to do so should be treated as a breach of the statutory conditions. In the eighth place, the Purchase Clauses should be made workable, and that should be done at once. To carry out these clauses the management of the sales should be transferred to the Encumbered Estates Court, which had now little to do owing to the fact that land in Ireland was unsaleable. That Court was far more competent to deal with the subject of purchase than the Chief Commissioners, who were already overcrowded with work, and who had a direct interest not in selling the properties, but in reducing the rents. He was satisfied that the Purchase Clauses, which the noble Lords opposite agreed ought to be developed—although he did not agree with them as to the manner in which it ought to be done—he was satisfied that the Purchase Clauses were the only possible solution of the Irish difficulty. The Land Act had placed the land of the country in such a condition that unless they got it out of it again by encouraging purchase, he did not know what would be the result. The future looked so black, he really did not know what to say. There were, no doubt, other points in which the administration of the Land Act might be reformed; but if the eight suggestions he had made were adopted, it would produce uniformity in the decisions of the Sub-Commissioners, and uniformity was a most important thing if they wanted to prevent fresh agitation; and they would also make the decisions of the Sub-Commissioners respected by all classes, landlord and tenant alike, instead of having them, as at the present moment, giving satisfaction to actually no one. He had now placed the main points in the evidence before their Lordships. He had endeavoured to show how the administration of the Land Act might be improved, and he thought what he had stated was an ample proof that a Committee of Inquiry was absolutely necessary. None of the suggestions he had made would interfere in any way with the spirit of the Land Act. But he believed that the Act as worked—and he appealed to the noble and learned Earl on the Woolsack—was a contradiction of the anticipation of its framers, and to the pleadings given by noble Lords opposite in this House and by the Government in "another place," and that injustices were being perpetrated in the name of Justice which were sufficient to cast a shadow over the whole administration of the judicial tribunals of these realms. He begged now to move for the Returns which stood in his name, and which, if granted, would show whether his statements were correct or not, and whether the Sub-Commissioners did not arrive at their decisions by arithmetical principles.

Moved, "That there be laid before this House, Returns giving in each case decided by the Sub-Commission Courts the old rent, the judicial rent, the poor law valuation, the landlord's valuation, the tenant's valuation, and, in cases heard on appeal, adding the appeal rent and the court valuer's valuation."—(*The Marquess of Waterford.*)

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, his noble Friend had raised so many points contained in the evidence taken before the Committee, that he was under some difficulty to know which to take and which to pass by. He, like his noble Friend, was anxious to call attention to the evidence taken by the Committee, and especially as regarded the class and character of the witnesses examined. The witnesses examined in the first Report were three officials of the Land Commission and the Registrar of the Landed Estates Court; but their evidence was not referred to in the Report. Then there were the three Chief Commissioners, whose evidence was mainly directed to the subject of purchase and questions of procedure, and, with one single exception, their evidence was not referred to in the last Report. Neither was it once referred to by the noble Marquess. He did not once, in the course of his address, mention the evidence given by Mr. Fottrell and Mr. Godley. From his noble Friend's speech, therefore, and from this Report of the Committee, it would appear that the evidence to be obtained from the Land Commission had been treated as a matter of very slight importance indeed—their evidence and their existence appeared to be entirely forgotten. Then came the evidence of one small landlord, three land agents, and one landlord's solicitor—he meant a solicitor who invariably represented landlords before the Land Courts. In the second Report the witnesses consisted of 10 landlords, most of whom were small owners, four barristers or solicitors practising in the Land Courts, of whom one had acted for tenants, eight land agents, some of whom were landowners, one valuer, and Mr. Vere Foster and Mr. Tuke, whose evidence had nothing to do with the matter now before the House. The witnesses in the third and fourth Reports were three Sub-Commissioners, three barristers, who invariably acted for landlords, one landlord, one agent, and one so-called Court valuer. The result of this enumeration was, as their Lordships would see, that, with one single exception, no witness of any kind was examined on the tenants' side of the question. Such being the exclusive class and character of the witnesses, what was the Report? It was an impeachment of the Land Act itself, of its administration in almost every possible respect, and of all the public servants administering it. According to the Report, so far as his noble Friend went, everything the Land Judges did, or omitted to do, was wrong. They had been accused, not only of incompetence, but of an unanimous departure from the spirit and intentions of the Act they administered. And, more than that, they were accused of deliberate, calculated, and artful violation of their judicial duty. Such were the accusations brought against the Land Commissioners, high and low, on such evidence he had described. No doubt, the witnesses were respectable gentlemen; but they were absolutely and ludicrously one-sided, entirely unchecked by any question put by any noble Lord on that Committee, or by any of the evidence which could so easily have been obtained to represent the other side of the case. Among the long list of charges made there were two or three which he would notice as having been prominently put forward. He would take, for instance, the charge that the Chief Commissioners had not instructed the Assistant Commissioners as to the rules and principles on which they should fix fair rents. That was supposed to be a heavy accusation against the Chief Commissioners. This absence of what was called the principles of valuation had been commented on a great many times before in their Lordships' House within the last two years, but, he must say, without any light being thrown upon the means of remedying the defect, if it was one, or upon the principles which could possibly have been laid down by the Chief Commissioners; and he was bound to say that the evidence brought before the Committee left them in exactly the same state of perplexity they were in before. The Commissioners denied—he thought with great justice—that they were entitled to give any instruction to the Assistant Commissioners beyond the terms of the Land Act, by which they were bound; and in making that denial they asked a very pertinent question. They said—"Should we have been entitled to instruct the Judges of the County Courts in Ireland as to the rules they should adopt?" This was a question of the intention of the Land Act, and that Act placed the County Courts and the Sub-Commissioners upon a perfect equality. The Commissioners, therefore, asked why they should instruct the Assistant Commissioners as to the principles on which they were to administer the Act, when it was obvious that they could not instruct the County Court Judges? That appeared to him a very difficult question to answer. But, further, when they came to look for the principles which, in the opinion of the Committee, ought to have been laid down by the Commissioners, there was little or nothing to be gathered from the Report. The Report rested largely upon the evidence of Professor Baldwin, which was warmly adopted by the Committee, and was used, to a great extent, as a foundation for the Report. Professor Baldwin was a clever man, and he could not help remembering that, for a long time, he was the great bugbear of the opponents of the Land Act, who had accused him of cutting down rents in a ruthless way, and of uttering dangerous sentiments. But it had since been discovered that Professor Baldwin was, after all, a friend in disguise, and he was now used as a lever to upset the Land Commission, and an authority for the Report of their Lordships' Committee. When Professor Baldwin talked of this question to the Committee his memory must have been a very short one, for it was quite impossible that he should have been in the same state of mind at the time when he declared himself satisfied with the working of the law, when he had settled the principles of valuation in his own mind, and announced that he and his colleagues had never departed from them by a hair's breadth. And what did the Professor tell the Committee upon this subject? He said—

> "I have two principles—one is my long experience of the real value of land, and the other is my long experience in agricultural operations connected with the land."

Those were the so-called principles which Professor Baldwin himself supplied when he was questioned by the Committee. But neither he nor the other witnesses made a single suggestion as to what special and particular rules for ascertaining a fair rent could have been adopted beyond the obvious and familiar mode that was understood by everyone in Ireland, and by which any experienced man and any competent arbitrator would settle a fair rent between landlord and tenant. One would have thought that the Committee would have desired to obtain the opinion on such a subject as this of so highly competent and eminent a gentleman as Mr. Charles Grey, the chief valuer of the Land Commission. He had before him a statement by Mr. Grey, which was worth reading, as a specimen of the kind of evidence the Committee might have had if they had chosen, which they did not. This was written last January—

> "We take what we consider the fair letting value of the farm, on the assumption that the farm is now to let, as our valuation of what we think should be fixed as a fair rent. We take the value of the land as we find it, without regard as to whether the improvements belong to the landlord or to the tenant. We consider what would be the rent that we should be willing to pay if we wished to take such a farm and wanted to cultivate it under ordinary conditions, and then we consider whether it is such a rent as we would like if we were a landlord, or an agent desirous of letting the farm to a desirable tenant, but not of obtaining the highest possible rent that could be got. When we find a farm in high condition, we try not to be deceived by first appearances, and when we find a farm in a poor condition, we try to ascertain the reason for it. We also inquire what are the improvements the tenant has made, and we report to the Commissioners how much value remains to the tenant of such improvements."

As to the perplexity and mystery which was supposed to surround the fair rent, and the value of the tenant's improvements, as ascertained by the Land Courts, he (Lord Carlingford) was entirely incredulous. The main reasons for a reduction of rent were generally well understood by all who knew anything about the particular holding and district in question. The witnesses before the Committee were landlords or landlords' agents, or landlords' solicitors, who, having been subject to adverse decisions of the Land Court, attacked the impartiality of the Commissioners. Hence had arisen this monstrous and ridiculous fiction of which his noble Friend had made so much—namely, that the Land Commissioners were in the habit of arriving at a fair rent by a mere arithmetical juggle. The credit of the discovery of the so-called "arithmetical formula" belonged to one single gentleman, Mr. Hill Smith, who had practised largely before the Land Courts on the part of the landlords, and who was very proud of the invention, which depended almost entirely upon him. Professor Baldwin did not give any support worth having to the notion, for he denied that he himself, or any Assistant Commissioner with whom he ever acted, had done anything of the kind, though he seemed to fancy that he had detected it in some other cases.

THE MARQUESS OF WATERFORD: He says he has heard of such a thing.

Lord CARLINGFORD (Lord President of the Council) said, he was sorry that Professor Baldwin appeared to make an insinuation in one of his answers, attributing this gross judicial crime, as, of course, it would be, to the Chief Commissioners themselves. However, he would not accuse Professor Baldwin of making such an insinuation. That gentleman was very hard pressed by his questioners through several folios of the evidence to give the desired answers; but the answers were not entirely satisfactory. Although Professor Baldwin was evidently anxious to be agreeable to those with whom he was conversing, and showed that amiable tendency throughout his evidence, yet he often corrected himself, and said many very true things which made no appearance in the Report. As to this particular matter, Professor Baldwin merely said that he supposed the Chief Commissioners must have some formula, because they did not go themselves upon the lands to inspect them, which he considered essential. But, in expressing that view, Professor Baldwin spoke in a sense quite contrary to all the opinions which they used to hear in that House, according to which the only way of fixing a fair rent was, not that the Commissioners should go themselves upon the land, which, indeed, was impossible in the case of the Court of Appeal, but that they should hear all the evidence, and employ competent valuers, and then decide upon their reports. When pressed upon the point, Professor Baldwin refused to join in the accusation that had been made, and said distinctly that it would be monstrous to suppose the Chief Commissioners capable of such conduct; but, in spite of his opinion, such conduct was attributed to them in the Report of the Committee by way of insinuation, and directly by the noble Marquess (the Marquess of Waterford), if he understood him right. Professor Baldwin said, further, that there was some approach to coincidence between the average of the reductions and the arithmetical result suggested; but, of course, all figures could be reduced to averages. Professor Baldwin admitted that very much the same result might be made out of his own figures, and the amusing part of the matter was that he himself was one of the parties accused. Mr. Hill Smith also accused Mr. Foley in his Sub-Commission of the same thing; but neither of these gentlemen was ever informed of the fact by the Committee, nor ever asked to answer the charges levelled against them by Mr. Hill Smith. He (Lord Carlingford) had letters with him from every one of the accused Assistant Commissioners, denying, with the natural indignation of honest men, that they had ever performed such a dishonest arithmetical juggle as had been imputed to them in the Report, and by the noble Marquess. One of those letters was from Mr. Foley. He (Lord Carlingford) would not read Mr. Foley's letter, because the language used in it was not altogether Parliamentary; but it was thoroughly well justified by the gross charge brought against his integrity and judicial honour. If it were possible, under these circumstances, that their Lordships should believe the accusation of Mr. Hill Smith, in the face of all the probabilities of the case, and in spite of the character of the gentlemen accused, who all denied the truth of the charges brought against them, it would be vain to try by other arguments to influence their Lordships. He felt certain, however, that the character of these judicial gentlemen would not be damaged by the accusations of Mr. Hill Smith, although those accusations had been adopted by the Committee. He would now refer briefly to the position of the legal Assistant Commissioners. His noble Friend had been convinced, as usual, on utterly insufficient and partial evidence, that the legal Commissioner was a nonentity or cipher, as Professor Baldwin had said; but he did not suppose that Professor Baldwin really meant to use the expression in its ordinary sense. It must have been used rhetorically. The only evidence in support of this assertion was the evidence of Mr. Foley. He (Lord Carlingford) had carefully studied the evidence of Mr. Reid, who did not for a moment support that view of the case. Indeed, all that Mr. Reid said—and it was a mere matter of course—was, that the legal Commissioner did not possess, and could not be expected to possess, except by accident, any skill or experience in judging the value of the soil. That was all that he could suppose Professor Baldwin to have meant in terming the legal Commissioner a cypher, though, of course, there was no reason for applying so disrespectful an epithet to him. Mr. Foley, no doubt, was a rather exceptional man, and he (Lord Carlingford) was convinced that some of the language which he used, in describing his own position, would not be accepted by any other legal Commissioner in Ireland. Indeed, the language was so vague and confused that, possibly, Mr. Foley did not mean what he said, or what the Committee got out of him. But there was ample room and duty for the legal Commissioner beyond the mere valuing of the land. The valuing of the land was not the business of the legal Commissioner. It was his business to look after the evidence, to weigh the evidence, to see that the evidence in all matters of law was properly applied, and to guide the whole progress of the case. Mr. Kane, one of the legal Commissioners, referring to this matter, in a letter to one of the Chief Commissioners, said—

> "This statement, in my opinion, accuses the legal Assistant Commissioners of a very gross dereliction of duty, and I wish to state to you, as my chief, that a more unfounded statement, at least, as regards the practice of this and of the two former Sub-Commissions, of which I have been chairman, was never made. I have uniformly considered it my duty to take as full a part as my lay colleagues in the settling of the judicial rents, to make myself acquainted with the principles on which the valuation of the land has been conducted by my colleagues, and of ascertaining how they apply the law to the facts of each case, and that they have applied it correctly. In matters of mere valuation, I, not having the technical knowledge, am guided by my colleagues, as in matters of pure law I expect them to be guided by me. . . . . Professor Baldwin may consider me a cipher; but I do not think that any other of my present colleagues do, or that any of my former colleagues did, and I certainly try not to be one, but to do my best in each case by weighing the evidence, by availing myself of the special knowledge of my colleagues, by helping them with my special knowledge."

That seemed to be a very satisfactory statement, and he (Lord Carlingford) had not the least doubt, whatever Professor Baldwin might say, that that was the way in which the legal Assistant Commissioners, who were extremely competent and able men, had acted. He wished now to say a few words upon a point which was one of the most prominent in the Report, but as to which he was surprised to find that his noble Friend did not say much. It was a general charge against the Land Commissioners of violation of the intentions of the Land Act. The charge was one that was somewhat difficult to understand; but it appeared to be this—that whereas the Act was intended only to apply to exceptional cases of excessive rack-renting, the Land Commissioners had applied it generally, unscrupulously, and arbitrarily, without regard to the character of the particular estate or holding, and with very little regard indeed to the excessive or the moderate character of the rent. A graver charge against such tribunals it was impossible to imagine. It was a charge of absolute judicial incompetence, or of want of judicial integrity. What did the charge mean? Was it supposed that the Land Courts could select the cases with which they should deal? That when they came to a large, well-managed estate, they were to make their bow, and pass it by? The Land Courts acted upon applications; and when a tenant on an estate, having a high reputation, came before the Commissioners to have his rent fixed, they could not say—"No; you belong to the estate of Sir Richard Wallace, or to the estate of the Duke of Devonshire, and yours is, therefore, a case with which we cannot deal." Such a proceeding would, of course, be a gross violation of the Commissioners' duty. That, therefore, could not be what was meant by this charge. Its meaning, then, must be that if any rents were reduced upon the large estates, such reductions must, of necessity, be improper and unjust. But that was not a conclusion which it was possible to adopt. The Government contended, and were thoroughly convinced, that the Land Commission did their duty in the cases which he had just described just as they did it in others. When they found here and there on large, well-managed, and generally low-rented estates a case of high rent, they rightly reduced it. There was some interesting evidence, which found no place in the Report, as to the question of over-renting. The Commissioners stated that they found a greater amount of rack-renting than they expected before they began to hear the land cases. Mr. Justice O'Hagan said—

> "I own before I began to adminster the Act I did not expect to find so many cases of high rent as have come before us."

And Mr. Vernon gave similar testimony. The most serious charge brought against the Commissioners was that they made no difference between rack rents and moderate rents. He begged to call their Lorships' special attention to this point, because it essentially affected the duty and the honour of those Judges. Lord Brabourne asked Mr. Vernon—

> "Is it true, as stated to us by several witnesses, that whether a man has been rack-renting his tenants, or whether he has been giving them a fair rent, the reductions in a great many instances have been very much the same?" &c.

Mr. Vernon's answer was—

> "I cannot say that I think that. I do not think that we should be fit to sit as a Court of Appeal if we were open to such criticism as that."

Professor Baldwin said—

> "I quite agree with the view of the Chief Commissioners that the number of rack-renting cases is larger than was expected. . . . . On two estates (Mr. Kavanagh's and Lord Courtown's) we made large reductions, and I believe they were all justified by the Act. I know they were on my uniform principle, but in those cases the land had been held by middlemen. . . . . In every county rents are very unequal. This has come out very strongly before us. The other day we found in County Louth three properties adjoining, and the difference between the rents of two of them was 60 per cent."

Professor Baldwin added—

> "In justice to the Sub-Commissioners this much may be said—that I think the cases on the large estates that have come in are bad cases. I know the estates of several members of the Committee. I am in a position to tell your Lordships from actual experience that the cases from those estates which we disposed of by no means represent the average rental of the estates."

The fact was, that in many cases upon large estates the rent paid to middlemen had been either unaltered or insufficiently reduced when the leases fell in; in other cases there had been reclamations by the tenants, upon which high rents had been charged; and in others there had been some industry, such as weaving, which formerly enabled the tenant to pay a large rent. Were they to be told that the enormous difference of 60 per cent mentioned by Professor Baldwin was to be ignored by the Land Commissioners? It was wonderful that the Committee should have been led away, as they had been, by the one-sided evidence which they took to adopt such a Report as they had produced. Their Lordships had only to look to the Irish newspapers, with their daily accounts of the proceedings of the Land Courts, and they would find information as to the operation of those Courts far more useful and impartial than that which was to be derived from the Committee's Report. As to the question of deterioration, upon which his noble Friend laid so much stress, he believed that the Report either asserted or implied—because it dealt more in implication than assertion—that the tenant was allowed by the Land Courts to profit by his own abuse of his farm. He did not know upon what evidence that insinuation was founded. Three Assistant Commissioners were examined, one of whom was Mr. Foley, and the evidence of the other two was very strongly in the opposite direction. Mr. Reeve said that his wish in a bad case would be to dismiss the application of the tenant, and to deprive him of the advantage of the Act. Professor Baldwin said that to put rent on worn-out land according to its existing value would be a monstrous thing; that he and those who acted with him never did such a thing; that they fixed the rent assuming the land to be in a fair average condition; and that any other course would be robbing the landlord. The Chief Commissioners had, over and over again, laid down that as the proper course to be taken. He had himself seen it laid down by the Sub-Commissions in hundreds of cases; and yet the representatives of landlords, agents, and others said that this deterioration was made no account of, and the Committee said or implied that such was the constant practice of the Land Courts. Then, as to the charge that the Assistant Commissioners were removed from county to county, if they were found unpopular with the tenants, and did not reduce the rents sufficiently, the Chief Commissioners absolutely denied that such was the case; and if the Committee had chosen to ask them a single question on the subject, which they never did, they would have received a reply to that charge, as, indeed, they would to all the charges of their last Report, had they chosen to invite the Chief Commissioners to come before them again. But all these grave accusations were accepted and embodied in the Report without an attempt to hear what the accused Judges had to say. Mr. Greer, for instance, who had several times been attacked in that House, was prepared to give the most absolute denial to the charges against him, Again, how easy it would have been to hear what the official valuers of the Land Commission had to say as to the fixing of rent. Not one of those official valuers was asked to give evidence, and the only substitute for such evidence was that of a certain Mr. Gray, who was for a short time employed by the Sub-Commissioners, and was apparently chosen as a witness simply because he was hostile to his employers. Upon the whole question no issue had been raised by his noble Friend. As to the Returns moved for, he was anxious to give them as far as possible. They could be given to a great degree; but the Chief Commissioners informed him that to produce the landlords' and tenants' valuation throughout Ireland from the first sitting of the Land Courts would be practically impossible, and that to do so it would be necessary to stop the sitting of the Courts. With respect to the landlords' and tenants' valuations in the appeal cases the Chief Commissioners would endeavour to furnish them. As he had already said, his noble Friend raised no issue by this Motion for the decision of the House; but the Report of the Committee did raise a serious issue before public opinion. The noble Lord and those who acted with him placed themselves before the court of appeal of public opinion. So did he (Lord Carlingford). He submitted, as the Land Commissioners themselves had done in the document upon the Table of the House, that the partial evidence which he had described and attempted in some measure to analyze, and this still more partial Report, were not to be taken as of any worth for the condemnation of the Land Act, or of its administration.

THE DUKE OF ARGYLL said, his noble Friend who had just sat down had delivered, as he always did, a speech most moderate and conciliatory, both in tone and argument, and he was not prepared to address the House in confutation of any statements the noble Lord had made. That was not his object in addressing their Lordships. Since the passing of the Irish Land Act, he had maintained a scrupulous silence on the subject. He took no part in the vote of the House by which a Committee of Inquiry was appointed, and he respectfully declined to be a Member of that Committee. He did so upon several grounds. In the first place, he thought that his serving on that Committee in the position he then occupied might easily have been misunderstood. In the second place, he thought at the time, and he thought now, that the Government had some reason, or at least some cause, to be jealous and fearful, if he might use the expression, of one House of Parliament appointing an inquiry so soon after the Act had been passed; and he thought that they had some reason to fear that the popular impression which might be produced in Ireland would be that this House wished to retrace its steps with regard to the passing of that Act. For these reasons he declined to act upon the Committee; but, at the same time, he had watched very closely the proceedings of that Committee, and the evidence which had been adduced before it. He regretted very much that the noble and learned Earl (Earl Cairns), the Chairman of that Committee, was not present to-night to answer for himself and for the Committee the accusations and assertions which had been brought by the noble Lord who had just sat down. But he did not want to enter into that. He would only say that he thought that his noble Friend (Lord Carlingford) had been as much one-sided as the Committee were when he gave what he called a careful analysis of the witnesses examined by the Committee. When he (the Duke of Argyll) said that the Committee examined all the three Chief Commissioners and several of the most prominent Sub-Commissioners, he thought he had said enough to show, if it were one-sided, its Report afforded most important and valuable information for the public judgment in this matter. One point referred to by his noble Friend was of considerable importance, because it was referred to in the Report of the Committee. It was that the three Chief Commissioners were examined by their Lordships almost exclusively upon the questions of Emigration and the Purchase Clauses. He begged entirely to differ from his noble Friend. He had made a very careful analysis of their evidence, and he thought he should be able to show on a future occasion—not in this Session of Parliament—that they had given most valuable and important information upon the question of the principles by which they were guided in the valuation of rents. He had not had time to examine very carefully the reply of the Commissioners to the Report of the Select Committee; but he observed that the Commissioners took this ground—"We are judicial persons; you have no right to inquire into our decisions in our judicial capacity." That was not an argument, which, in his opinion, ought to be employed. Let their Lordships recollect what Parliament had done. They had committed to three gentlemen absolute and uncontrolled power over the whole agricultural property of the Irish people. These gentlemen had not a single principle to guide them; but were vested with absolute discretion to re-distribute property in Ireland as they pleased. He said respectfully that the Land Court was not a Court of Law, but it was a legal Court. It was a Court which administered by the will of Parliament the absolute discretion of three individual men. Under these circumstances, their Lordships had a right, and the public had the right, to inquire into the principles upon which the Commissioners were acting. There must be some Members of the House now present who might recollect the great speech delivered to that House by one of the greatest speakers who ever shook its walls—he meant Lord Lyndhurst—on an occasion on which he condemned the conduct of a Government of which he (the Duke of Argyll) happened to be a Member, in taking what he thought an unconstitutional and illegal step against the received and acknowledged practice of the Constitution. Lord Lyndhurst said, in his most solemn manner, and in his most solemn tone—

> "My Lords,—Jealousy is the spirit of our Constitution; jealousy, not envy; not envy of every one and every thing that is above us, which is one of the meanest feelings of mankind, but jealousy in the highest sense in which it is used in the Old Testament, when Jehovah said, 'I am a jealous God.'"

The glory of nations was law, the administration of law; law based on no unsettled principles and guarded by the Judges of the Law, surrounded by ermine and removed from all popular passions and prejudices; but when Parliament appointed three men, two of whom were laymen, and one of whom only had a judicial character, and when Parliament gave those men absolute power over the property of other men, not on any known principle, either of Statute or Common Law—when Parliament gave them absolute and free discretion to do what they pleased, with no Court of Appeal, but with every Court of Appeal specifically excluded by Act of Parliament, he (the Duke of Argyll) maintained, Parliament had committed an act which, in principle, amounted to a barbarous piece of legislation, and they were bound to keep the public eye and their own eye jealously upon the operation of such a Court. That was what he wished to say in answer to the accusations of those gentlemen, that this House was acting unconstitutionally—for that was the expression they used—in venturing to inquire upon what principles they had proceeded. This doctrine had not been accepted by any one of the parties who were interested in the Irish Land Act. Look at the candidates who, in the interest of the Government, went to their supporters and said—"Look at the great boon in the shape of a reduction of rent we have got for you; we will get more." What did Mr. Parnell say? He said—"By my influence with the Government I have got the power to appoint these men; you have got a reduction of 25 per cent; go on, and you will get 75 per cent." Such was the language used, and until their Lordships knew the principle on which property was disposed of there was at least room for accusations against the Act. He maintained that Parliament was perfectly right in inquiring into the administration of this tremendous and barbarous power, which, he would venture to say, had never been given before by any civilized Government. The only excuse the Government offered was that the Act was necessary to meet the special circumstances of Ireland. What were the special circumstances? Well, they knew that Ireland was on the eve of insurrection. There was no doubt the symptoms of agrarian revolution were one of the most serious and formidable dangers with which any Government could deal. He could excuse the Government in going a long way in exceptional legislation for the purpose of meeting extraordinary circumstances; but all he said was this—having committed such powers to a few men, they were bound to watch its operation if they meant to retain their position among the civilized Governments of the world. The Commissioners in their Report said, as a matter of reasoning, that there was no principle by which land could be valued. In one sense that was perfectly true; but he wanted to point out the egregious fallacy involved in the arguments of these Judges. He had often asked skilled valuers of land—"What is the principle upon which you proceed? What is the amount, for instance, of gross produce which you give to the landlord, and what to the tenant?" They had always said to him—"We cannot tell you that—that is not the way we proceed." "Well," he had often said, "will you give me any sort of abstract principle on which you proceed?" "No," they had said, "we have no other abstract principle than this—that we know what men will give for the land. That is the principle of our valuation, 'What is the market value?'—what will men in the public market give for this land?" Well, the Commissioners were perfectly right in saying that they stood upon that principle, and that they had no other; but, unfortunately for Ireland, that principle had been banished thence to Jupiter and Saturn; and what he wanted to know was—what principle had been substituted for the market value? Parliament shirked its duty—let him say so distinctly; he would never cease to say so—Parliament shirked its most solemn duty when it refused to give these men some indication of the principle on which it intended them to proceed. It was, no doubt, very convenient to the majority of the time, in the face of the temper of the Irish people; but it was an act of the gravest dereliction of duty. Nothing could have been more simple than to apply to each individual case such a process as this—to take first the market value, and then to deduct what was thought to be fair for the exclusive property of the tenant in his improvements. It was perfectly competent for the Commissioners to make out a rule for the instruction of their Sub-Commissioners; there was no difficulty in the matter. However, he would not go to-night into the details of this question. He could not do so for many reasons; but he hoped, if health and strength were spared to him for another Session of Parliament, he should be able to direct the attention of the House to the consequences of the Land Act when a few more of those consequences had been developed. He was sure this was a matter deserving the serious attention, not only of this Parliament, but of all the civilized Legislatures in the world. They had made a tremendous experiment, and they were bound to watch it with the most careful and jealous vigilance. Let him say one word more as to the reason which induced him to remain silent so long on the question. So far as the Administration of the Executive Government was concerned, he was anxious to avoid saying one word which could possibly embarrass his noble Friend (Earl Spencer) who was in charge of the Executive Government in Ireland. The first duty of Government was an executive duty, and it appeared to him (the Duke of Argyll), and he thought it had appeared to most men, that so far as the executive duty of the Government was concerned, it was performed by the noble Earl with eminent wisdom, firmness, and skill. He remembered the great public service rendered to Ireland and to this country when his noble Friend consented to take upon himself a most onerous and, what was generally, a most unthankful duty. He believed that his noble Friend would, in the eminent success which had attended his labours, and in the generous recognition given to him by men of all Parties, receive an ample reward for his great and courageous act of public duty.

Lord FITZGERALD said, he looked upon it as one of the most valuable provinces of the House that it should supervise, not only the administration of the Land Act, but also the administration of all law throughout the United Kingdom. He considered that supervision to be one of the greatest safeguards of the Constitution. He would refer to the Bill proposed by Mr. Sharman Crawford to give security to tenants for their improvements. On the discussion of that Bill so much interest had been excited that the Government of the day had found it necessary to issue a Commission of Inquiry. The result of that Commission had been to stir the conscience of England, and excite the surprise of the civilized world, when it was shown that, in many cases, all the improvements were made by the tenants as distinguished from the custom in England, where the improvements were made by the landlords. Let them trace the efforts that were made after the Report of the Devon Commission to settle the Land Question in Ireland. Lord Stanley curiously enough proposed that the scheme set forth in his Bill should be administered by a Central Commission in Dublin and Sub-Commissions throughout the country. Though passed by the House of Commons, the Bill was denounced in this House as confiscation, and it was dropped. Seven years elapsed, during which Mr. Sharman Crawford put forth all his efforts on behalf of the tenantry. A further Bill was then introduced during the Ministry of Lord Derby; but it was also denounced as confiscation. Mr. Napier at that time described the state of Ireland as one emerging from the grave. This Bill was also dropped. After that 18 years passed, and though various attempts were made no steps were taken to give the occupiers of the soil any security until the Bill of 1870, followed by the Act of 1881. These matters of history taught the lesson that Irish reform, persistently denied, always led to extreme and violent discussion. He would, however, pass to the Question now before the House; and what were the facts? The Land Act had not been in operation four months before the Committee assembled in a spirit of hostility to it. He did not deny that there had been many cases of distress and ruin arising out of the Act; but a Committee of that kind should conduct its proceedings in accordance with judical rules, and with impartiality and justice. He felt extreme surprise on one occasion, when the noble Lord on the Cross Benches (Lord Brabourne), who was a Member of the Committee, came down to the House, and, while the proceedings before the Committee were still pending, delivered a remarkable speech in which he assailed the Land Commission, its members and administrators, and the character of the Sub-Commissioners. Then the noble and learned Earl (Earl Cairns), whom he was sorry not to see in his place, also came down, and, under the guise of an artless Question, delivered a hostile speech suggesting political corruption, even in the change of the Sub-Commissioners from place to place; and he was ably supported by a speech by the noble Marquess (the Marquess of Salisbury). The proceedings of the Committee were characterized by hostility against the Act, its administrators and administration, and culminated in a Report, which, he ventured to say, was one of the most extraordinary documents ever laid upon the Table of their Lordships' House. He did not dispute the right of their Lordships to inquire into the administration of the Act; but he did dispute their right to charge a number of gentlemen with political, personal, and judicial corruption, and that charge not withdrawn or substantiated. It was plain from the Report that the Committee intended to judge them by conveying an imputation, not alone upon the Sub-Commissioners, but upon the Commissioners themselves, which, if well-founded, in place of being made in an ambiguous paragraph in the Report, ought to form the subject of an Address to the Crown praying for the removal of Mr. Justice O'Hagan, and of a Motion for the dismissal of Lord Monck, Mr. Litton, and Mr. Vernon. Mr. Justice O'Hagan was in the position of a Judge of the Supreme Court, and could only be removed by an Addres to the Crown, voted by both Houses of Parliament. The Report accused the Sub-Commissioners of the same misconduct and the same degradation which the 17th paragraph cast upon the Chief Commissioners. He felt warmly upon this subject, because it involved considerations in which they were all interested—the probity and independence of those who exercised judicial functions. He asked the noble Marquess (the Marquess of Salisbury), when he came to speak in this debate, to say whether he believed the charges and imputations to be true. If he did not believe them to be true, he should never have put his hand to the Report. If he did believe them to be true, the course of action adopted by the noble Marquess (the Marquess of Waterford), which would lead to so tame and impotent a conclusion, was much to be deplored. What did the noble Marquis propose? He proposed to ask their Lordships to agree to certain Resolutions, one of which condemned and incriminated the Commissioners. But the noble Lord did not go on to propose that these Commissioners should be removed. They were to be damaged in character and in public estimation, and yet allowed to continue to administer the Act in the face of this Report. Against such a proposal and principle as that he had the strongest possible objection. Now, reference had been made to the evidence of Mr. Hill Smith, in which he stated a certain Sub-Commission, dealing with the estate of Mr. Cope in Armagh, came to their decision by an arithmetical process—that was adding together the tenant's valuation and the landlord's valuation, and dividing the total by two. Now, he had the authority of the gentlemen who composed the Sub-Commission to give the statement a flat contradiction. In the 20 cases referred to by Mr. Smith, two valuers, Mr. Murphy and Mr. M'Bride, were examined for the landlord, and both gentlemen admitted that reductions should be made, though they varied in their opinions as to the amount of the reductions. What did Mr. Hill Smith do? Why, when Mr. Murphy's figures suited his calculation, he adopted Mr. Murphy, and threw over Mr. M'Bride, and when Mr. M'Bride's figures suited him, he threw over Mr. Murphy; and yet this was the gentleman on whose evidence the reputation of a Sub-Commission was to be tarnished. He would follow the history of this Sub-Commission. On the estate of the Duke of Abercorn 10 cases were brought before them, and only in four were reductions made, and in these the noble Duke's valuer admitted that reductions should be made. In six of the cases they decided that the farms were already held at a fair rent, and so left the rent untouched; and in only one instance had they to make a substantial reduction. Again, there were a few large estates in the county of Kilkenny—those of Lord Ormonde, Mr. Tighe, the Earl of Bessborough, and Sir John Power. On these estates they had not to make a single reduction. In one case in the same county the Commissioners reduced the rent to £200, which was £2 in excess of the fair rent fixed by the landlord's own valuator. He would only add, in conclusion, that, in his opinion, there was much difficulty in defining the words "fair rent" more closely than they were already defined; but it was upon security of tenure, as given to a certain extent by the Act of 1881, coupled with a firm administration of law, that he fixed his hopes for the future tranquillity and prosperity of the country. When the Report of this Committee should have been entirely forgotten, and when the squabbles about rents which would be 15 years hence raised upon the improved condition of the country should have ceased, history would record the return of peace and prosperity to Ireland, and the establishment of a body of occupiers who would be the firmest supporters of our invaluable institutions.

LORD INCHIQUIN said, with respect to the Resolutions he had placed on the Paper, though he had withdrawn them, he had not in the slightest degree altered his opinion in their regard. After the important inquiry which had been held by their Lordships, it was disappointing that the result should be merely a Motion for certain Returns. And here he must observe that he felt great regret at the absence of the noble and learned Earl (Earl Cairns), the Chairman of the Committee, whose presence would be so useful on that occasion. The evils complained of in the Report were going on every day, and they must now continue for the next six months, probably for nine, and possibly for 12 months. The proper course would have been to take from the Report of the Committee certain suggestions and reduce them to such a form that they could properly be brought to the attention of the Commissioners. For instance, if the Report was examined, it would be found to contain these four suggestions—That the Chief Commissioners should lay down rules for the Sub-Commissioners to act upon; that the improvements in respect of which reductions of rent had been made should bes tated on the register; that the official valuers should in all cases be examined as to the grounds on which they made their valuation; and that the Commissioners, in giving judgment, should state the reasons for their decision. If the Commissioners gave the reasons for their decision, it would be useful in enabling landlords to come to a settlement with their tenants out of Court. He was himself most anxious to settle with his tenants out of Court if he only knew the principles upon which the Court proceeded. In the case of one of his tenants, the rent had been reduced from £500 to £450, and the tenant right fixed at £1,000. Why, he would ask, was this tenant to have his tenant right fixed at £1,000, and to be put into possession of a farm as good as any in England, with a house as good as he himself would wish to live in, though the tenant could show no improvements that he had made, the principal part of the farm being in grass, and though the Commissioners stated that it was very difficult to say whether the case should have been entertained at all? It was most important, and absolutely necessary, that the improvements relied upon by the tenant as entitling him to a reduction of rent should be specified and registered, since at present there was nothing whatever to prevent those improvements being claimed over and over again. He had protested against the Act at the time it was before the House, and he should continue to protest against it to the end of his life. He only regretted that the peculiar considerations of the moment had precluded him from moving its rejection at the stage of second reading.

THE EARL OF KINTORE said, there could be no doubt that the Land Act was brought in as a sop to sedition in Ireland, and as a set-off against the strongest measure of coercion under which that country had ever laboured. It was not introduced, or even thought of, until it was forced on Her Majesty's Government by crimes and assassinations, the atrocity of which had seldom been equalled in the history of Ireland. He called it not a measure of agricultural reform, but a measure of agrarian revolution. The Government, at the time of its introduction, must have been conscious of what would be the revolutionary effect of the measure, for their apologies were continuous during its passage through Parliament. The only thing that had worked effectively in the Land Act had been the reduction of rent. Not rack rents only had been reduced, but there had been a universal reduction of 16¼ per cent throughout the country. The conclusions at which the noble Marquess (the Marquess of Waterford) had arrived were perfectly irresistible on this point to everybody who studied the evidence given before the Committee. The important provisions relating to the reclamation of waste lands and the purchase of holdings by the tenants were entirely unworkable; and the Act, as a whole, was a complete failure. Indeed, of all the failures which had been apparent in the policy of the Government at home and abroad, none had been so disastrous or conspicuous as that involved in the passing of the Land Act of 1881.

THE EARL OF DUNRAVEN: My Lords, I do not propose to discuss this question at great length, or to enter into details concerning the evidence on which the Report of your Lordships' Committee is founded. That has been amply and ably done by the noble Marquess who introduced the subject; but I want to make a few remarks of a general character concerning an Act which, in regard to the way in which it is administered, and judged by the effect which it has produced, I look upon as one of the worst pieces of modern legislation. The Act has now been in operation some two years. It has embraced a considerable area of country, and a large number of people have, for good or evil, been affected by it. Many reliable witnesses have been examined by the Committee, among them the three Chief Commissioners, some of the Sub-Commissioners, the Superintendent of the Purchase Clauses, the Registrar of the Landed Estates Court; and a great mass of evidence—and, I venture to think, in spite of what the Lord President has said, a great mass of valuable evidence—has been collected. We are, therefore, in a position to form an opinion as to whether the results of the Act are in accordance with the intentions of the Legislature, and whether it is administered in a manner in accordance with the anticipations of Parliament. The objects of the Act were to relieve certain congested districts by emigration, to bring about a considerable though gradual transfer of property from owners to occupiers by means of purchase, to effect such a change of tenure as would guard against the bad effects of undue competition for land, to inquire into rents, and, by re-adjustment in a very few cases, to bring about harmony among all classes engaged in agriculture. Such were the objects aimed at. As for the reasons for the Act, and the way in which they were to be obtained, Her Majesty's Government told us that one of the main reasons for legislation was that, owing to the conduct of a few landlords acting strictly within their legal rights, but harshly, an agrarian agitation was set on foot in Ireland; that, under these circumstances, it was difficult for the Executive to enforce the law, as real injustice and hardship occasionally resulted, and that if rents were revised and altered in a few isolated cases, the Government could, with a clearer conscience and a stronger arm, insist upon legal obligations being carried out. We were told that reductions of rent might occur in a few cases; but that in no case would there be any real money loss whatever, because property would increase in value. But, instead of inquiring into rent in a few cases, we find that a re-valuation of the whole of Ireland is going on, a valuation based on no principle, and conducted with the minimum of intelligence and the maximum of expense. We see, besides, that a general reduction of incomes has taken place, and that loss of property is universal, the property of landowners having become almost unsaleable. We find, moreover, that, owing to the fact that the re-valuation is conducted on no known principle, on no understood method, the attitude of the tenant farmers is one of great dissatisfaction with the settlement. We know, as a matter of certainty, that by reason of the manner in which they were overlooked in the Act, the whole of the labouring classes are discontented. We are further aware that, instead of having a good effect in checking undue competition for land, the effect of the Act has been rather to increase it, for, although the landlord's interest in land is almost unsaleable, the tenant's interest fetches preposterously high prices. These results are exactly the opposite of what Parliament anticipated; but we cannot wonder at the results arising if we consider the way in which the Act has been carried out. Your Lordships will remember the discussion that took place on the point of defining a fair rent. As the noble Duke (the Duke of Argyll) pointed out, Parliament, with a moral cowardice of which it ought to be ashamed, left that difficult question unsettled, and handed it over to the Chief Commissioners to decide. Parliament supposed that men of that position and experience would have little difficulty in laying down the principle upon which a fair rent was to be arrived at. Did the Chief Commissioners accept the responsibility? Not at all. They, in their turn, hand it over to the Sub-Commissioners, now numbering 85. Let us consider what these persons have to do. They are supposed to settle the most difficult and intricate questions which it is possible to ask any man, or any body of men to, settle. Nothing can be more difficult than to decide arbitrarily, and, at the same time, justly as to what is fair rent in a large number of cases. If any fixed principle is laid down, such, for instance, as that the competition value of the land is to be taken into consideration, and then certain allowances based on fixed rules are to be made for the value of the tenant's improvements, it may, perhaps, be done; but without any fixed principle it is impossible. The value of any commodity, land included, to any person, the value of any particular piece of land to any particular person, the whole business transactions of man with man in the matter of letting, hiring, or buying, or selling any article are of so intricate a nature, that if we attempt to settle them arbitrarily, then the whole experience of all civilzed communities goes to prove that less injustice and hardship occur if such matters are left to be settled privately by the individuals interested. The State in its legislative capacity can frame rules to form a basis upon which property rests, and in its executive capacity the State can enforce the carrying out of contracts legally entered into. There its functions ought to cease. It cannot usefully interfere in the everyday business affairs of life. Suddenly, however, these most difficult and intricate questions are handed over to those 85 gentlemen to decide. I have not a word to say against the character of the Sub-Commissioners. I daresay they do their duty according to the best of their ability, and as far as the circumstances in which they are placed will permit them. But I do say that they are not in a sufficiently independent position, that they have not sufficient knowledge and technical training and experience, and, in some cases, have not sufficient natural capacity to enable them competently to decide the very delicate questions handed over to them. These Sub-Commissioners appear to have been shaken out over Ireland without any particular method or rhyme or reason. We see men accustomed to Ulster sent to the South of Ireland, and men acquainted with the South sent to the North, and we know that Ulster is as different from the rest of Ireland as are countries inhabited by different races and separated by thousands of miles of sea. The Sub-Commissioners do not appear to have been selected on account of local knowledge, and are not allowed to remain long enough in a district to obtain the necessary local knowledge. Their position is not sufficiently independent. No instance exists, in modern times at any rate, in which matters of so intricate a nature, cases affecting not only the property but the character of thousands of men, have been intrusted to persons who are merely tenants-at-will of a Government whose reputation depends entirely on the effect on the body of the people produced by the Act which these tenants-at-will have to administer. I do not say that the Sub-Commissioners are knowingly affected by these considerations, but it is not possible that men so placed should not be unwittingly influenced. Certain facts must have intruded themselves with overwhelming force upon the minds of the Sub-Commissioners. They must have known perfectly well, as soon as they saw that the greater part of Ireland was coming before them, that to prevent the Land Act from resulting in a ridiculous breakdown it was necessary for them to run through the cases with great rapidity. They knew very well that the reputation of their employers, the Government, depended upon the people of Ireland being pacified by the administration of the Land Act, and, not being idiots themselves, it is probable that they saw no reason to suppose that Irishmen in general would be pacified by being put to great expense in order to be told that their rents were perfectly fair. It is not strange that, under these circumstances, large and inconsistent reductions of rent have taken place. But these reductions, seeing that they have been made without any particular reason, and have not followed from the application of any known principle, are unsatisfactory to the persons for whose benefit they were made. Consider for a moment how the Sub-Commissioners act. A Sub-Commission consists now of five members, one legal and four lay members. The lay members are divided into two parties of two each, who alternately sit in Court with the legal Commissioner and go out and examine the holdings. It might happen, and according to the evidence given before the Committee it does happen, that one section of a Sub-Commission visits a farm and makes a reduction of from 20 to 30 per cent, and that the other section of the Sub-Commission examines the farm next to it—a farm consisting of precisely similar soil, held under like circumstances, and subject to a similar state of things—and they make a reduction of only, perhaps, 10 or 15 per cent. This is not likely to lead to satisfaction. The man who receives the smallest reduction is dissatisfied because he had the bad luck to come under the wrong pair of Sub-Commissioners, and the man who gets the largest reduction is discontented, because he thinks that if he had come under some other Sub-Commission his reduction would have been still larger. It is the fact that reductions are made apparently at the sweet will of the different Sub-Commissioners, and are not made according to any recognized rule or method. That has destroyed whatever good effect the Land Act might otherwise have had. It is the utter want of principle that causes such universal dissatisfaction with the Act. It may be said that, after all, there is an appeal from the Sub-Commissioners. That is so; but what a Court of Appeal it is! It was pointed out in evidence that, practically, the Court of Appeal is of no value whatever. Whoever heard of a Court of Appeal proceeding on a method entirely different from that pursued in the Courts of First Instance? And yet that is the case as regards those Land Courts. The Sub-Commission Courts hear evidence on oath and examine the land. Their method is to check evidence by personal inspection. The Court of Appeal, it is true, sends occasionally a valuer to report upon the land, subject to appeal; but he hears no evidence of any kind, on oath or otherwise. The Chief Commissioners made some remarks, in their observations on the Report of your Lordships' Committee, upon the difference in the method pursued in the Upper and Lower Courts; and what they say practically amounts to this—that, owing to the immense number of cases, it is physically impossible for the Court of Appeal to pursue the same method as that used in the Courts of First Instance. That is exactly my contention. I have nothing to say against the Courts, or against the character of the persons composing the Courts; but what I do say is that, owing to the fact that the business coming before the Courts is infinitely greater than was expected in Parliament, and that the Courts have to deal with a state of things which was not anticipated, it is physically impossible for justice to be done. The machinery invented by Parliament is not fitted for the work which it is expected to do. I cannot but think that there is a considerable amount of truth in the words of one witness, who said that the Court of Appeal was "a solemn farce.' The Chief Commissioners made several observations as to the conclusions drawn by your Lordships' Committee. These observations are very peculiar, and, in some cases, most unfair to the Committee. They consist, to a great extent, of sheer denial of facts, as to the truth of which a great amount of evidence was produced, and they show an intense desire to make out that your Lordships' Committee were actuated by hostile feeling against members composing the Courts. They talk about the Committee in its Report making an attack on the honour and integrity of the members of the Courts. I venture to assert that your Lordships' Committee were actuated by no hostile motives, and made no attack on the honour and integrity of anybody. They did what they were told by this House to do. They examined into the working of the Act, received evidence, digested it, and embodied it in a Report, according to the best of their ability. The Commissioners complain that the Committee did not receive rebutting evidence, and that they gave no opportunity for such evidence to be sent in. About a month elapsed between the time when the evidence was in the hands of the Chief Commissioners and all other parties interested, and the laying of the Report upon the Table of the House. There was ample time, therefore, for rebutting evidence to be sent in; but the Commissioners did not avail themselves of the opportunity. The Commissioners endeavoured to show that a great Constitutional principle has been violated by the Committee by inquiring into judicial decisions; but I would remind your Lordships that the Committee have given no opinion as to particular individual cases. They merely inquired into the whole working of the Act; and to say that an Act such as this, which is entirely novel in this country, and which is without precedent or parallel in any country in the world, should not be diligently and carefully inquired into, seems to me a most preposterous proposition to advance. The Chief Commissioners seem to think that your Committee in commenting upon the Act are thereby attributing evil motives to them. For instance, the Report says that it would be advisable for the Sub-Commission Courts to sit in a greater number of places; upon which the Commissioners remark, that they could not possibly have any motive in their regulations other than a desire to administer the Act truly and properly. Nobody ever attributed any bad motive to them whatever in the matter. The Committee merely suggested that the Sub-Commissioners should sit in a greater number of localities. There is a French proverb, "That he who excuses accuses himself," which I might apply, only I have not the slightest idea that the Commissioners are actuated by any but the best motives. The Commissioners make some observations as to the absence of principle. In Paragraph 6, they state that it had been their intention to adjudicate themselves upon the first batch of cases that came up, as they expected that they would be test cases; and they thought that their decisions in those cases would govern many others. But they added that the test cases did not come forward because Mr. Forster shut up Mr. Parnell, and put an end to the Land League. It seems as if the Commissioners thought that the suppression of the Land League was indirectly the cause of there being no principle for the settlement of rent in the Land Act. I do not think, however, that even if the Chief Commissioners had decided the first lot of test cases, that the good results they anticipated would have followed. How could a line be given for the decision of future cases, if the Commissioners pursued the course that has been followed since, and gave no reasons for their decisions? All that the public and the Sub-Commissioners would have known was that the rents were reduced to a certain extent in a certain number of cases; but, unless the reasons for the decisions were given, and people understood why the rents were so reduced, it is difficult to see how any principle to guide them could have been arrived at. In Paragraph 22, they state that—

"When any question of principle is involved, it is the practice of both tribunals that a judgment should be delivered stating the reasons for the decision. But upon the mere question of determining, in ordinary cases, the amount of the judicial rent, it is not . . . required . . . that the reasons for the decisions should be set forth."

They speak of the mere question of settling of rent as if that was not the one important matter in the whole Act. The settling of a fair rent is the pivot upon which the whole Act turns. That is the one question on which it was of paramount importance that a definite principle should be laid down. This entire absence of principle has been productive of the greatest evil, in that it has caused almost universal dissatisfaction with the Act. It has produced minor evils also. One result, undoubtedly, is that the worst landlords and the worst tenants have come off best under the Act. Landlords who had rack-rented their properties have not suffered so much as those whose properties have been let low. The occupiers who, through bad husbandry, have let their lands run out have been leniently treated in consequence. This is met in Paragraph 17 by a simple denial on the part of the Chief Commissioners. It is all very well to deny the fact, but it is supported by a great deal of evidence; and I must say that, as far as my experience of the South of Ireland goes, I entirely agree with the evidence that was produced before the Committee. I am perfectly certain that it is true that those tenants who have farmed negligently have received the greatest benefit. It is a matter of universal regret on the part of tenants that their land was examined when it was looking well. We know that they have used all kinds of endeavours to make their farms look in as bad a condition as possible. Anyone who examines the reductions that have been made on different properties can see for themselves that the reductions are very much the same on high-rented and on low-rented properties. If so much dissatisfaction and confusion exists now, how much greater will it be in the future when these cases come to be heard over again? No maps exist. Specifications of improvements are imperfectly kept. No data are kept whereby the present condition of a holding can be ascertained. People do not know what to be at now. They do not know what evidence to bring forward, or what effect their evidence produces. They will be in a still worse condition in the future. Nobody will know what was allowed for improvements, or what was added for deterioration, or whether the improvements claimed were made before or after the present inquisition. It will not even be possible for a Judge to be certain whether he is re-valuing the right lands, or whether the lands are the lands they claim to be. This is a pretty mess to get a country into. You have invented, with the utmost ingenuity I must allow, a scheme for keeping the country in a state of constant discontent and litigation. You have got the country into a most extraordinary mess, and the mess has not even the merit of being a cheap one. The Act costs something like £500,000 a-year. It will take an enormous sum to put the country through this extraordinary mill you have invented, and by the time one end of it is through the other end will be coming in again to be re-ground by your machinery, so that the expense is continuous. The last Poor Law valuation for the whole of Ireland cost between £300,000 and £400,000. For less than £400,000 a valuation of the whole country, carefully conducted and supervised, based on known sound scientific and commercial principles, was made. For less than the yearly cost of the Land Act, you might have made a complete valuation of the whole country, which, if made for rent instead of for the purposes of taxation, would undoubtedly have afforded a very excellent basis on which landlords and tenants could have mutually and fairly agreed as to rent. The administration of the Act has, I believe, done great harm to the country at large, and has had effects in the country which Parliament did not foresee. The effect on one class—that of the landowners—is certainly different from what was anticipated by Parliament. Your Lordships must recollect that the Sub-Commissioners, in settling rents, have not only dealt with the property of landowners, but they have had, consequentially, to deal with their characters also. They have had, practically, to give an opinion as to the way in which the whole body of landowners have dealt with their tenants. The effect on the land-owning class is quite different from what Parliament was led to expect on the assurances of Her Majesty's Government. On introducing the Act of 1881 Her Majesty's Government had to devour nearly all the words they used, and disavow all the rules they laid down for the regulation of property 10 years before; and, in the same manner, within the last two years they have had to swallow and digest, as best they could, all the anticipatory statements which they made when the Act was being discussed in Parliament. Your Lordships well remember the general tone of the speeches which ushered in the Bill. The Government gave certain assurances, or, if they were not assurances, they were, at any rate, opinions, advanced with a degree of authority that made them practically of the nature of assurances, and they were so considered by Parliament. In substituting the extraordinary tenure involved in the Act of 1881 for the system imposed upon Ireland by Parliament in the Act of 1860, which stated that land was to be held under the expressed or implied contract of the parties, and not by tenure or service, there was this danger to be feared. There was a risk that either loss would be occasioned, in which case compensation would be due, or Parliament would be committing a theft. This difficulty was met by assurances that there would be no loss. Ministers declared that the Bill would cause landlords no money loss whatever, and that, therefore, there could be no claim for compensation. Rents would remain as they were in nine cases out of ten, according to Mr. Bright, when he was a Member of the Cabinet; and any slight reductions would be counterbalanced by the enhanced value of landed property. The noble and learned Earl upon the Woolsack, upon the second reading of the Bill, announced his intention of endeavouring to imagine himself in the position of an Irish landlord, and declared that, having done so, he would be able conscientiously to state that he would not feel himself aggrieved by the Bill. I do not know whether the noble and learned Earl succeeded in performing his mentally acrobatic feat; but, if he did, I cannot help thinking that he must have seen reason to modify his opinions as to the effect of the measure, because he went on, in the same speech, to say that the Bill would not—

> "Diminish in any degree whatever the rights of the landlord or the value of the interest which he possesses."—(3 *Hansard*, [264] 532.)

But the noble and learned Earl knows very well that the interest of the landlord has been diminished to such an extent that the Judges of the Landed Estates Court will not allow sales to take place, the prices offered being ridiculously insufficient. Then the noble Lord the Lord President of the Council said that the—

> "Provisions of this Bill will cause the landlords no money loss whatever. I believe that it will inflict upon them no loss of income, except in those cases in which a certain number of landlords may have imposed upon their tenants excessive and inequitable rents."—(*Ibid.*, 252.)

What has happened? Rents have been reduced universally everywhere. What I want to know is, have all the landlords in all these cases that have been tried been imposing excessive and inequitable rents; or have the decisions of the Sub-Commissioners been inequitable, and their reductions excessive; or has the Act been intrepreted and administered in a way that Parliament did not intend or anticipate? I should like much to know what is the opinion of Her Majesty's Government on these points? Mr. Litton, one of the Commissioners, also said—

> "A just and fair landlord had nothing to fear [from the Bill]; and, in that case, things would go on just as if the Bill had never passed."

But we see that all landlords had cause to fear—that in all cases they have been interfered with. Does that show the Act to have been administered differently to what was intended, or are we to adopt the horrible alternative of believing there is no such thing as a just and fair landlord in all Ireland? I could multiply instances; but I do not wish to weary the House with extracts. The noble Earl the Secretary of State for India spoke in a similar tone.

THE EARL OF KIMBERLEY: What was maintained by me?

THE EARL OF DUNRAVEN: The general harmlessness of the Bill.

THE EARL OF KIMBERLEY: What did I say?

THE EARL OF DUNRAVEN: If the noble Earl wishes to know exactly what he said, he said this—

> "He was in a position of never having given any assurance whatever; but that as regarded

> the assurance of his noble Friend, he should be inclined to take the same view, and express his belief that upon the whole the landlords in Ireland had not over-rented their estates, and that those who had treated their tenants fairly would not suffer any money loss, because their properties would be made more secure."

Well, but we have seen that money loss has been almost universally sustained. Are we to suppose that the Act is administered in a different spirit from what was intended, or are we to suppose that no Irish landlords have treated their tenants fairly? I will not multiply instances. The same idea that the majority of landlords were just in their dealings, that rents were not excessive, and that, consequently, the Bill would be harmless, the same assertions that property would not be deteriorated or interfered with, was set forth in Her Majesty's Gracious Speech from the Throne, were embodied by the noble Earl the Secretary of State for the Colonies in an article in *The Nineteenth Century*, were put forward by many other authorities, and especially by the Prime Minister, who, among other utterances, stated that he did not wish in the least to convey an impression that, as a rule, land was too highly let in Ireland. I think I have advanced sufficient to prove that the general contention of Her Majesty's Government was that there would be no deterioration in property, and that there would be no loss of income to landowners, except in a few isolated cases, and that, even in these cases, there would be no real loss, because the value of property would be greatly enhanced by the additional security given to it. How completely have results falsified these anticipations! What has happened? Incomes are reduced on all properties, large and small, rack-rented and low-rented. A great number of landowners are reduced to the extreme of necessity, and a very much larger number are seriously embarrassed. They cannot maintain themselves and their families, or maintain and develop their properties, and they can do nothing to help themselves. They cannot realize their properties, for the landlord's interest is practically unsaleable. And that is the outcome of an Act under which it was said that in nine cases out of ten rents would remain as they were, and that there could not possibly be any money loss whatever to anyone. The characters and equity of the whole body of landlords are involved in this matter. I want to know the opinion of Her Majesty's Government on this point. Was the Prime Minister right when he said of Irish landlords—

> "As a rule, they have stood their trial, and they have, as a rule, been acquitted."

And, again—

> "The greatest credit is due to Irish landlords for not exacting all that they are entitled by law to exact."

And—

> "There are, no doubt, a number—and not an insignificant number—of landlords who are content to take a less rent than the law would give them."

Is the general attitude of landowners as a class towards their tenants best described by those words, or by the words of another Cabinet Minister, when he said that the landlords had been extorting unjust rents? The latter appears to be the opinion of Her Majesty's Government. It has been put forward by more than one Member of the Government; and, as far as I know, has not been disavowed by anyone. Mr. Chamberlain, speaking at a large public meeting at Birmingham, and commenting on a speech of the noble Marquess the Leader of the Opposition, said—

> "He (the Marquess of Salisbury) can express sympathy . . . . for Irish landlords who had to submit to a reduction of 25 per cent in their rents; but I can find nowhere any expression of sympathy for the poor tenants, who for years, under the threat of eviction and the pressure of starvation, have paid the unjust rents levied on their own improvements, and extorted from their desperate toil and hopeless poverty."

To anyone who knows anything at all about the real state of the case in Ireland, and knows that evictions were unknown on the majority of estates, such a statement would be merely ridiculous in its utter ignorance, if it were not also mischievous. But the worst of it is that it appears to be borne out by the action of the Sub-Commissioners. The noble Earl (the Earl of Rosebery) put the case with his usual clearness and conciseness. Speaking on the same occasion, and also commenting on a speech of the noble Marquess, he said that the noble Marquess had placed himself in this dilemma—

> "Either the Sub-Commissioners are dishonest and fraudulent men—but that is a subject I will not discuss, because I do not think it will be fair to men of high character to discuss such a

question, or else, for many years past, the landlords of Ireland have been extracting 25 per cent over a fair rent from their tenants."

The noble Earl objected even to discuss the possibility of the Sub-Commissioners being unjust and fraudulent, and had no hesitation in allowing it to go forth that the whole body of Irish landlords were unjust and fraudulent. That is a heavy charge to make against a great body of one's countrymen. It is the first time in the history of this or any other country that an assize or inquiry into alleged damage, on account of private property being taken up for the public benefit by the State, the moral character of the claimants is to be taken into consideration. If this is carried out in the future, it will produce some curious results, and will necessitate a new board of arbitrators in ethics and official court valuers in morals. I would suggest, however, to the noble Earl that his dilemma, though clearly, was not quite accurately expressed. It is quite conceivable that the Sub-Commissioners, though not fraudulent and dishonest men, are yet, by the insecurity of their position, through lack of technical knowledge, and for many other reasons, unable to arrive at just and fair conclusions as to rent. It is said that the landlords of Ireland have been extracting unjust rents, rents which I would remind the House were punctually and cheerfully paid until, for purely political purposes, an agitation was set on foot against them, and was forced upon the people by every argument that could appeal to their cupidity, by every argument that could appeal to their national sentiment, and by every horror and atrocity that could fill their minds with terror. Irish landlords have been charged with extracting unjust rents because those rents have been reduced by your Sub-Commissioners. I deny that those Sub-Commissioners are capable or competent to decide those cases. I utterly deny that they are competent, in any way, to adjudicate upon matters affecting the character and honour of a great body of their countrymen. And what has been the sin of these men? According to your indictment, a few—a very few—of the landlords insisted on their legal rights with harshness. That was the indictment. But their real crime—and they know it—was that they stuck, at all hazards, to the connection between the two countries as it now exists, and, with a degree of folly which is not likely to possess them again, trusted to the justness of Parliament and of their countrymen to see that they suffered no loss thereby. Such has been the effect of the Act upon this class. It has ruined many, impoverished more, and blackened the characters of all; and these sacrifices have been made absolutely for nothing. The Act has done no good. It has not checked the effect of undue competition for land. It has done nothing to promote emigration. The Purchase Clauses are inoperative. The scandalous way in which the labourers have been left out in the cold has created discontent in that class; and the fact that no principle has been laid down for the fixing of rents, and that no method whatever is observed, has created almost universal dissatisfaction among the class of tenant farmers. They see no justice in the Act. They see no signs of finality in it. The attitude of the country is one of expectation of further agrarian legislation in the immediate future. You might have made a complete change in the whole system of tenure and ownership, giving compensation when it was due; you might have laid down a fair principle for the adjustment of rents; you might have made a complete and reliable valuation of the whole country. You did none of these things. You attempted a compromise, and the compromise has broken down. You have imposed a system upon the country under which neither Ireland nor any other country can thrive. You have got the country into a difficulty, out of which, owing to the unfortunate failure of the Purchase Clauses, we can see no visible way of escape.

THE EARL OF KIMBERLEY said, he was not surprised that many men who were, no doubt, smarting under a sense of what they deemed injustice should feel strongly and denounce unsparingly the Act under which they suffered. But he could not help saying now, what he had said before, that nothing filled him with so much despair for the future of Ireland as this universal habit on the part of Irishmen, whether on the one side or the other, of violent and indiscriminate denunciation. They had Mr. Parnell and his followers in the other House; they had his noble

Friend in that House. He knew his noble Friend to be as loyal a man as could be, and he did not confound his opinions with those of the men to whom he had referred; but there was in him no calm deliberation, no power of appreciating both sides of a question. The violence which was exemplified, as much in the debates in that House as well as in the debates elsewhere, must make them see how immense was the difficulty of dealing with a country like Ireland, and that difficulty would be as great if the Party opposite was in Office as it was now. His noble Friend spoke with astonishment of the universal reduction of rent in Ireland. There were a vast number of cases yet to be tried; and, therefore, he did not think it could be said with truth that there had been a universal reduction of rents. What, however, their Lordships were asked to consider was what, in point of fact, had been the operation of the Act, and what had been the proceedings of the Commissioners? He considered the Committee were quite as much on their trial as the Commissioners; and the verdict, though, perhaps, not in this House, was quite as likely to go against the Committee as against the Commissioners. The indictment against the Committee was that from first to last they proceeded in a partizan spirit. They carefully called witnesses to prove the case which they determined beforehand to prove, and they had drawn up a Report which formed a violent attack upon the Commissioners and the Act. What it appeared to him the Committee ought to have done, when they received evidence incriminating the Commissioners, was not to wait until the Commissioners presented themselves; but to have sent them the evidence upon which they intended to found the accusations against them, and to have asked them whether they desired to come before the Committee for the purpose of giving rebutting evidence if they could. He did not doubt the right of the House to appoint a Committee of Inquiry into the operation of an Act of this remarkable character; but the head and front of the mistake was the action of the House in insisting upon an inquiry before the Act had fairly got to work. Had a longer time been allowed to elapse, some valuable results might have been attained by the inquiry; as it was, the investigations had resulted in nothing more than a violent indictment against the Commissioners, founded upon evidence of a one-sided character. Several noble Lords had reflected very severely upon the conduct of the Government and of Parliament in not having in the Act inserted a definition of fair rent, so as to guide the Commissioners in their action. That, no doubt, was deliberately done by Parliament. It was not an act of cowardice, as his noble Friend (the Earl of Dunraven) seemed to imagine; it was the act of men who were not able to frame a satisfactory definition. The most analogous case he could remember was the case of the Act under which very important operations took place in the country—the Act under which all the assessments for local rates were fixed throughout the country. What was the definition which Parliament inserted in that Act? Why, that the property was to be assessed at the rent which it might reasonably be expected to fetch from year to year. That was neither more nor less than a fair rent, and that was exactly rent which the Commissioners in Ireland were instructed to fix. If Parliament had failed in its duty by not inserting a definition in the Act, was that a ground of complaint against the Commissioners? The Commissioners would have gone beyond their duty if they had attempted such a definition; and they would have been enacting, without any legislative power, an addition to the Act of Parliament. A great deal had been said about the Sub-Commissioners, and his noble Friend on the Cross Benches (the Earl of Dunraven) had expressed surprise that no persons possessing local authority had been appointed to conduct the measure. It was well known that when men were called upon to perform public duties in their own locality they were always open to the charge of partiality. His noble Friend (the Earl of Dunraven) brought a general accusation against the whole Act; he had said it had already failed. Nothing was better than the relations of landlord and tenant before the Act, and there was no necessity for the Act. He (the Earl of Kimberley) supposed that his noble Friend was of opinion that landlords and tenants could have settled their grievances without such an Act, that landlords would have received their rents, and that the tenants would have settled down into that quiet and tranquillity for which people had so long wished.

The Earl of DUNRAVEN said, he did not say there was no necessity for legislation; but that there was no necessity for the Act.

The Earl of KIMBERLEY asked whether his noble Friend did not know that agitators could not do anything unless there was stuff on which they could work? It was because there was a widespread distrust between landlords and tenants, because there was an absence of that good feeling which they all wished to see prevailing, because there was in Ireland a distrust of the Government itself—he did not mean the Government of Mr. Gladstone, but, unfortunately, the Government of this country—it was because of the state of things that he had described, that the Government were compelled to have recourse to an Act which had not been unfairly described as a domestic revolution. The state of things required a violent remedy. His noble Friend knew that landlords were not getting their rents except with the help of English bayonets. Were the Government to supply that force, and not supply the remedy? Whoever it was who was at fault, there was an agrarian agitation in Ireland for which there was no alternative but to have recourse to a strong and drastic measure, such as the Land Act. It was impossible that a measure of this kind could be carried into effect without some cases of individual hardship, and even of injustice. The Commissioners were accused of meeting the statements made against them with a simple denial. He could not see how, under the circumstances, they could have done otherwise. These Commissioners were fallible, like other men; and he should not be at all surprised to learn that in some cases they had acted in a manner which the House would not approve. Very probably they had done a good many things open to criticism; but he believed, at the same time, they had endeavoured to carry out the Act to the best of their ability. When men were intrusted with grave duties, nothing was more discouraging than to find they were not supported by the opinion of the respectable classes in the country. Why, the very hostility they excited in Ireland would make them doubly careful not to exceed the bounds of fairness and moderation. They had incurred much odium, it was true; but that was because they endeavoured to give the Act fair play, and did not proceed in a spirit of hostility to it. The Act, he believed, had had a largely beneficial effect, though, perhaps, some believed that the improved condition of the country was due to the measures of severe coercion they had adopted. That, however, was not his opinion. Severe measures might cope effectually with conspiracy, or even with secret societies; but they were powerless in the face of an agrarian movement, a general refusal to pay rent, and, in such cases, nothing but a change of system would avail. That change of system, combined with the severe measures, he believed, would have a good effect; but such a change required a generation to show its full influence on the social system; and, although he believed the Government had laid the foundations of a better land tenure in Ireland, still he should not be surprised even if many further changes intervened before the new system showed its full results, and Ireland became a peaceful and contented country.

Lord BRABOURNE: My Lords, as a Member of the Committee which has been referred to by the noble Earl (the Earl of Kimberley) as being upon its trial, and as having been myself pointedly alluded to during this debate, I humbly crave your Lordships' indulgence for a short time. No man can have lived a long Parliamentary life without having experienced from time to time great surprises; but I confess that I never experienced a greater surprise than at the tone and the manner of the Lord President of the Council (Lord Carlingford) in his reply to the noble Marquess who introduced this subject to-night. The noble Lord taunted your Lordships' Committee with not having called witnesses on both sides of the question; and he justified those observations of the Commissioners to which I shall presently have to refer. But to enable your Lordships adequately to appreciate the extraordinary reply of the noble Lord, I must ask you to recall, for a few moments, what passed at and since the appointment of this Committee. I was always at a loss to comprehend why Her Majesty's Government should have so vehemently opposed its appointment. It is quite true that in ordinary cases there is some inconvenience in inquiring into the working of a law which has only been for a few months in operation. But, in the first place, this was no ordinary case; and, in the next place, it was one far above and beyond any mere question of convenience. Courts had been established in Ireland of a nature and character unknown in the previous history of this country; the law was being administered in a manner which I say distinctly had never been contemplated by the Parliament which passed it; grave complaints of its administration were brought daily before us; and we owed it to ourselves and to the public, alike of Great Britain and of Ireland, that to those complaints we should not turn an indifferent ear. My Lords, if Her Majesty's Government had been able to recognize the position; if they had encouraged, instead of opposing, the inquiry, and had placed upon the Committee some of those who had supported the measure in its passage through this House, and were favourable to what I will call its principles, they would have done much to lift this question, as it ought to have been lifted, out of the region of Party controversy, and would have added immensely to the probability of the early and satisfactory solution of some of the difficulties which beset it. Unhappily, the Government took an entirely different course. From first to last they did their utmost to discredit your Lordships' Committee; in the other House of Parliament they wasted valuable time in an unseemly criticism of your Lordships' proceedings, which was as utterly unconstitutional as it was entirely futile. Your Lordships' Committee meanwhile went on, quietly doing its duty, endeavouring to discover where and wherefore the Act was defective, and investigating the complaints which were made against it. And now, forsooth, the Government having, in a fit of temper at their defeat upon the question of its appointment, refused to aid the inquiry, and discouraged their friends from giving evidence before the Committee, turn round and accuse us of having neglected the duty which it was their own part to have discharged, and find fault with us for not having discovered and summoned before us the evidence which they could themselves have produced if they had wished to aid in an impartial inquiry. My Lords, what were the complaints which we had to investigate? They were such as must be admitted by every impartial mind to have been only natural. They came from men who found themselves suddenly and unexpectedly made the victims of a system for which simple truth and common honesty can have no other term than legal confiscation. They were the complaints of landowners who found among those who were appointed to be the arbiters of the rents of the future, men fresh from the platforms on which they had denounced the rents of the past and of the present, and had accompanied those denunciations with speeches in which respect for the rights of property had formed no conspicuous element. And those who complained had a right to expect that their complaints would receive attention, not only from your Lordships' House, but from Her Majesty's Government, for Her Majesty's Government had obtained the passing of this Act by assurances, again and again repeated, which I do not doubt for a moment that they implicitly believed in when they made them, but which, in the result, have turned out to be utterly valueless. Your Lordships' House—aye, and the other House of Parliament—were assured that rack rents alone were to be dealt with under this Act, and that rack-renting was the exception, and not the rule, in Ireland. If you had believed that rents which had been paid duly and without a murmur for 10, 20, 50, nay, 100 years, and which had formed the basis of family settlements and family arrangements for generations, were to be rudely interfered with and materially reduced under this Act, I venture to say that you would never have given your sanction to the measure. Yet such has been the case. The Courts which were to have been Courts of amicable arbitration between landlord and tenant, have been converted into Courts for the re-valuation of the land of Ireland by men who can only make a cursory and imperfect survey of the lands they value, who are guided by no principle, and left to value how they please; and, in fact, the measure has been practically converted into a penal enactment against that particular class of Irishmen who have committed the heinous offence of loyalty to the British Crown and attachment to the

British connection. My Lords, in so far as our Report deals with Emigration and the Purchase Clauses, I do not propose to say more than a word or two. Of Emigration your Lordships will hear plenty in the future; and of the Purchase Clauses I have but one thing to remark. The Purchase Clauses have failed, because the Act has placed the Irish tenant in a position in which he practically enjoys all the rights of ownership without its responsibilities, so long as he remains where he is; whilst, if he desires to quit his holding, he has that free competition which enables him to obtain a high price for his interest, often, indeed, higher than the unfortunate landlord can obtain for the fee simple of his land. True, the incoming tenant has to pay that high price; and as, in all probability, he will have to borrow the money at a rate of interest which will represent a larger annual payment than the rent, he will be in a worse position than his predecessor. But then it must be remembered, as a peculiarity of this marvellous Act, that its authors have only attempted to secure and satisfy the present tenant farmers of Ireland, and do not appear to have ever thought of another generation. My Lords, upon the subject of judicial rents I must ask your Lordships' indulgence. It is just a year ago that I brought this matter forward, to which allusion has been made tonight by my noble and learned Friend (Lord Fitzgerald). I did so at the request of those who were deeply interested in Irish land, and I spoke under a grave sense of responsibility. Your Lordships may, perhaps, recollect the severe attack which I brought upon myself from the noble and learned Earl upon the Woolsack. The noble and learned Earl, indeed, restrained his impetuous ardour during the evening upon which I introduced the subject; but, upon an early occasion afterwards, he felt it his duty to descend—I may almost say to leap—into the arena, and, with a vehemence of gesture and violence of language greatly at variance with the usual courteous and gentle demeanour which your Lordships admire in the noble and learned Earl, he declared that I had made imputations which were "odious," "unworthy," and "indefensible," that I had "impeached the integrity of the Sub-Commissioners," and he wound up the climax of his fervid oratory by denouncing me as a Member of the Tory Party. Well, my Lords, perhaps the noble and learned Earl is a better judge than I am of what constitutes a Member of the Tory Party, having been one himself, off and on, during part of his political life, and being even now, I observe, described in books of reference as a "Liberal-Conservative," whilst at the same time a Member of a Government one of whose Members boasts that it is more Radical than even the Radical House of Commons. But I do not presume to detain your Lordships upon such a topic. What I wish to notice is the graver charge brought against me by the noble and learned Earl. My Lords, I impeached no man's integrity. The noble and learned Earl said that I had raked up the political antecedents of the Sub-Commissioners. That is not the case. I have had a justification of what I said furnished in the speech just delivered by the noble Earl the Secretary of State for India (the Earl of Kimberley). What did he say? He declared that the noble Earl near me (the Earl of Dunraven) could not have administered the Irish Land Act fairly, because his mind was entirely biassed on the side of the landlords. That is precisely what I said with regard to some of the Sub-Commissioners, who had expressed violent tenant-right sentiments before their appointment. I said that when you were about to establish Courts for the trial of cases between two classes of litigants, you ought not to appoint as Judges in such Courts men who had expressed themselves strongly and decidedly in favour of the particular views of one of those two classes, and that if you did so you could not expect that your Courts would give satisfaction or command public confidence. My answer to the strictures of the noble and learned Earl, and of others who have blamed me for bringing the subject forward last year, is a plain and simple answer. The evils complained of were not only great and serious, but they were daily going on, fresh evidence and fresh complaints came constantly before me, and I felt bound to bring the matter before your Lordships. My Lords, I pressed five points upon your consideration. First, that rents were being largely and unjustly reduced; secondly, that these reductions were being made upon old rents, and not only upon estates of which the rents had been lately raised; thirdly, that there was an inequality and want of uniformity in the decisions of the Sub-Commissioners which was likely to be mischievous; fourthly, that they were apparently guided by no such principle as, being made known to the litigating parties, would promote inexpensive settlements out-of-doors; and, fifthly, that the examinations of holdings were hasty and imperfect, the evidence of tenants unreliable, and no information given as to the value of improvements which were allowed. My Lords, I appeal fearlessly to your Lordships whether every word of my allegations has not been proved up to the hilt; and I refer you to the evidence, which fully sustains them, and to the Report in which they have been endorsed. My Lords, the hardest part of the task of speaking upon these matters is caused by the extraordinary attitude of the Government. They are so determined that their measure must have succeeded that they meet every proof to the contrary with a stolid indifference which would be amusing if the matter were not so serious. My noble Friend the Lord President of the Council is entirely hardened against proof, and cannot endure that anyone should disbelieve in the success of his Act. At the beginning of the present Session the noble Duke upon the Front Opposition Bench (the Duke of Abercorn), and the noble Marquess who introduced this subject to-night, made speeches in entire corroboration of all that I had stated last year, and condemnatory of the working of this Act. What was the Lord President's reply? He simply declared that the speeches of those two noble Lords were so full of passion and prejudice as to have no practical result! But he treated the noble Earl near me (the Earl of Dunraven) even worse. My noble Friend, in the course of a speech upon Irish affairs, incidentally declared that the rate of reductions of rent was as great or greater now than it had been at the first sittings of the Sub-Commissioners' Courts. The Lord President politely informed him that he had stated that of which the truth was notoriously the reverse, and that the rate of reduction had been considerably lower during the last few months. My Lords, I have referred carefully to the Official Reports for the months of September to February inclusive; and I find that at the moment at which the Lord President was speaking—on the 6th March—there had been an uniform average reduction of about 20 per cent during all these six months, or, to be more exact, the average had been about 18 per cent in the Province of Leinster, something under 20 per cent in Connaught and Munster, and 21¼ per cent in Ulster. And yet, with the knowledge of these Returns which the noble Lord ought to have possessed, he informed us that the rate of reduction during these months had been "considerably lower." My Lords, not being a Lord Chancellor, I cannot use bad language; but I must say of the Lord President's statement that it was not characterized by that accuracy which we had a right to expect from so high an official. My Lords, I had intended to refer more in detail to the evidence which has been the foundation of our Report; but this has been rendered unnecessary by the references already made by previous speakers. I will, therefore, come at once to those observations upon the Report which have emanated from the Irish Land Commissioners. The noble Earl (the Earl of Kimberley) told us just now that our Report was an extraordinary document; but, to my mind, the Paper which contains these observations is one of a far more extraordinary character. The Commissioners tell us that they have been censured in their absence without any notice or opportunity of defending themselves. Let us get at the real facts of the case. My Lords, this Committee was appointed early in March last year. The bulk of the Evidence upon which the Report was founded was reported and printed at the end of the last Session of Parliament. The Commissioners, therefore, had all the winter months in which to digest the Evidence and consider whether it should be rebutted. Furthermore, in the debate of last July, to which I have already referred, the charges—if charges they are to be called—were specified and stereotyped in the statement which I made in this House, so that the attention of the Commissioners and of the public was emphatically directed to them. Then the Committee was re-appointed in March of the present year.

Upon the 8th of May—that is, two months before the Report was issued—the Evidence taken up to that time was printed and published; and let it be observed that of the evidence of the only two witnesses who were called after that date, the Commissioners themselves say in this document that it would have made no change in their observations. They had, therefore, two full months in which to consider whether they should bring any evidence to rebut any of the allegations of the witnesses who had been examined, and they deliberately forebore to do so. Be it observed that these allegations did not spring up suddenly, at a late period of the Sittings of the Committee; but they run from first to last all through the Evidence. If the Commissioners had been pleased to bring counter-evidence, the Committee would have been most ready to receive it. But they were not so pleased, and for a very good reason. Had they brought such evidence, it would have been exposed to the keen cross-examination of the noble and learned Earl who presided over the Committee, and of the noble Marquess the Leader of the Opposition. It was better policy to wait until the opportunity of cross-examination had passed by, and then to pose before the public in the character of injured men, who been condemned unheard in their absence. And then these Gentlemen, who could not find time in two months to furnish rebutting evidence which could be sifted by cross-examination, found themselves perfectly able, within four days—that is, between the receipt of the Report upon the 14th of July and the 19th—to draw up the elaborate observations which bear the date of the latter day, and which go carefully though every paragraph of the Report. It must be borne in mind, moreover, that from first to last the Commissioners had shown the greatest disinclination to allow the Sub-Commissioners to be examined; and your Lordships' Committee had actually to come to this House to obtain an order for one of them to appear. The Commissioners say in this precious document that—

> "The question assumed a new phase when accusations such as those to which the Committee have given their sanction were made against them."

But they do not tell your Lordships when this new phase commenced; the accusations, if so they are to be called, were made throughout the inquiry from beginning to end; and in the present Session the Commissioners showed the same disinclination to allow the Sub-Commissioners to come over and give evidence, and they never afforded to the Committee the slightest indication that this new phase had in any degree caused them to alter their views upon the question. The conduct of the Government in discrediting the inquiry had caused great reluctance to be examined among witnesses who might have been favourable to the measure, and for this reluctance the Government and the Commissioners now wish to make the Committee responsible, although they did actually examine a number of officials and counsel, of whom I am informed that one had acted solely for tenants in the Courts, and that most of the others had acted for tenants as well as landlords. If the Commissioners felt aggrieved at the evidence they had only to ask in order to be re-examined, and it is preposterous to charge their neglect to do so upon the Committee as a fault committed by them. My Lords, I take this paper of observations in my hand, and neither as a literary document or an argumentative treatise can I call it creditable to the Commissioners. The greater part of it consists in a simple denial of facts proved in evidence, a denial which loses three-fourths of its value because it might have been, but was not, made when that value could have been tested by questions before the Committee. Then the Commissioners complain that a mass of Evidence hostile to the Act has been collected. Well, I suppose that those who had fault to find with the Act came to say so; and your Lordships' Committee can hardly be blamed if those who held different views chose to stay away. But the Commissioners declare that "charges of the grossest character have been recklessly made against them" in the Report. One of these alleged charges is with respect to the arithmetical calculation. I say at once that I throw aside this idea as far as I am personally concerned, because this is a kind of thing which cannot be proved one way or the other. All, however, that the Committee say in their Report upon this head, so far as the Chief Commissioners are concerned, is simply that if they had given any explanation of the principle upon which judicial rents were to be settled they would have avoided the suggestion of this arithmetical process which had been made. The suggestion certainly was made, but the Committee do not endorse it in this paragraph, and certainly I had no notion, nor do I suppose had others any notion, of impeaching the honour and integrity of the Commissioners. The second charge of which they complain is that with respect to the Court valuer. It is said that when his valuation approximates to the judicial rent, the Commissioners invariably confirm that rent; but when his valuation is much higher than the judicial rent they give a very small increase of rent. In this statement—which was given in evidence on the 25th and 26th of April, so that there was ample time to contradict it—your Lordships' Committee simply speak of facts and figures proved before them, which the Commissioners might have disproved if they were able to so. There are the figures; and the only reason we have heard for a non-raising of the judicial rent, when the Court valuers' valuation is above it, is the allegation that in this valuation the tenant's improvements have not been deducted. This however, can hardly be correct, because, if it were so, it would follow that in the other case the rent would be fixed below the judicial rent, instead of the latter being merely confirmed. Then the Commissioners make a most extraordinary confession as to test cases. They allow that it would have been a useful thing to have tried test cases by way of guidance to the Sub-Commissioners, because they say that they were actually prepared to do so when Mr. Parnell and the Land League had decided to submit such cases for trial. But as soon as the Land League was declared illegal, and Mr. Parnell thrown into prison, they abandoned the idea. Well, if it was desirable that test cases should be tried, I cannot see why it should have been less so because they were not furnished by Mr. Parnell. Was the matter to depend upon the Land League, or had not the Commissioners the good sense and ability to select cases as test cases, by the trying of which they might have rendered valuable service to the administration of the Act? Then, my Lords, comes the strange declaration of the Commissioners, that it was impossible for them to have laid down any principle for the guidance of their Sub-Commissioners. The noble Earl the Secretary of State for India (the Earl of Kimberley) appeared entirely to endorse that opinion to-night; and he pointed to the English Assessment Act, and said that the only principle of valuation therein laid down was that a farm should be valued at what it might be "reasonably expected to let for from year to year." My Lords, it so happens that at the time of the last English Assessment Act I was living in the country, and I went on an Assessment Committee, and, in company with practical farmers, valued a great number of farms. The noble Earl is quite correct as to the principle; but he entirely forgets that we had to guide us in our English valuations the market price of land ascertainable by free and fair competition, and our knowledge of the rents paid for land under that competition. But this fair competition has been destroyed in Ireland by this Land Act. It is the very essence of Liberal principles; but Liberal principles have been declared inapplicable to Ireland. Then, having done away with this, the best, if not the only test by which value can be ascertained, it was more than ever necessary that some principles of action should be laid down for the guidance of those who were about to settle the Irish rents of the future. And it was all the more necessary, because of the opinions of those who had to be guided. We know that at the celebrated meeting between the Chief Commissioners and their subordinates, two of the latter expressed views upon this subject so strange as to elicit laughter from their superior officers. We know, moreover, that at least one Sub-Commissioner—Mr. William Gray—entertained views of a somewhat extravagant character. His views, as published in the newspapers, and uncontradicted so far as I know, were that you should take Griffith's valuation, deduct the taxes, halve the remainder, and give one-half as rent to the landlord. This, he said, would be plenty for the landlord to live on, and it might have to be still further reduced if American competition increased. These were the kind of men with whom the Commissioners had to deal—men ignorant of law, and imperfectly acquainted with their duties. Surely it was the duty of the

Commissioners to have explained to them the Act, and given them, at least, suggestions as to their course of procedure. Instead of this, they preferred, in Professor Baldwin's words, to turn them loose upon the property of landlords and tenants without any instructions whatever, sooner than run the risk of themselves making any possible mistake in their directions, which might afterwards have been reversed by a Superior Court. Such simple instructions might certainly have been given; and as to the impossibility of stating any principle, unless my ears deceived me, there was some statement very much of the character of the principle of valuation in the Paper which the Lord President read to-night, as coming from Mr. Grey Grey, of Dilston, which I asked him to lay upon the Table of the House, considering the inconvenience of quoting from a Paper which has not been so laid. The Commissioners, however, gave no directions or instructions, and the consequence has been that want of uniformity and that confusion in the administration of the law of which such deep complaint is made. My Lords, I have been asked by one or two friends—"Well, after all, what is the use of your Committee and of your Report?" I answer, my Lords, that I think we have been of some use, if only in that we have been able to point out some of the defects in the working of this Act, which have actually been remedied at our suggestion. We have done something more, if, by exposing the inherent viciousness of the system which has been established in Ireland, we may have prevented still further legislative mischief upon the same lines. For your Lordships will probably be of opinion that, after the experiences of the years 1870 and 1881, and the enactment in the latter year of provisions specially denounced and condemned as impracticable by the Prime Minister in the former year, there is no conceivable extravagance in land legislation which may not at any moment be brought within the range of practical politics by those who obtained the present Land Act as a concession to their agitation. I know well enough that the Government deny that this measure can be fairly so described. I do not forget that, at the commencement of the present Session, the Lord President declared, in somewhat grandiloquent language, that this was not a concession, but a reform. But such language deceives nobody. Let any noble Lord gauge its value by asking himself—if there had been no agitation, would there have been any such Land Acts? Least of all, does it deceive the people of Ireland? The noble Earl (the Earl of Kimberley) told us just now that agitators could do nothing unless there was stuff on which they could work. That is true, indeed; and it is because they know the squeezable stuff of which the Government is made that the agitators continue their trade, and encourage the tenant farmers to expect still further benefits from land legislation. I imagine that when the Government introduced this Land Act they had two main objects in view—one, which I make no doubt was their first and greatest object, to pacify Ireland and content her people. But their second object I take to have been to build up and consolidate a Party of grateful supporters for the Minister who had given to the Irish tenant farmers so great a boon at the expense of their landlords. It is to be hoped that the Government have not so egregiously failed in the first object as they undoubtedly seem to have done in the second. At the last General Election a compact body of Liberals were returned from the North of Ireland to support Mr. Gladstone's Government. Where are your Ulster Liberals now? If you go among Irish Representatives now and see one with a countenance more than usually melancholy, the chances are that he is an Ulster Liberal. Their doom is fixed; their sentence is passed. They were made use of by the Party—falsely called the Nationalist Party in Ireland, since they do their best to destroy her as a nation—to turn out the Tory Government; and they are beginning to find that they have only escaped the Scylla of Beaconsfield to be overwhelmed in the Charybdis of Parnell. Has the Monaghan Election taught us no lesson? Have you any evidence to show that your Land Act has been accepted as anything but as an instalment of demands to which, at present, you have no idea of making any concession? Do you really imagine that you have pacified Ireland by this remedial measure? You point, indeed, to a more tranquil Ireland than you could have done last year, and you refer with pride to the vigour and energy which has been shown by the noble Earl who holds the Office of Lord Lieutenant of Ireland (Earl Spencer). I, for one, never doubted that the noble Earl would show vigour and energy in any public position which he might hold. But how have you enabled him to employ these qualities with effect? By throwing to the winds all those maxims which you preached during your first year of Office, and falling back upon those measures of coercion and repression which you professed to have finally abandoned. Have you really gained strength, either for yourselves or your country, by this legislation? What is the language now held by the Leaders of the Nationalist Party? There is no question with them of Whig or Tory. After the Monaghan Election I see that Mr. Parnell declared that "no English Party" could henceforward hold up its head in Ireland; and, again, after the Wexford Election, another of these Leaders declared that "Wexford had struck a blow at the vile Foreign Ruler." And yet these are the men through whom you recently sought to govern Ireland. These are the men who boast that from Kilmainham Gaol they dictated every word and every line of your Arrears Bill; and, although this may not be true, there is little doubt that a great many people in Ireland will believe it. To please such men you have turned loose valuers to value the land of Ireland without a principle, and to reduce the rents far and wide. You have committed an error, the worst part of which is that it is stereotyped in legislation, and cannot be undone. You cannot drop it, as if it were a Suez Canal negotiation, as soon as your blunder has been condemned by public opinion—the Act must continue to work, and I fear that its work can hardly be satisfactory. I wish I could think otherwise; but it is because I fear that the evils of this Act will increase rather than diminish, and because I have no unkindly feeling either towards Ireland or towards Her Majesty's Government, that at this moment I regard both the one and the other with profound commiseration.

THE EARL OF HOWTH said, that his experience of the Land Commission was not very extensive; but he felt bound to say that that experience led him to believe that the Commissioners were largely guided by the circumstances of the tenantry, and, though they had not laid down any rigid principles, were performing their duties conscientiously. He had even known instances in which they had raised the rents. Having some knowledge of the condition of agriculture in Warwickshire and other English counties, and of the reduction of rent which they felt it necessary to make, he would much sooner, as a landlord, be under the Irish Land Act, as administered by the Land Commissioners.

LORD WAVENEY said, he believed that the tenants of Ulster would remain loyal to their tenant right, and set their faces resolutely against the inroads of agitation in that portion of Ireland, despite the results of the Monaghan Election. Farmers had told him they would sooner vote for a Conservative than hand over their county to anarchy.

LORD EMLY said, that it struck him as astonishing that a Committee, presided over by a noble and learned Earl who had occupied the highest legal position in this country, should have made such a charge as was disclosed in the Report against men of high character, one of whom was a Member of their Lordships' House, and another of whom was one of Her Majesty's Judges. In his opinion, the fact that such a charge had been made must result in discredit attaching to some among those who had published it. The matter, however, could not be left as it now stood. The mistake made by noble Lords opposite was that they did not take into consideration the position in which the Commissioners were placed. They were not responsible for the Act. It was their Lordships who were responsible. The time was one of unexampled depression. Everyone knew how landlords in Great Britain suffered in respect of rent. A noble Friend of his told him that 2,000 acres of arable land, for which he had been receiving 30*s.* an acre, were thrown on his hands, and that he would be most willing to let them for 10*s.* an acre. And Sir George Jessel, who, from his position, had great knowledge on the subject, described to him the unexampled fall in all manner of rents. Besides, that was the time of the American competition, which acted so injuriously on the farmer. It was under these circumstances that the Commissioners had to fix the rent of land, not for two or three years, but for 15. He was in a measure behind the scenes, for there were many friends of his Sub-Commissioners, and they were as honourable men as any of their Lordships. They assured him that the system they adopted was wise, and calculated to ascertain the true value of the land. One of the charges against the Commissioners was that they had not laid down any rules for the guidance of the Sub-Commissioners. He could state, from the highest legal authority, that they could not have done so. Parliament deliberately framed the clauses upon which they were to proceed; and it would have been entirely illegal for the Commissioners to substitute any other rules. It should also be recollected that the Commissioners had to proceed on an entirely new system. The ordinary rules by which the value of land was determined—contract and competition—were, it might be said, abolished in Ireland. It was, as the noble Duke (the Duke of Argyll) had said, "a tremendous remedy for a tremendous disease." Their Lordships had heard of injustice to the landlords. In an island off the coast of Ireland the rent, when the property was bought by the present owner, was £800 a-year. By the labours of the tenants, without any assistance from the landlords, the land was improved, and the rent was raised to £3,000 a-year. Could their Lordships wonder that in such a case the rents had been reduced 58 and 75 per cent? Was that not a case in which some remedy was required for so cruel an injustice? Why, the principle of the Land Act was recommended by the Duke of Richmond's Commission. ["No!"] They recommended that there should be some tribunal for revising rents; and Mr. Arthur Kavanagh, one of the leading men among the landlords of Ireland, in the strongest way advocated such a tribunal. He trusted that the Government would persevere with the scheme of emigration, which last year worked so well. Some time ago their Lordships were told that an offer had been made by responsible persons in Canada, in pursuance of which emigration could be carried out on a great scale; and the House had reason to believe that the proposal would be accepted by the Government. He hoped whoever spoke on behalf of the Government would assure him that the admirable scheme of emigration started last year would not be allowed to fall through. He agreed with some of the noble Lords who preceded him, that an amendment of the law was necessary with regard to the sale of land to the tenants. He was satisfied that until the number of persons interested in the preservation of property in Ireland was increased there never would be peace and prosperity in that country.

THE MARQUESS OF SALISBURY: My Lords, we have had a very interesting debate, and many striking speeches. I should not have risen to add to the case of our side, which has been presented with such remarkable force, except to repel one or two misapprehensions which have occurred in the debate, and which, I think, it is undesirable should remain on record uncontradicted. The noble Lord who has just sat down stated that the Duke of Richmond and Gordon's Commission had recommended a measure such as the Irish Land Act.

LORD EMLY: I think my expression was that the Duke of Richmond and Gordon's Commission had recommended that there should be some measure introduced giving those tenants who considered their rents excessive some means of redress.

THE MARQUESS OF SALISBURY: If I heard the noble Lord rightly he used the word "tribunal."

LORD EMLY: Tribunal—yes.

THE MARQUESS OF SALISBURY: Such a statement has been frequently made. It has been made by the Prime Minister himself, and I know none of the commonplaces of politics that are more utterly untrustworthy. I have the exact words of the Duke of Richmond and Gordon's Commission before me, and I think the noble Lord will see that there is nothing which refers to the establishment of any tribunal of the kind, or authorizes any interference with existing rents. They say that the demand for

> "Legislative interference to protect the tenant from an arbitrary increase of rent does not seem unnatural; and we are inclined to think that, by the majority of landowners, legislation framed to accomplish this object will not be objected to."

There is not a word about reducing existing rents. There is not a word about the gross barbarism of tearing up existing contracts. The noble and learned Lord (Lord Fitzgerald) stated that if there were any defects in the Irish Land Act, if there was a want of definition with respect to fair rent, and if the Sub-Commissioners had been led into error in consequence, this House ought to take its share of the blame, because it did not attempt to guide them. I think the noble and learned Lord forgets the circumstances under which this House accepted the Land Act. I remember them very well. Personally, I was anxious to make an effort to introduce a definition of fair rent into the Act; but I was always strongly discouraged by the unanimous voice of those Irish landowners whom I consulted. They said—"The Government have promised us, they have assured us, that this Bill will make no change in the great mass of rents in Ireland; that it will only interfere with those rack-renters whom we do not desire to protect; and, therefore, we think that it would be very unfortunate if any words were introduced which would have the effect of distorting a measure which they assure us will leave us harmless." The noble Lord the President of the Council told us to-night that there had always been a great deal of rack-renting. There were several Members of the Cabinet who believed that at the time; but they all kept silence. Mr. Forster, speaking after the Bill had passed, candidly told us so. The only Members of the Government who were allowed to speak were those who believed that there would be no extensive reductions of rent. The Lord President, the Lord Chancellor, and Mr. Bright told us in various tones substantially the same thing—that in nine cases out of ten rents would remain very much as they were. But the strangest of all the silent Members at the time the Act was passing through Parliament was Lord Hartington. Speaking in Lancashire this year, Lord Hartington said—

> "We caused inquiry to be made"—that was before the passing of the Act—"and we found that, not in the opinion of one Party alone, not in the opinion alone of one section of Irish society, but in the opinion of an overwhelming majority of the Irish nation, that the rents which were being demanded from Irish tenants were in a great number of cases such as it was impossible for them to pay and live."

That is what the Cabinet thought when they introduced the Bill. This is what the Cabinet, speaking through Mr. Bright's mouth, said—

> "My view of the operation of that particular clause is that the rents of Ireland will, in nine cases out of ten, be fixed as they are now."

Is it possible to reconcile these two statements? What I wish to point out is that you cannot affix to the House of Lords any moral responsibility for having accepted this disastrous clause of the Irish Land Act, when they were led into a false and deluded idea as to the effects of that Act by the assurances of the Government itself. With respect to the matter of this Report, the noble Lord has declared it to be a violent and extravagant document. I do not think the noble and learned Earl (Earl Cairns) is likely to have put his hand to a document of that kind. In the next place, I do not admit that the Commissioners have any grounds of complaint whatever because they were not heard in answer to the allegations of the witnesses we summoned. It must be remembered that on the 6th May all the Evidence of which complaint is made was laid upon the Table. On the 31st May it was printed and circulated, and it must have been perfectly within the knowledge of the Commissioners. The Report was not agreed to until the 5th July. A single letter addressed to the Chairman of the Committee would have secured their being heard in rebuttal of the evidence if they so desired. But they maintained an absolute silence for the space of five weeks, and immediately the Report is out the Commissioners find their tongues, and complain that they have not been heard. My Lords, I do not believe that public opinion will attach the slightest importance to that complaint. I maintain, further, that there is no charge in the portion of the Report in which it is alleged that there is a charge against the Commissioners. There is no expression of an opinion with respect to their being exposed to the suggestions to which reference has been made, but rather against the fatal system of secrecy which they thought fit to adopt. The noble and learned Lord (Lord Fitzgerald) told us that the cases which had been alluded to were mere coincidences, and were due to the law of average. I hope nobody will take that statement for granted without carefully reading the Report and examining the figures. They are the most remarkable figures I ever saw. We have here the decisions of the Sub-Commissioners in November, 1882, on one single estate. There were only 40 cases, and of these, as regards 16, this rule is good that if you add together the valuation given to the tenant and that given to the landlord it will in each case, within odd shillings, produce the judicial rent. Do not tell me that this is a mere coincidence, or to be put aside by an appeal to the doctrine of averages. We have had nothing in defence of this case but two arguments — one that it is all coincidence, and the other an appeal to the character of the Commissioners. These are two favourite modes of defence. We have simply to appeal to our countrymen to judge whether these mysterious figures can be fairly disposed of by such arguments as these. In this, as in other cases, you will find strange coincidences; but the vital question is, can you get the jury to believe it? I cannot say that the whole of the Sub-Commissioners are subject to this charge, because we have no figures to prove it; but I think we should be wanting in our duty if we did not call their attention to the inferences to which these figures inevitably lead. We do not venture to state that the inference is correct. We only point to their grave character, and invite attention to them. As to the matter of principle, that has been sufficiently discussed, and I shall not enter into it; but in answer to those who say that we have not sufficiently examined witnesses, I would say that the burden of the Evidence is the complaint that there is no principle underlying the decisions of the Sub-Commissioners. If there is to be any system which shall not create a lasting jealousy between one estate and another we must have a principle which can be used by all Courts uniformly. I do not wish at this hour to continue this discussion. I think it will cause our countrymen to reflect very deeply on the value of this Irish Land Act, of which so much has been said. The noble and learned Lord, who has spoken opposite, has had recourse to prophecy to get rid of the inconvenience of existing facts; and he has told us he foresees some distant period at which the security of tenure will cause the Irish people to forget the present disaster. I myself indulge in no such beautiful dream. There is something more precious than security of tenure, and that is security of property; and security of property has been very greatly shaken by this Act. The Government found in existence rights which had lasted unquestioned four centuries; they have taken away those rights; they have reduced the rents that were being paid; and they have insured the tenants enjoyment of what they possessed, even though they broke the terms on which they held it. Various names may be attached to acts of this nature. The word "confiscation" is objected to; but we will not quarrel about words. You may apply any term or euphemism that you please; but whether you call the process confiscating or conveying, the practical result is the same. Men do not believe in exceptional legislation, and they see that the effect has been to deprive them of their property—that legislation has been adopted in answer to agitation, and they look with dread upon a future which may produce new agitation with similar results. The noble Earl the Secretary of State for India has told us, with an engaging frankness, which, no doubt, Irish landlords will greatly appreciate, that we cannot deal by force with a general resistance to rent; but that, when such a thing happens, we have nothing to do but to find some legislation which shall conciliate the people. This is an important statement. It reveals the real motives which, in spite of all protestations, have guided the policy of Her Majesty's Government. But it is important more with reference to the future than with reference to the past. It is an indication of what the principles are which, in view of new difficulties and dangers, will guide Her Majesty's Government. It is an indication of what any classes possessing property in Ireland have to fear when the next agitation arises, when the next Liberal Government is in power, and when the question is again placed before them, whether they shall sustain the laws of property or keep together their Parliamentary majority. I do not anticipate that this measure will be looked back upon in the future as a great effort in the pacification of Ireland. I trust its failure will prevent any repetition; but it will be looked back to in distant times as a proof of the evil to which an exaggeration of our Parliamentary system and the degradation of our Party Government will lead yielding and unscrupulous politicians.

THE LORD CHANCELLOR: My Lords, I do not shrink from repeating the substance of the opinions which I expressed at the time the Act was passed. The noble Marquess and those who sit behind him did not resist the second reading; and, therefore, they shared the responsibility of the Government, and the course they adopted was highly honourable to them, for they looked upon it as an unavoidable political necessity; and the only point upon which they may be open to reproach is that their present conduct has not been consistent with that course. I would repeat what I said before, that the landlords of Ireland are, at the present moment, in a far better position than they would have been if the Act had not been passed. It is very true that some Members of the Government expressed the expectation that on the greater part of the estates in Ireland no reduction, or no material reduction, of rent would take place. But that they could give assurances, or that anybody acted on the faith of those assurances, I totally deny. The opinion, honestly entertained by those who expressed it, was based upon information which was public to the whole world. I admit that to a greater extent than I, for one, expected rents have been reduced, even upon some of the more considerable and better-managed estates. That they have been universally reduced is not a fact. There are not inconsiderable estates in the South of Ireland on which there have been either no reductions, or reductions very far less in magnitude than the average reduction. If you compare the experience of England during these years of depression, and the rate of reductions of rent to which landlords have had to submit, and the distress of those who have been unable to get any rent at all because their farms have been thrown on their hands —if you compare these things with the present condition of landlords in Ireland, even after the reductions which have been made, it appears to me that the condition of landlords in Ireland, as regards both the amount and the receipt of their rents, is better at this moment than that of landlords in some very large districts in England. Although we might have hoped that the reductions would be less, we ought not to be astonished, considering all the circumstances, that those reductions should be as great as they are. The position of Irish landlords, who are now almost universally receiving their rents, is very different indeed from their position when the Land Bill was introduced, and very different from the position in which they would be now if that Bill had not become law. If the Lord Lieutenant—who has been congratulated on all sides upon the ability, firmness, and great patriotism which he has displayed in the administration of Irish affairs—were asked whether he believes that the present state of comparative peace, and order, and tranquillity would have been seen without such a remedial measure as the Land Act, I feel confident that my noble Friend would say that he does not believe it. Therefore, though some expectations may not have been fulfilled, others have not been disappointed. One expectation which I had has, certainly, not been fulfilled. When this House passed the Bill, and conducted it through Committee without any serious manifestations of hostility, I did expect that the subsequent conduct of noble Lords would be such as to make it impossible for anyone to say that such drawbacks as there might be on the success of the measure were due in any manner to a want of co-operation on their part. I did think that the course taken by noble Lords from Ireland, and by others, interested like them in the ownership of Irish land, would be in harmony, after the passing of the measure, with the course which they took when the Bill was passing through the House. What happened? The Commissioners had scarcely done a stroke of work, when large and important meetings were held in Dublin and elsewhere, at which speeches were made by influential persons denouncing the Bill almost before it had come into operation, calling it by many hard names, almost as hard as those suggested by the noble Marquess—I am not sure whether "plunder" was not one, whether "spoliation" was not another. With what hopes of success was the measure launched into life and action, when one of the two classes bound up with it, and whose interest it was to make it work for the best, declared itself in a spirit of hostility against it, and of distrust towards those who were to administer it? And now I come to this unhappy Committee. On the 17th of February, 1882, your Lordships passed that vote, deprecated with all the force that we were able on the part of the Government. We felt that if any step could be taken more likely than another to prevent the measure from becoming a final settlement, more likely to keep open wounds not yet closed, and to inflame them still more, it was the appointment of that Committee. We felt that so strongly that, as a Government, we declined to take any responsibility for the labours of that Committee. We left the whole responsibility to others. We thought it not conducive to the peace of Ireland, or to the contentment of the class either of landlords or tenants. I felt at the time very strongly what was coming, and thought it my duty to warn the House of what would take place. All that I then said has come true. After that, a letter was written by my noble and learned Friend the Chairman of the Committee, whose absence this evening we all regret. He wrote a very civil letter, inviting Mr. Forster to attend before the Committee, and in that letter he said that the Committee did not consider it within the scope of the Reference made to them by the House to inquire into the correctness of any decision which the Land Commissioners or the Sub-Commissioners, in the exercise of their judicial functions, might arrive at. It was not thought right that Mr. Forster should attend. I do not know whether his declining to do so may have cancelled the statement contained in that letter; but this I do know—that from the beginning to the end of the inquiries of the Committee there have been constant references to the decisions as to this estate and that. The books are full of them; and although the Committee may not have sat technically as a Court of Appeal, or under any of the conditions or safeguards indispensable for that purpose, they have, nevertheless, sat in judgment by wholesale upon the decisions of the Commissioners and Sub-Commissioners, and in detail upon the decisions in a great many cases. I must do justice to the noble Lords by admitting at once that they were placed in a position of much difficulty by the course which the Government, not out of temper, but from their sense of public duty, had taken. No doubt, the noble Lords who supported the appointment of that Committee had not the assistance which, in ordinary circumstances, they might have had from those who differed from them. The responsibility was left upon them to determine, under those circumstances, whether they would proceed or not, and to determine, if they did proceed, how they would constitute and how they would conduct their Committee. My Lords, the Committee was constituted of a number of noble Lords, as honourable men as any in this House. I do not, however, know whether it was necessary—if it was, it was an unfortunate necessity—that six Irish proprietors of land—some of them either actually or probably in the future interested in what the Commissioners might do, and who had taken, as they justly might, an active part, and who were likely afterwards to take an active part, in all the debates on the subject in this House—should be among the Members of that Committee. As has been already stated, the witnesses examined by that Committee may be divided into three classes—official persons, including the Commissioners and three of the Sub-Commissioners; one gentleman, who had acted frequently as counsel for tenants; and 32 gentlemen, who were either landlords, agents for landlords, or solicitors or counsel who had acted, on the whole, for landlords. The one gentleman who had acted for tenants said nothing tending in any way whatever to impeach any part of the conduct of the Commissioners. Well, I cannot but say that I think that was a very unfortunate necessity which the Committee were under, if it was necessary to have such one-sided evidence. If it was not a necessity, then it was a very unfortunate error of judgment. It is still more to be regretted that, without taking any notice whatever of the statements and explanations of the Commissioners, they have adopted in their Report all the adverse suggestions made by that class of witnesses which represented the interest of the landlords. They examined, and, in their first Report, reported the evidence of all the three Commissioners and the Secretary to the Commission. In their third Report they reported the evidence of three Sub-Commissioners—Mr. Reeve, Mr. Foley, and Mr. Baldwin. I have read with care the evidence of the three Commissioners; and I venture to think that evidence more creditable to them, more straightforward and open, more satisfactory, more worthy of credit from the Committee could not be imagined; but in the Report no credit appears to be given to any part of it. On the contrary, one would think from reading the Report, as far as its findings are concerned, that no such evidence had been given. The Commissioners fully explained the reason why they took the course which has been throughout mainly objected to as wrong, the course of not laying down rules or entering into explanations of the principles on which fair rents were to be ascertained. I hope presently to give your Lordships a statement of the effect of their reasons, which, to my mind, are not only satisfactory, but absolutely conclusive. Mr. Foley's evidence in substance confirmed the Commissioners', and so did Mr. Reeve's. Mr. Baldwin, it is true, was more critical of other persons, if not of the Commissioners themselves. I do not believe that Mr. Baldwin intended to throw discredit upon the Commissioners, or upon his own Colleagues. But he seems to have placed little confidence in any man's knowledge or judgment except his own; and, in the impartiality of his criticism, he did not spare the landlords, of whom he said—

> "In dealing with the administration of the Act, I have not seen much wisdom on the part of those who represent the landlords."

The noble Marquess (the Marquess of Salisbury) has insisted that if there is anything criminatory in this Report of the proceedings of the Commissioners, it is the Commissioners' own fault, because they did not come forward when they were invited to do so to rebut the charges against them. But the Committee were well aware that the Government did not think it convenient that the work of the Commissioners and Sub-Commissioners should be interrupted by their attendance at this inquiry, nor did they think it would conduce to a successful discharge of their duties that they should come up and be examined more than was necessary. Under those circumstances, was it reasonable to suppose they would volunteer to do so? The Committee had reported in two thick Blue Books a mass of Evidence, in which there was nothing that has been, or that could be, made the foundation of any charges affecting the honour and integrity of the Commissioners or Sub-Commissioners in the discharge of their duties. Any fair man who reads the third and the final Report will, I think, say that the Committee ought to have adopted one of two modes of proceeding; they might either have placed in their third Report some words which would have amounted to an invitation to the Commissioners to come in and contradict the evidence then reported if they chose; or they might have given notice to them that there was matter there which, in their view, required a reply, and to which, therefore, the Commissioners and Sub-Commissioners should have had ample opportunity of replying. It was usual to take some such course as this, whenever, in the course of a public inquiry, high public functionaries were thought to be prejudicially affected by any statements made; but, in this case, nothing of the kind was done. It was no excuse to say, as was said in the final Report, that the Evidence contained in the third Report was issued a month or two beforehand, in order that those concerned might have their attention directed to it, and answer it if they could. Why was it not so stated in the third Report itself? Why was the explanation of that motive or purpose reserved for the final Report, when, before the Committee at all events, no answer could be given? The noble Marquess has now adopted and reiterated the imputations against the Sub-Commissioners, although he does not, in express words, apply them to the Commissioners-in-Chief. There are different ways of doing things, and the more indirect is not always the better way. It seems to me that the insinuation in the final Report of the Committee conveys a charge quite as offensive against the Commissioners as if it were put more directly. As to the charge itself, I was sorry to hear the noble Marquess re-affirm it. The Lord President has told us that every one of the Commissioners has denied it in fact; and although Mr. Foley and Mr. Baldwin, the persons directly charged by the evidence of Mr. Smith, were afterwards examined by the Committee, no question was put to them in regard to those arithmetical coincidences on which so much stress has been laid. Mr. Baldwin, though not told that such a charge had been made against him, spontaneously denied it, as relating to himself. Mr. Foley knew nothing about it, and the course of his examination did not suggest anything of the kind. It seems to me that there is a very obvious explanation in the fact that, when impartial persons have to judge between different valuations, all of which may, from different points of view, be honestly made, the results arrived at by a fair and independent judgment are often such as nearly to coincide with those which might be obtained by splitting the difference. It has been said that the Commissioners should have laid down rules. The Act of Parliament laid down rules, and the Commissioners would have been acting improperly and against the law had they laid down other rules, at variance with, or in addition to, those rules. If an attempt had been made to frame definitions they would have knocked their heads against a wall on one side or the other. Their definitions would certainly have been accused of being too beneficial either to the landlords or to the tenants. Professor Baldwin, who is quoted as complaining that the Commissioners ought to have given some directions for which he asked, and which it would really have been most improper for them to give, professed himself to have acted on definite principles; but, when asked what they were, they turned out to be only his own knowledge, and skill, and experience, and such information as might be obtained from any ordinary books on land valuation. Witnesses who attended before the Committee said that any attempt to lay down definitions would have led to interminable litigation. It is said that it is the common practice of Courts of Justice to give reasons for their judgments. So it is upon matters of law, and upon matters of law it has been the practice of these Courts. But it has never been the practice in this country to give reasons for verdicts or awards, in trials turning upon matters of fact, which are the subject of reference to arbitrators, juries, or Judges discharging the duties of jurors. In conclusion, I have to say that I am myself entirely satisfied with the answers now given by the Commissioners to the charges brought against them.

THE MARQUESS OF WATERFORD said, he must protest against the attempt which had been made to discredit the evidence taken by the Commissioners, by the assertion that the witnesses examined were all on one side. The Committee had done their utmost to procure the best available evidence.

Motion (by leave of the House) *withdrawn.*

SCOTLAND—THE ORKNEY ISLANDS—THE "HEN AND CHICKENS" ROCK.

QUESTION.

LORD WAVENEY asked the First Lord of the Admiralty, Whether the Lords Commissioners, in order to obtain prompt and effectual security for shipping in the neighbourhood of the "Hen and Chickens" Rock, coast of Orkney, will order the erection of a perch on the reef by the district surveying officer, as was done in the Easdaile Channel, August 1848?

THE EARL OF NORTHBROOK, in reply, said, that it was a matter rather for the Commissioners of Northern Lights or the Board of Trade than for the Admiralty.

House adjourned at One o'clock, A.M., to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 27th July 1883.

The House met at Two of the clock.

MINUTES.]—SUPPLY—*considered in Committee —Resolutions* [July 26] *reported.*

PUBLIC BILLS—*Leave*—Constabulary and Police Administration (Ireland), *debate adjourned.*

Committee — Agricultural Holdings (Scotland) [190] [*Second Night*]—R.P.; Supreme Court of Judicature (Funds, &c.) * [270]—R.P.

Committee—Report—Parochial Charities (London) (*re-comm.*) [215].

Considered as amended—Agricultural Holdings (England) [272]; Railway Passenger Duty, &c. * [219].

Third Reading—Greenwich Hospital * [253], and *passed;* Statute of Frauds Amendment [204], *put off.*

NOTICE OF AMENDMENT.

SUEZ CANAL COMPANY (FUTURE NEGOTIATIONS)—SIR STAFFORD NORTHCOTE'S MOTION.

BARON HENRY DE WORMS gave Notice that he would move, as an Amendment to Mr. Norwood's proposed Amendment to Sir Stafford Northcote's proposed Motion, to move to leave out all after the words "this House" to the end of the Question, in order to add the words—

> "Having regard to the recent Correspondence between M. de Lesseps and the Prime Minister, thinks it necessary to declare that it maintains its entire freedom of judgment in regard to all matters connected with the question of water communication between the Mediterranean and the Red Sea."

QUESTIONS.

IRELAND—PROVINCE OF ULSTER—COUNTY VALUATION.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If the Valuation Office would have any difficulty in preparing a Return showing the number of tenements valued at £4 in Parliamentary boroughs in Ireland, distinguishing each borough; and also the number of holdings in each county in Ulster valued at £11 10*s.* or any intermediate sum up to and excluding £12, distinguishing each county; whether he is aware that complaint is made of a systematic policy of excluding Catholics from the Franchise by rating them at a figure just outside the qualifying amount; and, whether the proper authorities will oppose any objection if application is made by the parties interested, where some trivial valuation excludes from a vote, to increase this to the qualifying amount when the holder is willing to pay rates and taxes on the higher figure?

Mr. TREVELYAN: I am informed that such a Return could be prepared, but that it is a question whether it could not be more accurately done by the clerks of the several Unions than by the Valuation Department. In any case it would take a considerable time; but if the hon. Member sets store by it I will communicate with the Local Government Board. With regard to the second paragraph of the Question, I am not aware of any such complaint being made, and the head of the Valuation Department assures me that he is quite satisfied that there is no ground for it. I am advised that alterations in valuation can only be made in accordance with the statutory requirements in that behalf, and that the suggestion in the last paragraph of the hon. Member's Question could not legally be carried out. The statutory requirements seem to be very strict.

Mr. DAWSON: With reference to this Question, I beg to ask the right hon. Gentleman, Whether he is aware that though the law gives every £4 occupier in Ireland the right to vote, the Collector General's Act in Dublin prevents him rating anyone for the franchise whose valuation is not above £8?

Mr. ARTHUR ARNOLD asked, Whether the demand of the hon. Member for Monaghan was not met by a Return ordered on the 6th of April last?

Mr. TREVELYAN said, the Return at present before the House would not meet the demand of the hon. Member, because he wished to have the words "at and under £4." He was quite aware that the anomalous state of things complained of by the right hon. Member (Mr. Dawson) existed in Dublin.

PREVENTION OF CRIME (IRELAND) ACT, 1882—ARRESTS FOR MURDER, CONSPIRACY TO MURDER, AND TREASON-FELONY.

Mr. HEALY asked Mr. Attorney General for Ireland, How many arrests have taken place since the passing of the Crimes Act for murder, conspiracy to murder, and treason felony, how long each person was imprisoned before being committed for trial; how many adjournments took place during the preliminary hearings; and, how long each prisoner committed was confined between the committal and the Assizes; whether, in any cases, Assizes passed by, without such prisoners being tried, if this was on the ground that the Crown were not ready, can he explain the reason; how many prisoners are now awaiting for next Winter Assizes where the Crown opposed bail, and how long they will be confined before trial can be had; and, whether the Lord Lieutenant could do anything to expedite the trials of these prisoners?

The ATTORNEY GENERAL for IRELAND (Mr. Porter), in reply, said, there had been several cases of murder, and conspiracy to murder, which had been postponed. There might have been some cases of treason-felony; but they must have been few. In some cases the postponement had been caused by the absence of material witnesses, and in others by the fact that additional evidence had been procured, particularly in cases which had recently been before the Assizes. He was most anxious to accelerate the trial of all cases where it could be done consistently with justice.

The detailed information asked for by the hon. Member would take three weeks to procure, and could not be given in answer to a Question.

MR. HEALY gave Notice that he would move for this information as a Return. He presumed that the right hon. and learned Gentleman, in the interests of law and order, would have no objection to give it, for the action of the Habeas Corpus Act was practically annulled in Ireland owing to the course pursued by the Executive.

POOR LAW (IRELAND)—ELECTION OF A GUARDIAN—CARNAMONEY DIVISION OF THE MAGHERAFELT UNION.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. Louis Smyth, one of the candidates for the office of Poor Law Guardian for the Carnamoney division of the Magherafelt Union, demanded a sworn inquiry into the circumstances attending the election for that division in March last, alleging that he had been elected by a majority of votes, but that the return had been falsified by the misconduct of the returning officer and his assistant; whether the Local Government Board, on Mr. Smyth's memorial, granted an inquiry, but before the inquiry could be held, and without notice to Mr. Smyth, directed a supplemental election to be held, at which Mr. Smyth's opponent was declared elected without opposition; whether, when the promised inquiry into the validity of the March election came to be held, the inspector stated that his instructions from the Local Government Board forbade him to enter into a scrutiny of the votes given at that election, on the ground that the supplemental election ordered by the Local Government Board could not be affected by the voting at the impugned election; whether Mr. Smyth declined to be a party to an inquiry which ignored his claim to have been duly elected, on the strength of which the inquiry was originally demanded; and, whether it was competent to the Local Government Board, after ordering an inquiry, to prejudge that claim by directing a fresh election without notice to Mr. Smyth?

MR. TREVELYAN: The voting at the March election for the Carnamoney Division was returned as equal; and, therefore, no candidate was elected. Mr. Smyth, one of the candidates, demanded a scrutiny of the votes; but he showed no grounds for it, and it could not be ordered merely on his general allegation that he believed he ought to have had a majority. A new election was ordered. Mr. Smyth did not stand; but I am informed a candidate in his stead was elected—I mean a candidate belonging to the same way of thinking. Subsequently, I thought it necessary to direct an inquiry into matters connected with the action of the Returning Officer in this and some other divisions, and it was before the Inspector who was holding this inquiry that Mr. Smyth appeared, and again demanded a scrutiny of the votes. The Inspector properly declined to comply with this demand, as there was still no grounds for it, and Mr. Smyth then retired. I have received the Inspector's Report, which is very full, and it shows that there were irregularities in different electoral divisions, and I hope, in one case, to be able to annul the election. The order for the supplemental election was issued before the inquiry was ordered, and not afterwards, as alleged; and the result of the investigation, if Mr. Smyth had chosen to pursue it, could not have had the effect of establishing him as the Guardian of the Carnamoney electoral division.

MR. O'BRIEN: Was not Mr. Smyth's claim originally that he had been actually elected, and was not the Inspector prevented from trying out that question by the way the inquiry was held?

MR. TREVELYAN: The Local Government Board, in any case, had no power to override an election; they could not have declared Mr. Smyth elected; he did not give specific grounds to enable a scrutiny to be held. He only gave the general belief of his party.

LAW AND JUSTICE (IRELAND)—THE INFORMER WALSH.

MR. HEALY asked Mr. Attorney General for Ireland, Whether his attention has been called to the remarks by Baron Dowse on the informer Walsh, as follows:—

> "A worse specimen of humanity, if the word humanity could be applied to such a person, never in the whole course of my experience, which I am sorry to say is rather long, have I met with than this man Walsh. The jury should be careful before they believe the evidence of such a man;"

and, whether it is the fact that the informer was the chief witness, that the jury acquitted the prisoners; and, who is responsible for employing Walsh in the case?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER), in reply, said, he had seen the remarks quoted by the hon. Member, and, no doubt, the quotation was accurate. Walsh was the chief witness in the case; but there were others, and their evidence was all considered by the jury in acquitting the prisoners. It was, nevertheless, in his opinion, the bounden duty of the Advisers of the Crown to have the case fully and fairly investigated; and it by no means followed, because a man by his own confession had been implicated in a great crime, that he was not truthful, although the jury was perfectly justified in declining to act upon his evidence, as in this case.

MR. HEALY: The right hon. and learned Gentleman has not answered the latter part of my Question—who is responsible for employing Walsh, and also how much Walsh will get for the job?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, he entirely demurred to the use of the word "employed." The authorities entrusted with the investigation of crime, when they found a man could give important information in reference to atrocious crimes like murder, were bound to take his evidence; and if they considered there was a case to go to the jury they were bound to submit it. As to the other portion of the Question he could not answer.

IRELAND—STATE-AIDED EMIGRATION.

MR. JOSEPH COWEN asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is correct that a party of "assisted emigrants" intending to leave for America were not allowed to embark at Glasgow, and have been returned to Ireland in a state of extreme destitution; and, whether he can state how many emigrants have been sent away by the Irish Poor Law authorities, and how many have been sent back from the United States?

MR. TREVELYAN: I am glad to say the statement is not correct as regards any emigrants assisted either by the Government or the Poor Law authorities. I believe it is true with regard to some persons who were sent by private charity to Glasgow for the purpose of emigrating from thence. They have since been returned to their homes. As to the second inquiry, about 10,500 persons have been assisted by the Government to emigrate to the United States—that is to say, more have been assisted; but that number have gone out with Government assistance, and of these, seven families, consisting of 27 persons, have been sent back from the United States.

MR. J. LOWTHER asked if any provision had been made by the Government with regard to their future destination?

MR. TREVELYAN: No, Sir. Very careful inquiry had been made into the circumstances under which they were sent back; but they are, at present, in Ireland. I may say, though it is very difficult to get exact statistics about this, that a considerable number of persons —I fancy a great deal more than 27—have been sent back from the United States to other countries than Ireland under the influence of the same considerations.

MR. JOSEPH COWEN: Does the right hon. Gentleman mean to say that Irishmen have been sent back to other countries?

MR. TREVELYAN: No, Sir. The report of Irishmen being sent back to other countries is entirely incorrect.

MR. JOSEPH COWEN: Can the right hon. Gentleman give the amount of money paid for the emigration of these 10,000 persons?

MR. TREVELYAN: I should be sorry to say from recollection the precise manner in which the £100,000 allotted by Parliament has been distributed; but, roughly speaking, it has been entirely spent and allotted in preparing for emigration, or emigrating something like 18,000 or 19,000 persons, of whom 10,000 or 11,000 have been emigrated with the assistance of Government.

MR. J. LOWTHER: Is the right hon. Gentleman prepared to make any statement as to the steps that will be taken in assisted emigration from Ireland in the future? I think the Prime Minister intended that we should have an opportunity of discussing the question.

Mr. GLADSTONE said, there would be an opportunity for reviving the subject on the Tramways (Ireland) Bill.

INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE BARROW DRAINAGE WORKS.

Mr. DAWSON asked the Financial Secretary to the Treasury, Whether the Barrow Drainage Works are likely to be carried out; and, if so, whether care shall be taken that no injury shall arise to the borough of Carlow, or the lands in its vicinity?

Mr. COURTNEY: Surveys of the Barrow are now being made; but it is premature to talk of a drainage scheme having been conceived, and still more to mention a time for beginning it. I understand that a proper system of arterial drainage is expected to improve the sanitary condition of the towns in the Barrow Valley, in which Carlow would, no doubt, participate. Care would certainly be taken to do no injury to any town or its neighbouring lands.

EGYPT—THE CHOLERA—INTRODUCTION FROM INDIA.

Mr. O'DONNELL asked the Under Secretary of State for India, Whether his attention has been called to statements that the cholera in Egypt was introduced from India; whether it is true that in the first week in June, three weeks before the outbreak at Damietta, there were nearly 1,200 deaths from cholera reported in the Bombay Presidency districts of Khandesh, Poona, Thana, Nassick, Ahmednagar, Belgaum, and Sholapur; whether the cholera was of a very virulent type; and, whether he can state if all cases were reported to Government?

Mr. J. K. CROSS: In the first week in June there were 1,161 deaths from cholera in the districts named by the hon. Member for Dungarvan. There is no reason to suppose that these figures are understated. The population of the districts affected is over 6,000,000, which gives a cholera death rate of 9·86 per 1,000 per annum. We have no information that the cholera was of a very virulent type. As regards the first part of the Question, I informed the hon. Member on the 9th instant that during the last six months cholera had been little, if at all, more prevalent in Indian ports than it usually is; and I quoted statistics on the subject.

Mr. O'DONNELL: The hon. Gentleman has not stated whether all cases have been reported to the Government.

Mr. J. K. CROSS: I stated that 1,161 cases had been reported, and it was not supposed there were any more.

Mr. O'DONNELL: I wish to give Notice that on Monday I will ask, Whether it is true, that during the week ending the 30th May, there were 636 cases of cholera and 278 deaths from cholera in the Poona District, and 395 cases and 220 deaths in the Thana District; and whether this proportion of deaths proves the virulence of the epidemic? Further, whether, in reference to some districts, as in Ahmednagar, the official Reports fail to give any statistics but confine themselves to the statement there was "cholera throughout the district?"

Mr. MACFARLANE: Can the Government say whether any case has been reported of any Indian vessels leaving any Indian ports for Egypt with cholera cases on board during the year?

Lord EDMOND FITZMAURICE: That is a Question of considerable importance; and I must ask the hon. Member to give Notice of it.

Mr. A. F. EGERTON asked, whether the Under Secretary of State for Foreign Affairs had received any confirmation of a report, sent upon the authority of Messrs. Cook, to the effect that cholera was materially decreasing in Egypt?

Lord EDMOND FITZMAURICE: The last telegram with regard to the deaths at Cairo, undoubtedly, shows a considerable decrease in the number of deaths from cholera. I have not yet received to-day the ordinary telegram from Cairo, which arrives in the afternoon; but I do not wish to attach too great importance to these figures, because there can be no doubt there are unreported deaths; and it would be better in this case not to be precipitate and take too favourable a view of the circumstances. I certainly hope that the turn has come. The official figures prove that there is room for hope; but I can say nothing more.

Mr. VILLIERS STUART asked whether the noble Lord could confirm the report that the Khedive had personally visited the cholera hospitals in Cairo at the risk of his life?

Lord EDMOND FITZMAURICE: Yes, Sir; I can confirm the report that the Khedive has shown very great courage, and has visited the hospitals at Cairo. I may also state that his action in the matter has produced a very excellent moral effect.

Mr. O'DONNELL asked, whether the noble Lord was aware that the Empress Eugénie had habitually visited cholera patients in hospitals; and whether he thought it extraordinary that a man should do what a woman had habitually done?

Sir WALTER B. BARTTELOT: I should like to ask the Secretary of State for War, If the General Officer commanding in Egypt has sent any information with regard to the health of the troops, and especially of the Duke of Cornwall's Light Infantry now at Ramleh, near Alexandria? There is very great uneasiness in many quarters with regard to this regiment.

The Marquess of HARTINGTON: I gave yesterday the latest telegrams which I had received from the General Officer, especially in reference to the troops at Ramleh. I have heard nothing more since then. I received yesterday afternoon the nominal return of deaths from cholera in Egypt, and as soon as I have compared them these will be sent to the papers.

ENGLAND—REPORTED CASES OF CHOLERA.

Sir STAFFORD NORTHCOTE: I wish to know whether the Government has received any information, confirmatory or otherwise, of the report that cholera has appeared in this country?

Sir CHARLES W. DILKE: Those suspicious cases which have been investigated during the last fortnight have all proved to be cases, by the Report of the medical men, of simple cholera. There certainly appears to be no Asiatic or epidemic cholera in this country; and, so far as I know, there is none in Europe up to the present time. I may add, for the information of the House and of the public, that the deaths from simple cholera in this country are not up to their ordinary average at present. Last week the number of deaths in London from simple cholera was only half the average.

SUEZ (SECOND) CANAL—COMMUNICATIONS FROM FOREIGN POWERS.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether he will state to the House the substance of the communications, or lay upon the Table the communications, addressed to Her Majesty's Government by Foreign Powers upon the subject of the late Agreement regarding the Suez Canal, and especially the communications from Germany, Austria, and Italy?

Lord EDMOND FITZMAURICE: The only communication from any Foreign Power addressed to Her Majesty's Government is that from the Porte, to which I referred in my reply to my right hon. Friend the Member for King's Lynn (Mr. Bourke) on the 19th instant.

Mr. J. LOWTHER asked whether the noble Lord had not yesterday stated that communications had been received from Russia and France?

Lord EDMOND FITZMAURICE: I tried to explain yesterday that communications had been received in reply to Lord Granville's Circular Despatch, which was sent to Foreign Powers generally, relative to a different matter. If the right hon. Gentleman has not forgotten that Circular Despatch, the difference of opinion that arose between us yesterday would not have taken place. I stated yesterday that replies had been received to that Despatch from Russia and France.

Mr. ASHMEAD-BARTLETT asked whether it was the fact that a protest had been received from Germany against the proposals of the Government, and against the monopoly of M. de Lesseps?

Lord EDMOND FITZMAURICE: I have already distinctly said that no communications have been received.

Sir STAFFORD NORTHCOTE: Will the answers that have been received from Russia and France be included in the Papers about to be published?

Lord EDMOND FITZMAURICE: I stated yesterday that they would be included in the Blue Book, which will be delivered to hon. Members either to-day or to-morrow.

EGYPT—"ADMINISTRATIVE ANARCHY."

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign

Affairs, Whether the attention of Her Majesty's Government has been called to the alleged "administrative anarchy" in Egypt, and to the statements made by the correspondents of English Papers now in that country, especially to those published in the "Times" on Monday, the 23rd of July—

> "Trustworthy reports from the interior show that the administrative anarchy is almost beyond credence. Every official is trying to thwart some other, and rejoicing at every calamity, the cause of which he hopes to attribute to his rival. From one end of the country to the other, from Sherif Pasha down to the meanest effendi, both country and people have proved themselves beyond all expectation incapable of self-government. It may be safely said that the hardships and cruelties of Ismail's despotic thirteen years did not exceed those of the last four months of experimental self-government;"

to the further statements in the "Times" of Wednesday, the 25th of July—

> "The utter breakdown of the whole administration has now become apparent, and, like the cholera, is no longer confined to the villages. Nothing saves the present Ministry from dismissal but the impossibility of finding less incapable men in the country. We are almost face to face with an alternative long foreseen, and which Lord Dufferin's Viceroyalty only served to stave off—namely, of undertaking the complete administration of the country, or of leaving it literally to 'stew in its own juice;'"

also the similar statements in other leading newspapers; and, what steps Her Majesty's Government, who are now in Military occupation of Egypt, propose to take in order to remedy this administrative anarchy? The hon. Member added that his Question referred to a remarkable statement in the correspondence of a daily journal which had appeared that morning relative to the state of affairs in Cairo. He begged to ask whether the noble Lord's attention had been called to the communication to which he had referred?

MR. O'DONNELL also wished to ask whether the administrative anarchy in Egypt is not largely due to the fact that the Egyptian people possess no resources for employing high class native talent, and that a large number of highly paid foreign officials had fled from their posts before the cholera?

LORD EDMOND FITZMAURICE: I will answer the Question on the Paper. As I informed the hon. Member yesterday, it is impossible for me to make any statement on this subject beyond what I have already made in reply to the numerous Questions addressed to me during the last few days in regard to it.

MR. ASHMEAD-BARTLETT said, that as the noble Lord was not as much responsible for the state of things in Egypt as the Prime Minister was, he would ask the latter whether he was not in a position to answer the last paragraph of the Question on the Paper?

MR. GLADSTONE: I have not read the Question.

MR. ASHMEAD-BARTLETT said, he felt that the Prime Minister should have the advantage of Notice; and, therefore, he begged to give Notice that on Monday he would ask the right hon. Gentleman what steps Her Majesty's Government, who were now in military occupation of Egypt, proposed to take to remedy the existing administrative anarchy in that country; and he would further ask why, as full warning had been given that such a deplorable state of things would result, steps had not been taken to prevent the terrible suffering which had fallen on the Egyptian people?

INDIA (MADRAS)—THE MAGISTRACY—MR. WALLACE, DISTRICT JUDGE OF CUDDAPAH.

MR. O'DONNELL asked the Under Secretary of State for India, Why Mr. Wallace, District Judge of Cuddapah, Madras, has been suspended?

MR. J. K. CROSS: The case of Mr. Wallace is at present under the consideration of the Government of India, whose views upon it have not yet been laid before the Secretary of State. I am, therefore, unable at present to make any statement on the subject.

MR. O'DONNELL said, he would ask whether Mr. Wallace had been suspended for charging a senior Member of the Council with accepting presents from Natives; whether, Mr. Wallace having declined to withdraw those charges, his case was referred to the Secretary of State; and, whether this Gentleman would have an impartial inquiry, not one conducted under the orders of the Madras Government?

INDIA (MYSORE) GOLD MINING COMPANIES—CONCESSIONS TO BRITISH OFFICIALS, &c.—THE REPORT.

MR. O'DONNELL asked the Under Secretary of State for India, If he will inquire whether the officials affected by the inquiry into their connection with the Mysore gold mining transactions are opposing the presentation of the Government Report on the subject during the present Session of Parliament?

Mr. J. K. CROSS: The Question of the hon. Member for Dungarvan will be sent to the Viceroy by to-day's mail.

CONTAGIOUS DISEASES ACTS—INCREASE OF CASES.

Mr. STEWART MACLIVER asked the Secretary of State for War, If his attention has been called to the increase of patients at the Naval and Military Hospitals at Stoke and Stonehouse (Devon); the number at the first place being 184 against 118, and, at the second, 100 against 45, as compared with ten weeks of the same period last year, when the Contagious Diseases Acts were in force; and, whether any steps will be taken by the Government to check the ravages of disease among our soldiers and sailors?

The Marquess of HARTINGTON, in reply, said he had not yet had time to examine the statistics, they only having appeared on the Paper this morning; but he would reply to the Question on Monday.

ARMY—THE 21st HUSSARS.

Colonel O'BEIRNE asked the Secretary of State for War, Whether it is a fact that the 21st Hussars, now stationed in Dublin, have been, for several months past, five Officers short of the complement laid down by the official Army List; whether the annual Mess and Band Subscriptions of these five Officers, wanting to complete the establishment, are lost to the funds of the regiment; and, if there is any intention to take immediate steps to fill up the five vacancies?

The Marquess of HARTINGTON: There are five vacancies for subalterns in the 21st Hussars, which have gradually accrued during the last few months. The Mess subscriptions of these officers are lost to the regiment; but the Band subscriptions are not paid by subalterns. There is at present a paucity of candidates for commissions in the Cavalry; but the measures to be taken for filling vacancies are now under consideration.

EGYPT—CHARGES AGAINST THE KHEDIVE.

Sir GEORGE CAMPBELL asked the First Lord of the Treasury, Whether any substantial evidence has been communicated to him in corroboration of the anonymous assertion contained in the indictment against the Khedive of Egypt by the noble Lord the Member for Woodstock, or in any shape sufficient cause has been shown for a serious inquiry into this charge against the Prince whom we maintain in Egypt; or, if not, whether he will announce that no such charge is entertained by Her Majesty's Government?

Mr. GLADSTONE: In reply to the hon. Member, I may say, at any rate, as much as this—that nothing has been made known to us in corroboration, down to the present time, of these statements without name to which my hon. Friend refers. Nothing has occurred which at all tends to shake the confidence which our experience of the character of the Khedive, for some considerable time under very trying circumstances, has led us to repose in him. I have no further remark to make in regard to the Question.

Mr. O'DONNELL asked whether the guarantee of safety asked for had yet been given to the witnesses who had offered to come forward and give evidence on the subject?

Mr. GLADSTONE: I am not able to give—and I do not propose to give—any further answer at the present moment.

PARLIAMENT—BUSINESS OF THE HOUSE—SATURDAY SITTINGS.

Sir GEORGE CAMPBELL asked the First Lord of the Treasury, Whether, in the event of time not being found to finish the Agricultural Holdings (Scotland) Bill, and to deal with the Local Government (Scotland) Bill, he will consider the advisability of a Sitting on Saturday to dispose of the Scotch Bills?

Mr. DALRYMPLE said, that before the right hon. Gentleman answered the Question, he hoped he might be permitted to ask whether it was in his recollection that last year, when the Scotch Members endured a Saturday

Sitting, it was at the close of the Session of a very exceptional character, and was for the promotion of measures about which there was a very general agreement; but that, in the present Session, there was nothing of a remarkable character that he knew of, and the measures to which the Question referred were susceptible, at all events, of great varieties of opinion?

MR. GLADSTONE: I know that the House of Commons is very averse to Saturday Sittings; but, at the same time, these Sittings are usually reverted to towards quite the close of the Session; and when the time has arrived when Gentlemen had to make their choice between sitting on Saturday and postponing the Prorogation for a day, then the question becomes rather pinching, and that reluctance and natural horror which they feel to Saturday Sittings begins to be a little abated. With regard to these Bills, I am in hopes that we may be able to deal with them in the course of next week. But I certainly should hold myself free—though I do not wish to press unduly on the inclination of the House—as we should then be in the month of August, and looking forward to the early close of Business—if we are not able to deal with the Agricultural Holdings (Scotland) Bill conclusively, and with the Local Government Board (Scotland) Bill as to its second reading in the course of next week, I should think it quite convenient, and according to the spirit of our usual proceedings, to submit to the House that we should have a Sitting on Saturday.

DR. CAMERON trusted the Prime Minister would let the House know as early as possible whether there was to be a Saturday Sitting next week.

MR. GLADSTONE: I will endeavour to do that.

MR. DALRYMPLE gave Notice that when it was proposed to hold a Saturday Sitting for the disposal of Scotch Business, he should oppose the Motion, because it would come to be a precedent of a very unpleasant character, to consider that a Scotch Saturday was the obvious way of dealing with Scotch Business.

MR. HEALY said, that if the right hon. Gentleman would give a Saturday for Irish Business, he and his Friends would be very glad.

ORDERS OF THE DAY.

EAST INDIA (EXPENDITURE).

RESOLUTION. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Amendment proposed to Main Question [8th May],

"That, in the opinion of this House, it is necessary that early steps be taken to reduce the expenditure of India."—(*Mr. E. Stanhope.*)

And which Amendment was,

At the end of the Question, to add the words "and this House regrets the decision arrived at by Her Majesty's Government to cast a further burden upon the Revenues of India in order to meet the extraordinary charges incurred by that Government on account of the Military expedition to Egypt."—(*Mr. Onslow.*)

Question again proposed, "That those words be there added."

Debate *resumed.*

SIR GEORGE CAMPBELL said, that in supporting the Amendment of his hon. Friend (Mr. Onslow) he was not actuated by any sentimental motive. As his constituents were taxpayers, he could not allow such a motive to influence him. He was guided by a sense of their duty to India in these matters. All he desired was that justice, and only simple justice, should be done to India. He thought justice required that this extraordinary charge should not be thrown on India. When this matter was previously before the House, they were told by the noble Marquess (the Marquess of Hartington) that the proposed settlement had been accepted by the Government of India. He was sure that the noble Marquess said so in the utmost good faith; but, still, when they came to see the Papers, it appeared that what the Government of India did was not to accept the proposal of Her Majesty's Government as a satisfactory settlement of the question, but to reserve their protest, only thanking Her Majesty's Government for what they got on the principle that half a loaf was better than no bread. The Viceroy and his Council had unanimously expressed, in very strong terms, their view that this charge should not be imposed on the people of India; and, so far as he knew, they still maintained that view. In the matter of Egypt, he contended, India had no interest whatever. The Government of India had in no shape or degree been consulted in this matter, and there was no reason at all why India should be called on to pay. It was quite clear that, as a matter of strict right, it was impossible that we could demand this from the Government of India; and if, as a matter of equity, we said to India that she was more or less directly concerned in the Suez Canal, and we should make that country pay, he would meet that with another plea in equity, and say that India was poor, and that we had already swept away part of her Revenue arising from import duties. Besides, it now turned out in the accounts that India owed this country arrears amounting to £2,000,000. The only possible interest India had in Egypt was in the Suez Canal, and England had a greater interest in that respect; while the Colonies, whom we did not venture to ask to contribute, had equally a substantial interest. The whole of the ordinary charges had already been placed to the debit of India, and would be charged in the same way as in the Abyssinian War. He thought that a sufficient contribution in respect of the Suez Canal. He saw no justice, however, in seeking to lay upon her these extraordinary charges in addition. He was inclined to think, with his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson), that the Suez Canal would have been as safe, or safer, if Arabi had been the Ruler of Egypt at this moment. If they were going to have a Native Ruler in Egypt at all, they must go on the Darwinian principle of natural selection, and let the strongest man come to the top. He appealed to Her Majesty's Government, in justice to India, to accept, even at the last hour, the Amendment of his hon. Friend the Member for Guildford

Mr. R. N. FOWLER agreed that British rule had proved a great blessing to India; but England owed a great deal to India. In his opinion, they ought not to impose upon Indian taxpayers burdens incurred for Imperial purposes. The people of India were not only a poor and highly taxed people, but they were unrepresented in that House. This war was undertaken for Imperial purposes; and as to the keeping open the Suez Canal, that was as important to Australia as it was to India, and yet no contribution had been asked from the Australian Colonies. He heartily supported the Amendment of his hon. Friend (Mr. Onslow), because he thought the people of India ought not to be called upon to contribute to the expenses of this war.

Mr. W. FOWLER said, he intended to vote for the Amendment of the hon. Member for Guildford, for several reasons. In the first place, he objected to call on the people of India to pay any part of the expense of the Egyptian War, because the Government of India was never consulted as to the war before it was undertaken. It was said that it was impossible to consult them—that there was not time. Still, the fact remained; and he should like to quote what was said by the Viceroy and his Council in the despatch of the 4th of August, 1882. In passing, he wished to say that he could not understand how anyone could read that Paper without feeling how strong was the case of India. It was a most able Paper, and well worth perusal. In paragraph 20 the Government said—

> "We are intrusted with the government of India; we are in close contact with the Indian people; we are in a position to watch the currents of public opinion in India; we are directly responsible for the tranquillity of the country; and it seems to us, therefore, that we are better able than anyone in England, however eminent or experienced, can possibly be, to judge of the financial and political effects and bearing of a measure so important to Indian interests as a sudden and unexpected demand for a large and indefinite war contribution. We can scarcely conceive any subject upon which the Government of India, as representing, however imperfectly, the people of this country, can have a clearer or better claim to be heard."

But they were not heard, and that was a strong argument against imposing on them this contribution. Again, he wished to observe that the people of India had no representation in that House, nor in the Government here, except that one Member of the Cabinet was Secretary of State for India. The interest of India in the results of the war was remote and vague, except so far as respected the maintenance of the Suez Canal. But Australia was just as much interested as India in the Canal, and yet the Prime Minister seemed to laugh at the idea of a subvention from the Australian Colonies towards the expenses of the war. He could not see the distinction. The fact was, he supposed, that they knew that Australia would not pay, and India could not refuse to pay. But that was not all. He considered that the poverty of the people of India was so great that they ought not to impose on them any new burden. So long as they were compelled to put a duty on salt in India he could not help feeling strongly opposed to any such proposal. So thought, also, the Government of India. In their despatch of the 1st of September, 1882, they said, paragraph 13—

> "The poverty of the people of India is a fact which is notorious, and, indeed, has been so frequently discussed that it is unnecessary that we should dwell on it at any length. That poverty is abundantly attested by the prevailing low rate of wages, by the statistics which show the pressure of the population on the soil, by the absence of accumulated capital, and by the rough calculation which has recently been made that the average income per head of population is only Rs27 a year [say £2 5*s*]. It is clear at a glance that to a population so situated, the maintenance of peace is a matter of vital interest."

Again, they say—

> "Practically, therefore, it may be said that only two modes of imposing fresh taxation are open to us. We must either increase the salt duty or impose direct taxes. An enhancement of the salt duty at present is, on every ground, most undesirable. Not only would it involve imposing a tax upon the poorest classes to meet the charges on account of a war, the cost of which should, both in our opinion, and, we believe, in the opinion of most people in this country, be borne by the English taxpayers, but we should, certainly, for the time being, sacrifice one of the objects we had in view in effecting the recent reduction."

He would ask the House to consider another proof of the poverty of India. The amount borrowed annually for productive public works was strictly limited to a comparatively very small sum, because it was thought dangerous to run the risk of imposing additional burdens in the shape of interest on loans. And yet the country urgently needed more railways. At this moment there was no doubt that India could send them wheat enough to supply the whole of their requirements, without taking a single quarter from America, were there sufficient railways to bring the corn down from the wheat districts to the ports. As it was, India sent them a greatly increased amount; but the wheat was wasted, and the resources of the country were imperfectly developed, through the want of carrying power. The only excuse was that India was poor; and yet they were imposing on her part of the expense of a war which she had not caused, and as to which her Government were never consulted. He should certainly vote against any such proposal.

Mr. J. K. CROSS: The hon. Member for Cambridge (Mr. W. Fowler) said that the connection between the Indian Government and the Suez Canal was exceedingly vague and indefinite. If I could allow that such was the case, I should not be standing here now to ask the House to vote against the Amendment of the hon. Gentleman opposite. I think the House will understand why the Expedition to Egypt was undertaken. [Mr. Ashmead-Bartlett: No, no!] The hon. Member may say "No, no;" but I think it will be in the memory of the House that it was undertaken for the purpose of preserving life and property, of maintaining order, and of preserving the direct sea route from India to Europe.

Sir WILFRID LAWSON: Is my hon. Friend quoting?

Mr. J. K. CROSS: Certainly not. I am speaking of what was the general sense of the community at the time.

Mr. ONSLOW: Might I ask if the hon. Member can quote any words to the effect that the Expedition was undertaken for the purpose of preserving the short route to India? Could he give me any words of the Prime Minister to the effect that the Expedition was undertaken for the purpose of maintaining our rights in the Suez Canal?

Mr. GLADSTONE: No. Where are they?

Mr. ONSLOW: That is exactly my point.

Mr. J. K. CROSS: I did not say that our rights in the Suez Canal were to be maintained. I said direct communication with the East, through the Suez Canal, was to be maintained. It seems to me that the two things are not quite the same thing. Notice has been taken of the contribution which was made towards the cost of the Afghan War. There is nobody in this House who worked harder, or who did more towards getting that contribution granted, than I did myself. I took that action mainly on this ground—that the war was undertaken for Imperial as well as Indian purposes; and I say that the Egyptian Expedition was undertaken for Indian as well as Imperial purposes. Therefore, on the same ground that I asked that England should be expected to give a solid and substantial contribution on account of the Afghan War, I now ask that India may be charged with a moderate sum on account of this war. It seems to me that the Canal is of infinitely more importance to India than it is to England. It is said sometimes that the Marquess of Ripon and the Government of India objected to this Expedition because they had not been consulted upon the matter. It is true that they were not consulted; but that was simply because there was no time to do so. Things went on very rapidly, as the hon. Member for Eye knows very well. Perhaps he may have forgotten speeches that were made in this House. I remember the hon. Member for Mid Lincolnshire (Mr. Chaplin) coming down to the House and getting very excited about the Suez Canal. The hon. Member was so earnest about the question, and he had such a strong opinion about it, that many people believed from his speech that the Suez Canal was a fresh-water Canal, and required to be fed from somewhere near Cairo, or else our ships would be stranded. Major Baring's position with regard to the finances of India was a rather peculiar one. You must remember that it was the first year of his full control of the finances, and that the Viceroy only took his position there in 1880. In the first year of his management the war with Afghanistan was over, and he managed to reduce the Expenditure by £6,300,000; and in his Budget for the next year he proposed still further to reduce the Expenditure by £1,200,000. When the notice came to him that, in all probability, a large sum of money would be required to pay for the Egyptian Expedition, I do not wonder that he wrote the somewhat angry despatch on which so much comment had been made, without thinking out the whole circumstances of the case. If I had been in his place I very likely should have done the same thing; but the fact remained that it was impossible to consult the Indian Government with regard to this Expedition. The main question that I have to put before the House is this—Has India such an interest in the maintenance of that route to England as to justify her in paying a large sum for its continuance? The price of the commodities coming from India are not fixed by the price which articles fetch in India; but by the price at which they sell in Europe. Europe is the great market of the world for grain and cotton, and any interference in the intercourse between Europe and India is not paid for by Europe but by India. We will take the price of Calcutta wheat. Calcutta wheat in England at the present time is worth 40*s.* a-quarter; and the difference in the freightage, if that wheat had to go round the Cape instead of going through the Canal, would be 2*s.* a-quarter. Does that 2*s.* rest with the English consumer or the Indian producer? The price in Europe is fixed, and the price in India is equal to the European price *minus* the cost of carriage. India, therefore, derives the whole of that advantage from the existence of the Suez Canal. I must, however, go further, and point out that the Canal has been of advantage to India in another way, for it has opened the Southern ports of Europe to the Indian Empire. Previous to the establishment of the Canal, very little traffic passed between India and the Southern ports of Europe. Since the Canal has been opened the increase has been very great indeed. In 1872 the exports from India to the Mediterranean ports were £4,800,000; in 1881 they were £11,900,000. It must also be reckoned that the merchants who carried on that traffic to the Mediterranean ports were able to compete with the English merchants on advantageous terms. It is not only as a commercial advantage to India that this charge has been thrown upon the country; but there are other grounds. I do not know whether hon. Members are aware that the Government of India has to pay a great deal for the carriage of troops from England to India, and from India back to this country. From the day on which our troops leave these shores to the day on which they come back to these shores, they are charged upon India. India brings her troops here, and she brings them, as my hon. Friend says, very dearly. Do not hon. Members see that any shortening of the line of communication between India and this country must be an enormous advantage to India? I was looking at a Parliamentary Paper the other day to try to see what was the cost of taking the troops round the Cape in March, 1865, and what it is now. The cost of conveying troops round the Cape at that time was £23 1*s.* 9*d.* per head. In a little time after that we sent the troops by the overland route, and then the cost was reduced to £16 18*s.* 8*d.* per man. By an Admiralty Paper, issued on the 9th of February, 1883, upon Indian troops, I find that the amount per head has decreased to £10 19*s.* 7*d.* If anyone will reckon what the advantage to the Indian Government is upon the 11,500 troops who are sent each way between England and India in the course of a year, they will find that it amounts to a very large sum. Indeed, the advantage of the Suez Canal to the Government of India in the carriage of troops alone is no less than £138,000 a-year. That is not all the advantage. The time taken by the transport of troops by the Canal is very much less than that taken in going round the Cape. The average time taken by a voyage round the Cape is 47 days to Bombay, and the average voyage by means of the Canal to Bombay is 30 days. You, therefore, have fewer men on the water at one time. Now, if you reckon these 23,000 men going to and fro each year, and the saving of time for them being 17 days, you will find it is equal to a saving of £100,000 a-year. You can, therefore, do with 1,000 men less on the Indian Establishment than you could if you had not the Suez Canal, and as each man costs £100 a-year, there will thus be a saving of £100,000. As £138,000 is also saved in the carriage in these two items alone, the Indian Government saves by the maintenance of the Canal no less a sum than £238,000 a-year. The hon. Member for Cambridge departed very considerably from the scope of the Resolution when he went into the question of public works; and I should have very much liked to have followed him to-day a long way into that subject; but it is scarcely germane to the question. It has been stated that most extraordinary taxation is placed upon the people of India; but things are not nearly as bad in India as my hon. Friend (Sir George Campbell) thinks they are. The hon. Member seemed to think that the people of India are very poor. Well, Sir, as far as I can understand the finances of India, after a somewhat careful examination, I should say they are in a very different position to what they have been in times gone by. Some time ago India was oppressed by war and famine, and the loss by exchange seemed a terrible evil. Happily war has passed away, and, it is hoped, for a long time to come. I do not wish to enter into controversial matters, or say why it has passed away; but the Government has managed its affairs in a way which will prevent us from getting into war, I hope, for a long time. We have managed to reduce the finances of India by nearly £3,000,000 a-year; and still I may inform the House that, notwithstanding, there remains in the coffers of the Government of India £4,500,000, which they have laid aside for famine and famine assurance, only £73,000 of which has been spent in relief, and the rest has been spent on productive works and in the reduction of Debt. In spite of the expenses of the Egyptian Expedition there was a surplus last year of £224,000, and, in the present year, India anticipates a surplus of £457,000. In the last few days I have received a telegram to say that, not only will the surplus be £457,000, but it will be a good round £1,000,000 in addition. This was besides putting aside good round sums for famine assurance, and paying off Debt. I cannot refrain from telling the House what the taxation of India is at the present moment. If we take the rent and taxes of India, what do we find? The rent of the land, the salt tax, stamps, excise, provincial rates, customs, and registration, these are all the taxes that are raised in India. In 1882 they amounted to £42,000,000, and in the next year £39,000,000. If you take off from these figures, as above given, the land tax, which is not a tax but rent, you will find that the taxes of the whole of that part of British India which is under our rule stood in the last three years at £22,700,000; it then fell to £17,900,000, and is now at that figure. The hon. Gentleman opposite my Predecessor in Office the late Under Secretary of State for India (Mr. E. Stanhope) proposed a Resolution some time ago asking the House to declare its determination that the expenditure in India should be reduced. I proposed an Amendment upon that which the House has not thought fit to carry, although I would rather that my Amendment had been carried. I must confess I am not satisfied that the effect of the Resolution which my hon. Friend opposite proposes would be to the advantage of India, and I simply make my personal disclaimer against it. But right hon. Gentlemen and hon. Gentlemen who sit on this Bench have accepted that Resolution. We have accepted it loyally, mind; and we intend, as far as we can, to carry it out. I have endeavoured to show that in the process of carrying out the expenditure of the first year of Major Baring's authority there has been a diminution of £6,300,000. The gross expenditure in his second year of office resulted in a further diminution of £337,000. This year we are Budgeting for a further reduction of £913,000. This being the case, I think we have something in anticipation of the statement of the hon. Member opposite. But there is one thing which I want the House to do. Next year I want to ask the House very early to give its consent to the appointment of a Special Committee to inquire into the expenditure of India, and report upon the recommendation of the Famine Commission, so far as it refers to the extension of railway communication in India. I do not think that I can enter upon this question now, but I wish before next year that all those who were interested in the subject would take the trouble to read the Reports of the Famine Commission; and if we want to prevent famine, we must not only lay by money to relieve distress when it comes, but we must make railway stations in various parts of India, which will enable us to bring food from the districts where there is abundance to the famine-stricken districts. Those who have the direction of the affairs in chief of India in hand have a very great responsibility to India upon them. I do not wish to shirk that responsibility myself. I am somewhat diffident in urging my opinions upon the House; but I hope that by the appointment of a Committee of this kind next year we may be able to come to some definite conclusions, and that we may be able to prevent that vast number of deaths from accumulating again. I have to thank the House for the patience with which I have been listened to, and I trust that the Amendment of the hon. Member for Guildford will not be accepted.

Mr. BLAKE contended that the national people of India were the most miserable of all peoples; and he ventured to say that in that opinion he would be corroborated by everyone who had had the same opportunities of seeing the condition of India as he had had; they were ground down to the very utmost, hopeless of the future, and completely at the mercy of the Mother Country to impose any taxation she might think proper. It had been said that English rule had benefited the condition of India; but, so far as the national people of India were concerned, he denied that, and he took for his authority, not his own statement, but those of official authorities, among whom was one whose name he was sure would be received with very great respect in the House—namely, the late Lord Lawrence. He had said that the national people were so miserably poor that they had barely the means of subsistence, and that it was as much as a man could do to feed his family. Sir James Caird, too, who was sent out to report on the state of the country, also bore him out in his Report. What they had to consider, then, was, what was the cause of this misery; and, in his opinion, it was the large sums of money which this country exacted in taxation. The hon. Gentleman the Under Secretary of State for India had said that the taxation of India was of a very light character; but it amounted upon the ryots to about 6*s.* a-head. Another cause of the great poverty of the national people was the circumstance of polyandry. ["Order!"]

Mr. SPEAKER: The hon. Member is wandering from the Question before the House. I must ask him to confine himself to the Amendment.

Mr. BLAKE said, he was contending that the people of India were in such a condition that they were not able to meet further taxation, and that any further taxation would increase their misery to a very great extent; and, therefore, with very great respect, he did not think he was wandering from the Amendment before the House. In many parts of India the people were half starving; their dwellings consisted of miserable roofless huts; and the uttermost farthing was already exacted from them by the landlords, who, in their turn, had to pay tribute to the Crown. The disgraceful and profligate expenditure by the Government of India was a by-word in the country; and, under such circumstances, it would be grossly unjust to place an additional burden on the people.

Mr. ARTHUR ARNOLD said, the people of India were very poor; but when hon. Members compared their returned income of 50*s*. a-head with that of the people of other countries the comparison was misleading, because the conditions of climate and the standard of comfort were very different. He had no hesitation in saying that there were people in England, Scotland, and Ireland who had to contribute to the taxation of the country, and who were just as poor as the people of India. He was glad to find that the Under Secretary of State had promised a Select Committee on the subject; but he hoped that the efforts in the direction of economy would not be limited to that. It had been urged that India ought not to be called on to contribute to the War expenditure in Egypt, because the passage of the Suez Canal was not placed in danger during the recent troubles; but if those hon. Members would take the trouble to read the Parliamentary Papers on the subject, they would find reason for coming to a different conclusion, and they would see therein a fact of great importance which had not yet been quoted. It was contained in a statement by Earl Granville to Lord Lyons, that the Egyptians at one time had three ships in the Canal prepared to destroy it. That statement, made to Lord Lyons, and conveyed by him to the French Government, had never been impugned or contradicted. There was not a man of business in that House at that time who would have guaranteed the safety of a vessel containing his fortune through that Canal at the rate of £5 per ton. [Sir WILFRID LAWSON: I would.] He (Mr. Arnold) would not; and he said that against the opinion of the hon. Member for Carlisle. The question arose whether India should make this contribution. It was said that other Dependencies of Great Britain should make a contribution. For himself, he had no doubt that if the Australian Colonies sent a cheque for £500,000 to the Chancellor of the Exchequer, he would receive it thankfully. He thought it proper that they should do so; but this country had no power to exact such a contribution. In his view India was as much interested in the Suez Canal as this country; and the contribution which she was asked to make to the Egyptian War was wise and reasonable. He believed that the government of India—and he spoke from personal observation—by this country had been fraught with benefits to the people of India. He recognized it as a beneficent despotism; but, at the same time, he looked forward to the time when an independent Parliament would be established in India. He regretted, however, that the Under Secretary of State for India had not referred in his speech to the question of military expenditure in India, a question which had been repeatedly brought under the notice of the Government, which ought to engage their serious attention, and in connection with which great economy and saving were to be secured.

MR. GLADSTONE: My hon. Friend who has just sat down has made what I think a very able argument on the subject of this Motion—an argument with which I entirely coincide. But, nevertheless, I desire to ask the attention of the House for a short time at the present moment, because there is a branch of the subject which he, and almost every preceding speaker, has overlooked, and which naturally might not appear to be one of very great importance, or to be very prominent in a discussion of this kind, but which, to a Member of the Government, may naturally appear to be of very considerable importance indeed. At all events, I venture to anticipate a general assent when I say that it is a portion of the subject which ought not to be wholly and entirely overlooked, but ought to be clearly in the view of Members, and not merely with regard to the speeches which they may make, but with regard to the vote which they give when we come to a Division, as I suppose we shall come, on this subject. The hon. Member for Guildford (Mr. Onslow) has chosen to combine together two matters which are perfectly and absolutely distinct. One of them is the expression of an opinion that no charge ought to be made upon the Revenues of India in order to meet the expenses of the Expedition to Egypt. That is one of the propositions; but the other proposition is, the Government having thought differently, that the Government ought to be censured and dismissed from Office for having entertained that different opinion. The hon. Gentleman has adopted a form perfectly well understood in this House—namely, "That this House regrets the decision arrived at by Her Majesty's Government." Now, Sir, in the relations between a Government and the House of Commons, it is perfectly well understood, by, I believe, unbroken usage, that when the House reaches a point at which it finds it necessary, by a formal Vote, to record its regret for the conduct of the Government in a particular question, that is a notice to quit to the Government, and that notice to quit is uniformly and promptly obeyed. It has happened to me, in the course of my life, that Motions of different characters have been made which have led to the dismissal of the Government, and that after the Government have resigned in consequence of these Motions, various gentlemen have written to me myself, when I have happened to be in that position, to state that they did not at all understand the character or effect of the Motions, and did not at all take into their view the consequences by which they were to be followed. I think it very hard upon gentlemen that they should be placed in that position. Evidently this little expression of regret has escaped the notice of many Members. I wish to set this forth in language that cannot be mistaken, and at the same time in perfectly good-humoured language, free from any tone or feeling of resentment. For, I do not know that to me it would be a matter of personal dissatisfaction if the regret were to be felt; but it is well, at any rate, that the point should be thoroughly well understood. The hon. Member has exercised a right which he was perfectly entitled to use. I make no complaint of his having exercised it, and it is possible that his having exercised that right may, in the eyes of many Members of the House, be an additional recommendation in favour of the Motion; but I repeat that it should be well understood that this Motion is a Vote of Censure, and a Vote which must be followed, if adopted by the House, by the natural consequences. Having said this much—I make no complaint of it whatever, but only endeavour to expound the language of the hon. Member in accordance with Parliamentary usage—I pass on to other portions of the question, for we do not agree with the hon. Member for Guildford upon either part of the question. We do not agree that the Government ought to be dismissed for what it has done, and we do not agree that what has been done is improper. I will go very shortly over the arguments—without repeating what has been so well said by my hon. Friend the Under Secretary of State for the Indian Department—I will go shortly over the arguments that have been touched in the course of the present debate by Gentlemen who have given their support to the hon. Member for Guildford. As respects the reference to the Australian Colonies, which appear to be a popular topic with some hon. Members, I am quite content with the answer given by my hon. Friend the Member for Salford (Mr. Arnold). Sir, it would be no hardship to the Colonies of this Empire if they did contribute to those Imperial wars in which they have a distinct interest. It might even be said that it is some hardship upon the people of this country to have to bear, without assistance, the whole cost of wars in which the whole of the Empire may have, and in some cases has, an interest. But then we have an understanding with our Colonies according to which we have undertaken to defray the whole cost of these wars; and that being so, although we should be prepared to receive, with a perfectly good conscience, a contribution from the Australian Colonies for the war of last year if it were to arrive, I cannot say I confidently expect it; and I say if we were to make a demand for it, we should be committing something like a breach of faith with the Australian Colonies, according to the understanding by which their relations to the Mother Country have long been regulated and known to be regulated. Well, Sir, my hon. Friend the Member for Kirkcaldy (Sir George Campbell) said—"At any rate, we have got a claim against the English Government—allow this to go as a set-off." Will my hon. Friend allow me to say that it is impossible to put in a more objectionable form upon every economical principle the proposal which he desires to convey? If there is one proposition more clearly established than another for the good financial administration of the country, it is that every transaction shall stand upon its own legs, and shall be settled upon its own merits. But if you come to say—"I have had an indifferent transaction with you yesterday, in which I behaved shabbily to the people of India, but I have another transaction in which I will now, in order to make up for the wrong I inflicted upon you, behave shabbily to the people of England," you not only do not gain any conceivable object by that indirect method of proceeding, but you render all responsibility impossible; and I am quite certain that no one acquainted with financial administration would hesitate for a moment to say that none of these transactions ought to be mixed up with any other, but that every one of them should be settled upon its own merits. My hon. Friend said that one of the reasons adduced in support of the Amendment of the hon. Member for Guildford (Mr. Onslow) is that the Indian Government never were consulted in this matter. Well, it is admitted that it was impossible that they could be consulted—it was absolutely impossible. It would have been entirely absurd. The military operations in Egypt could not stand or fall according to the assent of the Indian Government; and the moment of those operations would have been lost, and the burden of them greatly aggravated, if the Government at home had done anything so absurd as to divide the responsibility with the Government of India by a previous consultation. But the Indian Government has been consulted after the fact, and has been consulted with the effect of giving very great weight to its representations, for those representations, having been received by us, were weighed by us, and the decision at which we arrived as to the arrangement we should ask the House to make was a decision materially influenced by the advice and the desires of the Indian Government. We have proof of that in the Papers before us. My hon. Friend says that the Indian Government reserve their protest. Sir, that is a matter on which he appears to have more knowledge than we have; but we have no sort of protest from the Indian Government against the arrangement as it now stands. We had a protest from the Indian Government against the arrangement, as originally it was projected in a provisional manner, and subject to future consideration; but as regards the arrangement as it now is, all we have is a telegram from the Viceroy, dated 19th January, 1883, and in these terms—

> "We have received your secret telegram of the 16th, relating to the cost of the Indian Contingent in Egypt. We thank Her Majesty's Government for the consideration given to our representations, and for the important assistance they are willing to afford us."

That is the communication, and the only communication, we have received in their names; and it is upon the concurrence of the Indian Government in this arrangement that we found a portion of our claim for the approval, and not the disapproval, of the House of Commons in regard to it. The hon. Member has pleaded the poverty of India in support of his Motion. But if the poverty of India is any reason why we should depart from the lines of policy that would, on general grounds, be followed, you cannot possibly stop here. You must go a great deal further. If you want to make up for the whole evil of the poverty of India by putting a charge upon the people of England that they would not otherwise have to bear, it is obvious that you must do a great deal more than this. The fact is, Sir, that the question that you have to ask yourselves is not whether India is a poorer country than this, but whether it is for the benefit of India that she should be attached to this country, and whether we are, or are not, endeavouring conscientiously to govern India for her own benefit. If we are not endeavouring to govern India for her own benefit—if we are endeavouring to make her resources auxiliary only to the greatness of this country, or if we are allowing any regard for the greatness of this country to interfere with the true welfare of India—why, then, we cannot make up for so gross an iniquity as that by any such trumpery proposal, as it would then be, as that of giving £500,000 to India. We ought to walk out of India, and the sooner the better, unless we are prepared to manage the affairs of India for the benefit of the people of India. But that is the very thing that we are trying to do. Only, if we are so trying to act, do not let us think it is a good argument for laying this burden on the shoulders of England, that India is not self-governed. She is not at this moment a self-governing country. Can you make her a self-governing country? Can you at this moment make her a self-governing country? Would it be for her benefit to try? Every one of you would answer "No." Well, then, Sir, if it is not for her benefit that such an effort should be made, it is your business to govern her, and it is your business to govern her on the principles of justice, and to hold the scales evenly between the people of England and the people of India. Has India, then, an interest in this question? Had she an interest in the Egyptian operations, or had she not? The hon. Gentleman quoted me—and I daresay he quoted me accurately—as having stated that our interest in the Suez Canal was not the immediate cause of the war of last year. I believe he was quite accurate in his reference; but what I said—what I wanted to convey—was this—that the warlike operations of last year had assumed a character higher than that of any question of mere interest. It had become a question directly involving the honour and fame of the British Government; and, consequently, there was a justification and a call for those operations, quite irrespective of any interest that we might have in the matter. My hon. Friend the Under Secretary of State was perfectly correct in saying—at least in my opinion—it may be a matter of opinion—that the interest of this country in the great waterway of the East lay at the root of the whole question; because I must assume that such arrangements as those which we found subsisting in Egypt at the time when we came into Office were arrangements that never could have been adopted, if it had not been for the vast interests of the country and of the Empire in the waterway of the Suez Canal. Well, Sir, is it possible to deny that India has an enormous interest in the question, and if in the question, then in the operations of last year? Not that I expect any support, or countenance, or quarter from Gentlemen like the hon. Member for Carlisle (Sir Wilfrid Lawson) on questions of this kind. He condemns the operations root and branch. He lets fly upon them—if I may use the expression—upon every occasion that presents itself. With him any stick is good enough to beat the Government. This, in his view, is a mode of inflicting punishment upon the Government for having committed what he thinks a great wrong. Therefore, I do not expect to get anything from him. I am perfectly contented that he should turn us out to-morrow morning for this monstrous iniquity that he thinks we have committed. It is perfectly consistent in him. I have no doubt he has in view the object I have described. [Sir Wilfrid Lawson: Hear, hear!] But is it possible for a man to have listened to the speech of my hon. Friend the Under Secretary of State, and to deny the vast interest that India has in these operations? The Suez Canal has a totally different interest for India from what it has in respect to England. For England the Suez Canal is a most convenient waterway, invaluable for the extension of its commerce, and opening up an easier and shorter road to all parts of the world. But for India the Suez Canal is a connecting link between herself and the centre of power—the centre of the moral, social, and political power of the world. It is a totally different thing to connect England with India, and to connect India with Europe. Then, if I go down to grossly material objects, and to separate items, my hon. Friend, in his excellent speech, has set forth as one item alone that we are now disputing about the question of £500,000 — one-seventh part, I think it is, of the expense of the Egyptian War—which has been laid upon India with the consent of the Indian Government. You are disputing about that; but what is the fact? Why, that my hon. Friend showed you, as regards the Suez Canal, that every year £250,000 is saved by the Suez Canal in respect of Indian military establishments—due to the Suez Canal, and nothing else—so that in two years alone the whole of the subject-matter of this debate and dispute disappears from the simple benefit conferred, not upon England, but upon India, in military expenditure, through the operation of the Suez Canal. If I look again to the general trade of India, and attempt to estimate the relative importance of the Suez Canal to the trade of England, and to the trade of India—I will not enter now into that very interesting and very curious question, by which it has been developed that naturally enough a great deal of trade from India, which used to pass through this country for the supply of Europe, has now been, I may say, lost to this country, and has taken the form of a direct trade between India, and especially the Mediterranean countries—I do not hesitate to say I am extremely glad of that, because any loss we have suffered in respect to that trade is far less than the benefit that India has obtained by the increased facilities that she now enjoys from the shorter passage to the markets of the Mediterranean countries. But surely it is impossible to deny the vast pecuniary interest of India, as well as the moral and social interest of India, in the Suez Canal. I will just take two years. I would not trouble the House with a single figure, except to exhibit the relative importance of the Suez Canal to India and to this country in respect to trade. I know it may be said that the foreign trade of India represents a smaller proportion of its aggregate industry in exchange than the foreign trade of England. I have no doubt it does, and some allowance ought to be made on that account; but, at the same time, it is impossible to over-estimate the importance of the foreign trade of England to India. It is not only a matter of trade; but a matter of civilization, and a matter of her relations to the world. Therefore, to reduce to insignificance the foreign trade of India would be to inflict the heaviest blow that could be inflicted upon her. But the imports which we get through the Suez Canal form 8 per cent of our total imports, and the exports which we send through the Suez Canal form 9½ per cent of our total exports. The imports which India gets through the Canal form 75 per cent of her total imports, and her exports—£26,000,000 in value—form 39 per cent of her total exports. Now, Sir, I do hope that it will not be said after this that India has no interest in the Suez Canal, and that no one will attempt to prove that the question of communication does not stand in the most direct relation to the military operations which we reluctantly undertook last year. I see that the hon. Member has resumed his seat. When I commenced these remarks, I pointed out that he has done what he was perfectly entitled to do by proposing his Amendment. But the effect of that Amendment is not merely the expression of opinion as to a certain arrangement; but it forms a Vote of Censure on the Government. That is a matter entirely within his own option and discretion.

Mr. ONSLOW: It is only an expression of regret.

Mr. GLADSTONE: My hon. Friend well knows that if he will look up a Parliamentary dictionary he will find that probably among the various senses of the word "regret," the very first would be that which I have ventured to give to it—namely, notice to quit when it is used with regard to the operations of a Government. Against that notice to quit I enter an extremely humble and exceedingly mild, but, at the same time, an intelligible protest. On the merits of the question, what we have done is this—that, with the final consent of the Indian Government, after we had greatly reduced the original proportion, we have charged to India one-seventh of the expenditure. The other six-sevenths are to be paid by the people of this country; and I do say that, unless you are prepared to say that the expenses of every war external to the Frontier of India—however deeply interested India may be—shall be charged exclusively on the people of England, you cannot refuse to acknowledge that there is some reason in the very moderate and limited arrangement which we have made, and which the Indian Government has accepted on the present occasion.

Mr. ASHMEAD-BARTLETT commented on the extraordinary action of the Prime Minister in making a question of Want of Confidence of the Amendment; but he supposed the Prime Minister had been informed by the Whip that unless something of the sort was done, many of his own supporters would vote against him. Hitherto, the right hon. Gentleman and his Colleagues had not shown much delicacy with regard to hostile votes in that House. They had been seriously defeated three times; yet, in a comparatively thin House, the right hon. Gentleman had taken that extraordinary proceeding. For his part, he did not regard the resignation of the Ministry with any very great apprehension. The arguments, both of the right hon. Gentleman and the Under Secretary of State for India, had been founded on two very serious fallacies—on two assumptions which hon. Gentlemen holding the opinion he did would altogether dispute. The first was that the Egyptian War was a necessary or a justifiable war; and the second, that it was not possible to consult the Indian Government upon the policy of that war. He denied that the war was necessary because of our interest of the Suez Canal. The slightest forethought and decision would have averted it. The war was, to use the language of the right hon. Gentleman about the Afghan War, "an unjust and wicked war," the responsibility for which entirely rested with the Ministers of the Crown. Instead of maintaining peace, it had destroyed the National Party in Egypt, had thrown the country into a state of anarchy that was a shame and disgrace in the eyes of the world. Another result—at least, it was an indirect result—was that the Government had granted to a French Company the exclusive right over the Canal, if not in perpetuity, at least for 100 years. The Under Secretary of State stated that Major Baring had written his despatch protesting against India being charged for the cost of the Egyptian War in a fit of indignation; but it was signed by the Marquess of Ripon, Mr. Ilbert, and all those academical Radicals who were governing India at present. As for the statements that there was no time to communicate with India, it must be borne in mind that for nine or ten months previous to the bombardment of Alexandria, Egypt had been in a very disturbed state, and during that period it would have been easy and practicable to consult with the Indian authorities. He had listened with the deepest interest to the right hon. Gentleman's striking demonstration of the value and growing importance of British and Indian trade through the Suez Canal. It was unfortunate that the Prime Minister had not thought of all these facts before he concluded that portentous Agreement with M. de Lesseps which had just perished of universal ridicule. The telegraph was always available. And then the Under Secretary of State promised a Committee next Session to inquire into certain portions of Indian Finance. But what had that to do with this charge? It was very much like the promise of the Prime Minister, when he went out of Office in 1874, to remit the Income Tax — an ineffectual bribe to public opinion; it had nothing to do with the question. The right hon. Gentleman the First Lord of the Treasury, who in times past used to convulse the country with his passionate advocacy of oppressed nationalities, was the Minister who now came down to the House and, affecting to assume high moral ground, defended this charge upon the people of India, a charge respecting which neither they nor their "despotic rulers"—the phrase was not his, but that of the hon. Member for Salford (Mr. Arnold)—were consulted. The act was one of extraordinary and unprecedented inconsistency.

Sir WILFRID LAWSON said, he had always understood that Indian questions should not be made Party questions; and it was, therefore, with extreme regret he heard the declaration of the Prime Minister, a few minutes ago, that this was distinctly a Party question.

Mr. GLADSTONE: I did not say so; what I said was, that the Amendment was a Vote of Censure.

Sir WILFRID LAWSON observed, that he had always thought that Votes of Censure were Party questions. But whether it was a Party question or not, it was a question of the greatest importance that could be brought before the House. He agreed that after the despatch of the Marquess of Ripon, protesting against saddling India with any of the extraordinary expenses of the Egyptian Expedition, there was really nothing more that need be heard on the subject. All their attacks on the proposal of Her Majesty's Government were merely elaborations of that most able State document. The only question they had to trouble themselves with was — Was this expenditure for the good of India, or was it not? What had they done for the people of India in return for this money? Before the debate was adjourned the noble Marquess the Secretary of State for War, who never spoke about the Egyptian Expedition unless compelled, said that it was desirable this money should be brought from India, because she had benefited by the military operations carried on for the pacification of Egypt, and for the security of the Canal. In the first place, he had to say that there was no disturbance in Egypt till they sent their Fleet there, and began meddling in affairs. They were the amalgamated anarchists who caused disturbances in Egypt. In the second place, he would ask who it was that protected the Suez Canal? Lord Wolseley the other day said that if Arabi had blown up the Canal he would probably have been in Egypt still. Arabi did not infringe upon the Canal rights; but we did when we sent our ships into it. Until the despotic Member for Salford

(Mr. Arnold) discovered three ships laden with explosives in the Canal somewhere, no one heard of the danger. But probably the three ships were only three black crows. As to the rights of the people, he should have thought they were self-government, and that that would satisfy the Radical Member for Salford.

Mr. ARTHUR ARNOLD: I said I hoped the time would come when they would be.

Sir WILFRID LAWSON: Oh, yes. Everybody hoped that; but the time never came. It was always in the future. He believed in self-government now. The fact was, as he had often said before, the war was a bondholders' war, and had been no benefit to the poor Indian people, who were now asked to pay. Those people were so poor that 40,000,000 of them were said to go through life without sufficient food; and yet they talked about the blessings they had conferred upon the people of India. They all remembered what was said by the Postmaster General (Mr. Fawcett) in regard to burdens which were imposed on the wretched ryots of India; but that was before the right hon. Gentleman degenerated into the Government man that he was now. Where, also, was the Judge Advocate General (Mr. Osborne Morgan) that he was not present to make a speech in support of the Amendment? He wished the Prime Minister would lend him two or three men from the Treasury Bench to discuss this question from the old standpoint. One short afternoon of freedom would be enough. They might go back to slavery on the Government Bench the next day; but, meanwhile, the Postmaster General, the hon. Member for Liskeard (Mr. Courtney), the right hon. Gentleman the Member for Sheffield (Mr. Mundella), and one or two others, would make such a debate that it would be impossible for that House to assent to the Government proposal. Having quoted the declarations of the Members referred to on the subject of placing charges on India, the hon. Baronet said he wished to quote a few words of the Prime Minister himself. They were to be found in *Hansard*, which generally was correct. What did he say?—

> "Can I bring myself to vote that the expenses of this struggle, which is wholly our act, shall be placed upon India? I say 'No;' and I will go freely into any assembly of Englishmen and tell them I say 'No'"

—[Mr. Gladstone: Hear, hear!]—

> "and appeal to them whether they will not say 'No' also. Nay, I am persuaded—such is my opinion of their generosity—that when they thoroughly understand the facts of the case they will say distinctly that those who make the war should pay for the war."—(3 *Hansard*, [243] 904.)

He thought he had quoted enough. What he maintained was that the Egyptian case was far stronger than the Afghan one, on which the right hon. Gentleman spoke so strongly. Why should they go to the wretched Indians for any of the cost? We had had all the fun, and fame, and folly, and glory of it to ourselves. How delighted the English people were at one great victory! There we were five times as numerous as the Egyptians, and 50 times as strong; and we licked them, like five big bullies licking a little fellow in the street, and everybody was delighted. There were banquets, Peerages, and processions, and addresses; and now, when we had all this intense pleasure and rejoicing over the slaughter of our fellow-creatures, we called upon these wretched Indians to help us to pay the bill. Reason, equity, and justice demanded that the people who made the war should pay for it. It was, in his opinion, to be regretted that the Prime Minister had treated the question in a way to frighten hon. Members from voting according to their conscience. It would be extraordinary if the Government felt themselves called upon to resign because the Representatives of the people of this country agreed to pay the money instead of getting it from another quarter. He was not to be frightened by the right hon. Gentleman. Let them be just, and fear not—not even the Prime Minister. The people of England would give the money. All classes would vote for it; the Nonconformist ministers, who wrote that the war was a policy of righteousness; the Archbishops, who made a prayer thanking God for the slaughter of the Egyptians—["No, no!"]—the middle classes and the working men, whom the right hon. Member for Chelsea (Sir Charles W. Dilke) called upon to support the war. Let them pay for what the right hon. Member for Birmingham (Mr. John Bright) called a violation of international moral law. Do not let them go to these wretched Indians and make them pay by extracting from them their wretched earnings.

We ought to pay for our own folly and our own pride.

Mr. GLADSTONE, in explanation, said, he did not at all dispute that at the time of the Afghan War he stated that it would be unjust to lay the charge on the people of India; and so he admitted that the hon. Baronet, who believed the Egyptian operations were unjust, was quite consistent in saying the expenses should not be laid upon the Indian people. But the hon. Baronet appeared to him to be generalizing, and putting upon him in that statement the laying down of a general principle, that because we were the authorities who made the war, therefore we should pay for it. That was not correct.

Mr. MACFARLANE said, the statements which had been made about the poverty of the people of India were much exaggerated. Hon. Gentlemen had sought to excite commiseration by describing the dwellings of the people of India as mud huts with thatched roofs; but in a hot climate no place was so comfortable as a mud hut with a thatched roof. It must be remembered, too, that of the £70,000,000 which constituted the Revenue of the Indian Government, only £20,000,000 was, in the strict sense, taxation, and that was not very exorbitant with a population of 250,000,000. He would have been glad if the whole of the war expenses were charged to the English Exchequer; but, at the same time, he could not, as a matter of principle, support the Amendment.

Question put.

The House *divided*:—Ayes 55; Noes 210: Majority 155.—(Div. List, No. 237.)

Sir GEORGE CAMPBELL (who spoke amid cries of "Oh, oh!") said, as the House wished to proceed to the Business, he would not make all the observations upon the Motion of the hon. Gentleman (Mr. Stanhope) which he would have liked to have done; but he could not allow to pass without a protest a Motion which implied a Vote of Censure upon Lord Ripon, a conscientious, faithful Viceroy, who had been doing, was still doing, and would continue to do, all in his power to reduce the Expenditure of India. If this Motion were passed, he, for one, wished to say that it was only a Motion of the same character as the Motion of his hon. Friend the Member for Burnley (Mr. Rylands) which had lately been moved with regard to English Expenditure.

Main Question put, and *agreed to.*

Resolved, That, in the opinion of this House, it is necessary that early steps be taken to reduce the expenditure of India.

AGRICULTURAL HOLDINGS (ENGLAND) BILL.—[Bill 272.]

(*Mr. Dodson, Mr. Shaw Lefevre, Mr. Solicitor General.*)

CONSIDERATION. [FIRST NIGHT.]

Bill, as amended, *considered.*

Mr. DODSON moved, in page 18, after Clause 54, to insert the following Clause:—

(Restriction in respect of improvements.)

"Subject as in this section mentioned a tenant shall not be entitled to compensation in respect of any improvements, other than manures as defined by this Act, begun by him, if he holds from year to year, within one year before he quits his holding, or at any time after he has given final notice to quit, and, if he holds as a lessee, within one year before the expiration of his lease.

"A final notice to quit means a notice to quit which has not been waived or withdrawn, but has resulted in the tenant quitting his holding.

"The foregoing provisions of this section shall not apply in the case of any such improvement as aforesaid—

(1.) Where a tenant from year to year has begun such improvement during the last year of his tenancy, and, in pursuance of a notice to quit thereafter given by the landlord, has quitted his holding at the expiration of that year; and

(2.) Where a tenant, whether a tenant from year to year or a lessee, previously to beginning any such improvement, has served notice on his landlord of his intention to begin the same, and the landlord has either assented or has failed for a month after the receipt of the notice to object to the making of the improvement."

New Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

Mr. CHAPLIN said, the new clause proposed did not carry out the effect of the Amendment he moved in Committee, and which he withdrew on the understanding that the Government would bring up a clause on Report to meet it. He pointed out at the time that the object of his Amendment was twofold; first, that it was obviously fair that a tenant should not be allowed to claim compensation for the expenditure of a large sum of money in improvements which had been made at the time when he was going to leave his holding; and, secondly, that it would give the landlord in extreme cases, especially in those in which money was lavishly and unwisely spent, a general control over the execution of improvements. As the clause stood, he did not see any power of the kind given; and, therefore, he thought the right hon. Gentleman had departed from the undertaking that was given—that he would substantially carry out the Amendment he (Mr. Chaplin) moved. If he had known that was the clause to be placed upon the Paper he should have pressed his Amendment, and from the support he got he should have taken a Division upon it. He would now move to add in the fourth line, after the word "given," the words "or received." If this was done it would meet the object he had in view.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the Government could not accept the Amendment proposed by the hon. Member in Committee, because in the case of a tenant who might have begun and nearly completed an improvement, and who then received notice to quit, the landlord, by giving that notice, might deprive him of all right to compensation. The clause, as drawn, he thought solved the difficulty, and was not open to that objection. It fairly met the hon. Member's object; because if the improvement were begun after the notice to quit by the landlord the tenant would not be entitled to compensation unless he had given notice beforehand to the landlord of his intention to make the improvement, and the landlord had not objected.

MR. DODSON said, the Government were prepared to accept the words moved by the hon. Member for Mid Lincolnshire; and, under those circumstances, he hoped the clause would be accepted.

Clause read a second time, amended, and *added.*

MR. DUCKHAM moved, in page 15, after Clause 43, to insert the following Clause:—

(Sum due from landlord may be set off against rent due.)

"Any sum found to be due from the landlord to the tenant at the expiration of the tenancy as compensation under this Act or otherwise may be set off by the tenant against any rent due to the landlord, and the landlord shall not be entitled to distrain for more than the balance due."

New Clause *brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. DODSON said, the Government could not accept the clause as it stood, because it provided really that the landlord could not act until after the expiration of the tenancy, which would have the effect of defeating distress altogether. He would, however, accept the clause in this form—

"Where the compensation under this Act to a tenant has been ascertained before the landlord distrains for rent due, the amount of such compensation may be set off against the rent due to the landlord, and the landlord shall not be entitled to distrain for more than the balance."

MR. E. STANHOPE said, he was sorry to interpose; but, to put himself in Order, he should conclude by moving the adjournment of the debate. They came down to-day under the full impression that they were to discuss one or other of the Agricultural Holdings Bills, if any time should be left; but in the course of the debate on the Indian Question, which lasted longer than was expected, hon. Members began to inquire what subject should be taken. All he could say was that many Members on his side of the House were led to believe that the Scotch Bill would be taken; and, under the full impression that the English Bill would not be taken, they left the House. In the circumstances, he did not think the House was fairly in a position to discuss a good many of the important questions on the Paper. He moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. E. Stanhope.*)

MR. DODSON protested against the interpretation which had been put on the arrangement for Business by the hon. Member. It was distinctly stated over and over again yesterday that, if possible, they would proceed with the English Bill. The only doubt had arisen that afternoon, as the debate on India was prolonged, and the time becoming short he hesitated and intimated to some Members that he thought it would be better to proceed with the Scotch Bill in Committee, because he was afraid that they should not complete the other. It was in deference more especially to applications from Member after Member on the other side of the House to the Prime Minister and himself that they decided to go on, though they were late with the English Bill. He hoped, therefore, that the hon. Member would not only withdraw his Motion for Adjournment, but acquit the Government of any unfair motive or intention.

SIR JOHN HAY said, he did not see the noble Lord the Member for Flintshire (Lord Richard Grosvenor) in his place; but he had no doubt the noble Lord would confirm what he was about to say. As they were going into the Division Lobby on the Indian Question, unsought by him, the noble Lord was kind enough to say to him, in so many words—"We are going to take the Agricultural Holdings (Scotland) Bill immediately after the Division." In consequence of that, the matter having been told to him distinctly, he mentioned it to many of his hon. Friends, particularly to Scotch Members, in the Lobby. He believed the Lord Advocate was under the impression that it was the Scotch Bill that was to be taken. Instead, however, of the Scotch Bill proceeding *pari passu* with the English Bill, the former was placed unfairly in the background. In the circumstances, he thought his hon. Friend was perfectly justified in moving the adjournment of the debate.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) remarked, that nothing had been said publicly on this question, and the idea was that it was best to proceed with the Scotch Bill. During and immediately after the Division, however, it was suggested that the English Bill should be brought on in deference to entreaties made to them, and as they considered it was the most convenient to the House the English Bill was brought on.

MR. HENEAGE appealed to the hon. Member for Mid Lincolnshire to withdraw his Motion. In deference to the wishes of a large number of hon. Members, he himself went to the Prime Minister and asked him to take the English Bill, and he was bound to say that the Government had done their best to consult the desires and convenience of both sides of the House.

MR. A. J. BALFOUR said, he had no doubt the Government intended to act for the best; but the question was whether they had acted for the best? More than one Member of the Government stated to Gentlemen on this side, up to the last moment, that they meant to go on with the Scotch Bill. That being so, he did not see how it was possible to go on with a Bill of this kind now. The right hon. Gentleman said it was taken in deference to many Members sitting on this side of the House; but the difficulty arose from the Government not having made up their minds. There were strong reasons for the House agreeing to the Motion of his hon. Friend.

MR. JAMES HOWARD said, he hoped the Government would defer to the evident wish of the House, and, delaying the English Bill, proceed at once with the Scotch Bill. Members had no opportunity until that morning of considering the Bill as amended.

MR. CHAPLIN said, that he also was under the impression that the Scotch Bill would be taken on the conclusion of the Indian discussion, and for that reason left the House after the Division, so that he was not present when the English Bill was again brought up. They were now approaching matters of great controversy in regard to this Bill, and many Members who took a warm interest in the measure were absent in consequence of the misunderstanding that had arisen. The next Amendment, for instance, if adopted, would reverse a decision previously arrived at in Committee; and it would be unfair, therefore, to take it under the circumstances. At the same time, he acquitted the Government of any intention to act unfairly in any way.

MR. E. STANHOPE said, it seemed that a mistake had been accidentally made, and it was the desire of the House and the Government to proceed with the English Bill; and if the Government liked to take a snatch Division upon the Amendment coming on, he would withdraw the Motion for Adjournment.

Motion, by leave, *withdrawn:*

MR. DUCKHAM asked for leave to withdraw his clause in favour of that of the Government.

Clause, by leave, *withdrawn.*

Clause (*Mr. Dodson*) *added.*

MR. DODSON said, the hon. Member for Hertford (Mr. A. J. Balfour) had been kind enough to insinuate that the Government wanted to obtain a snatch Division on the Amendment.

MR. A. J. BALFOUR said, he had not said anything of the kind.

MR. DODSON, continuing, said, that to avoid any misunderstanding on the subject, and so that there might be no suspicion as to the objects of the Government, he would move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Dodson.*)

MR. E. STANHOPE said, it was he who used the expression to which the right hon. Gentleman had referred. He was now satisfied the Government had no such intention; and he, therefore, hoped they should proceed.

MR. J. LOWTHER said, he thought that since they had settled down to the consideration of a Bill, it would be better to proceed with it.

Motion *agreed to.*

Further Consideration of Bill, as amended, *deferred* till *Monday* next.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL.—[BILL 190.]

(*The Lord Advocate, Mr. Solicitor General for Scotland.*)

COMMITTEE. [*Progress 25th July.*]

[SECOND NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Regulations as to Estimates of Improvements.

Clause 6 (Set off of benefit to tenant).

MR. A. J. BALFOUR moved the adjournment of the dedate. The majority of the Scotch Members, he said, were absent; and he appealed to Scotch Gentlemen opposite whether they did not think it was putting Scotland to considerable disrespect to resume the consideration of this Bill in Committee at a quarter past 6 o'clock on a Morning Sitting? Of course, if Scotch Members thought a discussion of such importance should be taken at that hour he had nothing more to say; but he thought if the argument that a good many Members had gone away not knowing what was to come on was a good reason for postponing the further consideration of Amendments on the English Bill, there was surely still greater reason for postponing this Bill, which had come on quite unexpectedly. He would, therefore, move the adjournment of the debate.

THE CHAIRMAN pointed out that the proper form of the Motion would be that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. A. J. Balfour.*)

MR. A. ELLIOT agreed with what had fallen from the hon. Member for Hertford. The fact was that a number of Scotch Members had left the House, and he did not think the opportunity a favourable one for discussing the very important matters that were about to be proceeded with. He, therefore, appealed to the Government not to go on with the Bill at present. He had heard it said that they might run through the Bill in half-an-hour; but that could only be done by avoiding discussion on the 6th clause.

MR. J. W. BARCLAY regretted that the hon. Member for Hertford had made this Motion. He thought a sufficient number of Scotch Members were present. They might not be able to get through the Bill by 7 o'clock, but they might at least make some progress; and the Scotch Members were always eager to get on with the work they had in hand.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he did not see why they should not put to the best use they could the part of the Sitting that remained. The practical character of his countrymen was well known; and he thought if they tried they might get through a good deal in the time that remained.

SIR EDWARD COLEBROOKE expressed a hope that the hon. Member for Hertford would withdraw his Motion. It was not often Scotch Members had the chance of half-an-hour, and he thought they should take advantage of it when they had.

MR. A. J. BALFOUR said, he was willing to withdraw his Motion on the condition that the Government would not bring on anything but non-contentious Business.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) replied, that he could not agree to make any such condition.

MR. J. LOWTHER agreed with his hon. Friend the Member for Hertford

(Mr. A. J. Balfour) as to the advisability of postponing the discussion of the Bill.

The LORD ADVOCATE (Mr. J. B. Balfour) said, he was not aware that there was anything of a very controversial character to come on. He hoped the Committee would allow them to proceed and go as far as they could in the time that remained.

Mr. MACFARLANE supported the proposal to proceed with the Bill, observing that unless they did so, it was extremely likely they would have a Morning Sitting to-morrow.

Captain MAXWELL-HERON objected to the Bill being brought on in this way, and said it would be unfair to Members representing Scotch constituencies.

Sir LYON PLAYFAIR said, he hoped they would be allowed to proceed. If the proposal were to run through the Scotch Bill in half-an-hour, it would certainly be objectionable; but it was only intended to go as far as they could. The Motion was made by an excellent Scotchman, though not by a Scotch Member; and the general feeling of the Scotch Members present, undoubtedly, seemed to be that they should take advantage of the portion of the Sitting that remained.

Sir JOHN HAY requested his hon. Friend to withdraw his Motion. At the same time, he wished to point out the great inconvenience to which the House was put by the vacillation of the Government. Nearly all the Scotch Members on that side of the House had gone away, not knowing what Business was to be taken.

Motion, by leave, *withdrawn.*

Mr. J. W. BARCLAY indicated that he should not propose the Amendment which stood in his name.

Mr. A. ELLIOT moved to leave out Sub-section (*b*.), which stood in the following terms:—

> "In the case of compensation for manures the value of the manure that would have been produced by the consumption on the holding of any hay, straw, roots, or green crops sold off the holding within the last two years of the tenancy or other less time for which the tenancy has endured, except in so far as a proper return of manure to the holding has been made in respect of such produce sold off."

The hon. and learned Member said, this sub-section had excited a good deal of hostility among agriculturists generally throughout Scotland; and the view taken of it by the Scotch Chamber of Agriculture was that it would be a source of great injustice to a large number of tenants. He must say he considered that view well-founded. The sub-section might be right and proper when they were dealing with a state of matters such as that which existed in England; but he held that it was not applicable to the conditions under which tenancies were held in Scotland. These matters were regulated in distinct language, and there was no reason whatever why the tenant, when he had not contracted to consume a certain quantity of hay, straw, roots, or green crops on his holding, should be held to do so. [The hon. and learned Member read an extract from an agricultural paper in which it was contended that this sub-section would entail great injustice to farmers in Scotland.] He considered that if the sub-section were cut out altogether, full protection would be given to the landlord, in all cases where the landlord desired that protection, by the sub-section immediately following—Sub-section (*c*.)—because that stipulated that where a tenant made a claim for compensation, the landlord should be able to make a reduction on any contract relevant to the lease. The landlords were thus really protected; and he, for one, thought it perfectly unnecessary that the Committee should protect the landlords when they were perfectly able to protect themselves.

Amendment proposed, in page 3, line 12, to leave out Sub-section (*b*).—(*Mr. A. Elliot.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The LORD ADVOCATE (Mr. J. B. Balfour) said, he was afraid he could not assent to this section being entirely omitted. Members of the Committee would observe that he had given Notice of certain important Amendments upon the section as it stood. He quite saw that the section, as it stood, was open to criticism; because it had been pointed out that under the section as it was in the Bill, there might be a claim of deduction in respect of potatoes, and hay, and straw, and other things that in many parts of the country were regarded as sale crops. That would be unfair; but he thought the injustice would be obviated by the Amendments he had placed upon the Paper. The question raised by the hon. and learned Member for Roxburghshire was simply this—whether it would be proper for a tenant to sell off everything grown on the farm, and then claim for all the manure he might purchase and apply to the land as an improvement? He did not think to omit this sub-section would be fair; because this Bill throughout was directed to provide for compensation for improvements. It was for something that was done, either in excess of contract or custom, or ordinary and average administration. It was quite plain that unless some such provision were made as that which had been introduced into the Bill, it would be competent for the farmer to sell off everything, and even to sell off manure, and then to make a claim for all the manure he had brought on to the farm, although it was absolutely necessary manure, and not in excess of what would have been produced by the consumption on the farm of the part of the crops usually consumed there.

GENERAL SIR GEORGE BALFOUR supported the Amendment. He confessed that he was not convinced by the argument of the Lord Advocate, though the Amendments which the right hon. and learned Gentleman proposed to introduce would, no doubt, remove, to a great extent, the injustice that would otherwise arise under the sub-section. He had received strong representations with regard to the injustice of the sub-section, and felt bound to support the Amendment.

MR. PRESTON BRUCE said, he was glad that the Lord Advocate would not accept the Amendment. He thought great injustice might be done under existing leases, which permitted the sale of all those crops, but which had been negotiated on the understanding that the tenants would have to bring on to the farm a considerable quantity of manures if they sold a large part of the produce off the farm. Such tenants would be able to charge the landlord with part of the cost of that manure, which it was absolutely necessary they should bring on to the farm, in order to keep it up to an ordinary state of cultivation. As regarded leases made after the passing of this Act, he did not think the sub-section mattered much, for, of course, special stipulations might be made.

MR. ALBERT GREY said, he thought it was desirable that the words in question should be omitted, because, if the sub-section were admitted, it would drive every tenant to make an agreement with his landlord.

MR. A. ELLIOT asked leave to withdraw his Amendment, as he thought it would be more convenient to take a Division on the clause as amended.

Amendment, by leave, *withdrawn.*

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, that he had to propose several Amendments, which, he hoped, would obviate the main difficulty which had been felt in regard to the clause. He wished, first, to insert after "holding," in line 14, the words "according to the rules of good husbandry;" secondly, to omit the words "hay, straw, roots, or green;" and, thirdly, after "off," to insert "or removed from." The sub-section would then run as follows:—

> "In the case of compensation for manures, the value of the manure that would have been produced by the consumption on the holding, according to the rules of good husbandry, of any crops sold off, or removed from the holding, within the last two years of the tenancy, or other less time for which the tenancy has endured, except in so far as a proper return of manure to the holding has been made in respect of such manure so sold off or removed therefrom."

The effect would be this—that without defining the particular descriptions of crops which were usually sold from the farm in fair and ordinary administration, it would be competent to sell such crops, without any obligation, to substitute manure for them in stating the account. On the other hand, such crops—and they varied in different parts of the country—as according to the rules of good husbandry, were consumed on the farm, and made manure on the farm, would be taken into account, and the manure which would have been so produced debited to the tenant in making out the account. That would not at all operate against leases of the kind referred to by the hon. and learned Member for Roxburghshire (Mr. A. Elliot); because if the lease permitted everything to be sold off the farm, still the same necessity would lie upon the tenant, unless his farm was to become barren, of laying a fair and reasonable amount of manure on it. While he admitted the propriety of omitting any words which might define, adversely to the tenant, the particular crops which should be acknowledged as sale crops, he maintained that it was proper to provide that a deduction should be made from the tenant's compensation, in respect of such an amount of manure as would in due course be produced and used on the farm.

Amendments proposed,

In page 3, line 14, after the word "holding," to insert the words "according to the rules of good husbandry;" line 14, leave out the words "hay, straw, roots, or green;" line 14, after the word "off," insert the words "or removed from."—(*The Lord Advocate.*)

Question proposed, "That those words be there inserted."

Mr. J. W. BARCLAY said, he did not think there was much objection to the clause as proposed to be amended by the right hon. and learned Lord Advocate. But he wished to call the attention of his hon. Friends to this—that the clause did not say that the value of the manure produced was to be deducted from the compensation; it was only in the nature of an instruction to the referees to take into account the manure which would have been produced on the holding had those crops been consumed upon it. He thought it was unnecessary to put in such an instruction, as all referees worth having would take this into account, even if there was no instruction in the Bill. If, however, the Government wished the instruction to be inserted he had no objection.

Mr. JAMES HOWARD pointed out, as a practical objection, that the subsection applied not only to root or green crops consumed on the holding, but to all crops—as, for instance, wheat and oats.

Mr. J. W. BARCLAY said, it was not according to any rules of good husbandry that he knew of that wheat should be consumed on the holding.

Mr. A. J. BALFOUR said, he thought the expression "the rules of good husbandry" was utterly unintelligible.

The LORD ADVOCATE (Mr. J. B. Balfour) said, the expression was absolutely familiar in Scotland, and was heard every day.

Mr. BOLTON said, that, having an Amendment in his name to this sub-section, he wished to remark that the Lord Advocate had very happily solved the great difficulty which this clause would have caused in Scotland. He hoped that the hon. and learned Member for Roxburghshire (Mr. A. Elliot) would not persist in his intention of dividing on the clause.

Amendments *agreed to.*

The LORD ADVOCATE (Mr. J. B. Balfour) moved, in page 3, line 19, to leave out from "any" to "landlord," in line 30, and insert—

"The amount of compensation payable to the tenant shall be subject to deduction of any sums due to the landlord:

(1.) For rent payable in respect of the holding;

(2.) For any taxes, rates, or public burdens payable in respect of the holding for which the tenant is liable as between him and the landlord;

(3.) For the breach of any stipulation of the lease, or of any contract relative to the lease, committed by the tenant;

(4.) For any deterioration committed or permitted by the tenant;

"There shall be added to the tenant's compensation any sum due to the tenant for compensation in respect of a breach of any stipulation of a lease, or other contract relative to a lease, committed by the landlord."

This, the right hon. and learned Gentleman said, was not intended to alter, in substance, the provisions of the clause as it stood before; but it was to express more clearly—and, he ventured to think, more accurately—the intention of the clause. According to the terms of the clause, as it originally ran, it might have been held to express the idea that rent and other liquid claims, such as taxes, were to be taken into account in striking compensation. It was expressed more accurately by saying that they should form deductions from compensation.

Question proposed, "That those words be there inserted."

Mr. RAMSAY said, he should like some explanation as to what was meant by—

"Taxes, rates, or public burdens payable in respect of the holding for which the tenant is liable as between him and the landlord."

He had had a good deal of experience in these matters, and did not know what was meant by that language.

The LORD ADVOCATE (Mr. J. B. Balfour) said, there were sometimes agreements by which one of the parties undertook liability for the whole of the taxes, part of which was by law payable to the Revenue authorities to the other.

Amendment *agreed to.*

MR. BIGGAR moved, in page 3, line 30, after the word "landlord," to insert—

"(e.) When the tenant of any holding held by him under a yearly tenancy or on the expiration of a lease is disturbed in his holding by the act of his landlord, he shall be entitled to such compensation as the county court judge of his district, in view of all the circumstances of the case, shall think just, subject to the scale of compensation hereinafter mentioned;

"When the rent is thirty pounds or under, a sum not exceeding seven years' rent;

"When the rent is above thirty pounds and not exceeding fifty pounds, a sum not exceeding five years' rent;

"When the rent is above fifty pounds and not exceeding one hundred pounds, a sum not exceeding four years' rent;

"When the rent is above one hundred pounds and not exceeding three hundred pounds, a sum not exceeding three years' rent;

"When the rent is above three hundred pounds and not exceeding five hundred pounds, a sum not exceeding two years' rent;

"When the rent is above five hundred pounds, a sum not exceeding one year's rent.'

The hon. Member said, he proposed this clause chiefly in the interest of crofters and the aboriginal inhabitants of the Highlands and Islands. It was notorious that some landlords turned many miles of their estates into deer forests or sheep farms. That system was disastrous and ruinous to the interests of the population, and it was one which the House ought to do its best to make impossible. There was no doubt at all that these unfortunate people were descendants of families who had, in many cases, lived for many generations on these holdings, and who had endured very grievous suffering and wrong. He certainly thought that it was the duty of the Government to agree to his proposal in the interests of the crofter description of tenants.

Question proposed, "That those words be there inserted."

MR. CALLAN said, that the Amendment was of a character deserving consideration.

It being ten minutes before Seven of the clock, the Chairman left the Chair to report Progress; Committee to sit again *this day.*

MR. J. W. BARCLAY asked the Lord Advocate whether the Bill was to be brought on again at the Evening Sitting?

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, the Government were very anxious to proceed with the measure, and would do their best to bring it on, but not after half-past 12 o'clock.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

EDUCATION ACT, 1870—THE SCHOOL RATE.—RESOLUTION.

MR. SALT, in rising to move—

"That the unforeseen and growing amount of the school rate; its unequal pressure upon various districts and various classes of the community; its failure in some cases to meet the requirements of the most necessitous classes; and the circumstance that it involves expenditure not originally anticipated, call for the serious consideration of Her Majesty's Government with a view to the relief of the burdens of the ratepayers, while maintaining, in accordance with the original intention of 'The Education Act, 1870,' the efficiency of elementary education,"

observed, that it was a matter of courtesy to the right hon. Gentleman the Vice President of the Council to express his regret that he should have the trouble of a second discussion upon education. If he could have communicated with him (Mr. Salt) some days ago that he proposed to take the Education Estimates so soon, nothing would have been wanting on his (Mr. Salt's) part to meet his views as far as possible. At the same time, he must observe that it would have been difficult to frame the Resolution so as to be applicable to a Vote in Supply. He trusted, therefore, that, on the whole, the course that had been adopted would not be found inconvenient. In bringing this subject under the notice of the House, he was actuated by no desire to make a Party attack upon the right hon. Gentleman—on the contrary, he believed that the right hon. Gentleman would entirely agree with most of his observations, although he might object to the conclusions which he drew from the facts of the case. He desired, at the outset, to meet two objections that might be raised to his Resolution. In the first place, it might be said that in bringing forward this Resolution he showed that he was no friend to elementary education. It, however, was because he was a real friend to elementary education that he had framed this Notice. In the second place, it might be supposed that he was opposed to the amount of the Parliamentary grant. Had that been the case, he would have raised the discussion upon the Estimates on the previous night. It was not the amount he intended to criticize. Possibly he might criticize its application and use. Of course, if it could be said a very large expenditure of necessity produced an excellent and valuable system of education there would be nothing to do but to look to the grant; but it by no means followed that a grant, growing in amount year by year, was administered in the most economical and efficient manner. Large expenditure did not necessarily imply sound education. If the House gave this money with no ungrudging hand it behoved them to watch carefully that it was expended to the best advantage. In his Motion he had referred to the expectation held out by the Act of 1870, and he would quote two passages from the debates of 1870, often quoted before, but which he should quote in a somewhat different sense. The right hon. Member for Bradford (Mr. Forster), speaking on July 5, 1870, said it was not probable that any charge for the purposes of the Bill would exceed 3*d.* in the pound. Then, on the 7th July, 1870, the Prime Minister said—

> "I only speak of the limit of the permanent burden, and it is reduced by the proposition of my right hon. Friend to 3*d.* in the pound."

Now, those statements he could not claim as pledges. No Minister, however powerful, could possibly limit the amount of the rate for the future. Nothing could do that but a clause in the Act itself; but he could not but think that those statements had been incautiously made, and that, proceeding, as they did, from right hon. Gentlemen of such eminence as statesmen, they had greatly misled public opinion. They must remember by whom these expectations were held out. The one was one of the most remarkable statesmen that Europe had produced in this century. The other was not only an eminent statesman, but also, as they had been told, an eminent philanthropist. Upon the suggestions made by such persons, compromise was effected, and action was founded. The expectation from the Act of 1870 was that the rate, as a general rule, would not exceed 3*d.* in the pound; but what was the result 12 years later? The School Board rate of London was 6*d.*, gradually rising to 7*d.*; and so far from the scale throughout the country being anything like 3*d.*, there were 1,491 School Board districts where the rate was above 3*d.*, and only 252 where the rate was below that. The cost of building school board schools had been enormous, amounting, on the average, to £12 per child; whereas the cost of building voluntary schools only amounted to £5 7*s.* per head. In the Education Report for 1882 one of the Inspectors said the cost to the ratepayers for the erection of 26 permanent board schools built in Southwark was £397,679, and the account was not closed. The average cost of building a school was something like £15,295, and the average cost per child £16. In one large town, a board school had cost £23 14*s.* 8*d.* per scholar, another £20 9*s.* 7*d.*, and another at a cost of £53 1*s.* 9*d.* per scholar. Contrast with these schools built at Birkenhead for 976 children at a cost of £5 10*s.* per head, and a British school to accommodate 761 at a cost of £3,480. [Mr. MUNDELLA: Does that include the site?] He believed it did, but was not quite sure; but he would give the right hon Gentleman the correction if he was mistaken. But he would take other figures, where there would be no difficulty as to sites and small details. It was stated in the Education Report for 1882 that between 1839 and 1881 a sum of £1,766,000 was given from the public funds for the purpose of building elementary schools—Parliamentary grants of that kind had now ceased—for the education of 1,233,000 children, the remainder being made up by voluntary contributions; but under the new board system, from 1870 to 1881, the expenditure in building schools by the money derived from rates had been £13,784,000, and the number of scholars provided for was 1,124,000 only. Under the old system, the money spent did not take a penny from the pockets of the ratepayers, and it left no debt behind it; but under the second system there was a large burden, a debt of £13,000,000, which would continue for 50 years at least. Certainly the Act of 1870 was productive of many blessings. He willingly acknowledged that; but he contended the working of the Act had been most expensive. He would now take another line of figures, which he thought could not be challenged. While the average cost per scholar in attendance before the passing of the Act had been £1 5*s.* 5*d.*, it was now £1 16*s.* 8*d.* Thus in board schools in 1872 the cost per head of each scholar in attendance was £1 8*s.* 4*d.*, whereas it was now £2 1*s.* 6*d.* throughout the country generally, and £2 17*s.* in London. There was, however, one crumb of comfort, and that was that the average cost had remained almost stationary during the last three years. In 1870 it was estimated that the cost per head would rise from £1 5*s.* per head to 30*s.* per head, to be made up of 15*s.* from the public funds, 7*s.* 6*d.* from the parents, and 7*s.* 6*d.* of rate in school board schools, or of subscriptions in voluntary schools. The result showed where the pressure really lay. Thus in 1881 the grant to board schools amounted to 15*s.* 10*d.* per head, and to voluntary schools to 15*s.* 7*d.*, just what it had been anticipated it would be. The ratepayers, however, had been called upon to pay 16*s.* 11*d.*, instead of 7*s.* 6*d.*, while, in voluntary schools, the parents had had to pay 11*s.* per head and the subscribers 7*s.* 1*d.* per head. He would observe there were many things which had happened that were not anticipated in 1870 when the Act was introduced. He by no means blamed those who originated the Act, still less did he blame those who from year to year had administered it; but in this year of 1883 they found many things in existence which would have astonished men if they had heard of them in 1870. Amongst others, that the ratepayers were powerless to prevent excessive expenditure; that a different class of persons sent their children to the board schools than it was expected would do so; that such extravagant sums should be spent on buildings; that head masters received £242 a-year instead of £100; that there should be in the Metropolis alone a staff of scores of Inspectors and Visitors; and that ebonized pianos and Turkey carpets should be the necessary furniture of a training ship. He did not mean to say that much of the expenditure that had been incurred was not necessary; but what he did say was that there was a state of things that was not contemplated when the Act of 1870 was passed. They had plunged into the stream, and the stream had carried them very much farther than they expected. Another point to which in his Motion he had called particular attention was the varying amount of the rate in different districts. There were 148 places in which it amounted to 1*s.* and upwards; 214 where it was 9*d.* to 1*s.*; 519 from 6*d.* to 9*d.*; 610, 3*d.* to 6*d.*; 200 from 1*d.* to 3*d.*; and 52 where it was below 1*d.* These latter, as might be expected, were places where there were school boards, but no board schools. That rate, varying in amount from ½*d.* to 2*s.* 3*d.*, was purely national in character. The object of the system was the education of the poorest children in the country. He must notice just for one moment the effect of this heavy school rating upon the supporters of voluntary schools. They had made four complaints. They complained, in the first place, that they were compelled to pay rates for board schools and, at the same time, to support their own school. This, in effect, frequently meant that they were paying twice over. Secondly, many supporters of voluntary schools complained very strongly that they were in favour of a definite religious instruction, and that they were compelled to subscribe to board schools, where there was such religious education. Those complaints came from persons worthy of the highest respect, who made great personal sacrifices for the cause they had at heart. The third ground of complaint was that building grants were withdrawn from them—they had to build at their own cost, and could not borrow; whereas school boards had unlimited borrowing powers, with repayment spread over 50 years. The fourth complaint was that the operations of the board schools had so increased their expenses that they found it almost impossible to carry on their own schools. In the Province of Ontario our Colonists had a method of solving that question which, though he did not recommend it for our adoption, possessed merit and ingenuity. Five heads of families were empowered to summon a meeting and appoint three trustees, who, on application to the district school authority, could be constituted a Corporation, establish schools and levy rates on the subscribers and on the parents of the children. Persons so contributing were exempt from the general school rate. There was one curious effect which the school board rate had upon a well-deserving class of the community. He referred to the middle class. The middle class shopkeeper in the town in which there was a school rate was in this position—he paid for the education of his own children, and he also paid for the education of the poor people's children. The result of this was that the children of the poor people received an education which enabled them to compete with the tradesman's own sons. Now, the Act of 1870 had done both too little and too much. One of the great objects of the Act was to reach the gutter children. [Mr. MUNDELLA: All children.] In point of fact, there had been a complete failure to reach those children. The right hon. Gentleman himself, speaking at Birmingham on January 15th, 1883, admitted that there was scarcely any change in their criminal statistics, and that they still had to bring the poor Arabs out of the streets. Mr. Wilks, of the London School Board, said that the system had failed to reach the waifs and strays of society. Sir Edmund Currie, speaking of the Tower Hamlets, said there were as many poor children in the streets now as there were eight years ago. Notwithstanding all that, no less than £31,285 was spent in 1882 for the purpose of getting the children to attend the schools. The present system of elementary education had erred in doing too much in two ways. It had imposed too much labour both upon teachers and scholars; and next it had aimed at subjects not suited for mere elementary instruction, children who were scantily fed and scantily clothed, and who could not be expected to exert their brains like the children of parents well-to-do. What he complained of was the wholesale system of treating all children alike, whatever their mental capacities or social circumstances might be. He did not say that every child was overworked; but a great many children suffered from this high pressure of education, and sufficient care was not taken to adapt the instruction to the capacity and strength of the child. He believed the object of the Act of 1870 was to give an education suited to the children of persons who were to obtain their living by manual labour; but in many cases the instruction given could only be of use to persons in a far higher position. There was, however, one of the specific subjects that at first sight promised to be practicable and easy; and in regard to that he had made a careful search among the Reports of the Inspectors. He referred to domestic economy, and he would proceed to give the result. One Inspector reported—

> "Only one-third of the girls presented in domestic economy passed; more nonsense has, I believe, been written in answer to questions on this subject than all the rest put together."

Another wrote in a way to illustrate that opinion—

> "A girl of Standard V., in one of the most favourably-situated schools, when asked to write a short account of soda, replies, 'Soda is an utensil with which we wash ourselves.' Another, in the same Standard, whilst writing very neatly and speaking correctly, in answer to the question, 'What points should be borne in mind in looking for a house?' replies, 'You should always see if the drains do not smell, and the ventilation are cleaned out; because, if not, perhaps we should catch fever or any other degrees.'"

These girls would have been better employed in cleaning their mother's house. He would give only two more short quotations. One Inspector said—

> "I am fully persuaded that, unless several hours can be added to a day, and the school staff materially increased, to take up specific subjects is a positive injury to the proper teaching of elementary and extra subjects."

And another—

> "Physical geography. This has been a favourite subject with teachers, for one obvious reason at least—namely, that more money can be got with less trouble in physical geography than in any other way."

Complaint had been made, in eloquent terms, by a recent French writer of the effect of excessive pressure in the elementary schools. He compared the present with 10 years ago, and with what might be expected 10 years hence. He showed how great the stride in expenditure and how great the change in teaching had been; and then, looking forward, said that in another 10 years every child would be expected to know many things of which the Senators and Deputies who passed the Education Laws were themselves ignorant. He described the fatigue of an examination.

Every day beforehand added something to the burden. The child bore it bravely, he staggered along without turning right or left, without thought or care for anything else. At last the day arrived. Breathless and exhausted, he threw down the burden at the feet of the examiner; he felt relief; he stretched; he was at ease again; he emptied himself at once of all this cram, once and for ever, so completely that he forgot it all, and retained neither the will nor the power to study more. The school board system had been making great progress during the last 10 years. It was now a recognized system, though it was originally created to supplement, not to supplant, the voluntary schools. He was not prepared to say that it was right that it should embrace the whole education of the country. In 1872 there were only 82 board schools in England; in 1877 there were 2,089; and in 1881, 3,075. Again, in 1872, the school board rate amounted to £3,254; in 1881 it amounted to £738,737. At the same time, 959 or more voluntary schools had been transferred to school boards. The system was a great and growing system, which, under existing circumstances, must increase and strengthen every day; for the voluntary schools had not sufficient vigour to withstand the great money power that the school boards possessed. The question then arose, was it desirable that the country should be entirely handed over to the school board system? It was very much a system of grind and of work. He did not mean to say that the school boards had not been of great value to the country; but he should be very sorry to see the old-fashioned schools altogether abandoned. He believed it was most desirable for the country that, if possible, the two systems should exist in vigour and thrive side by side together. His desire had been to put forward some ideas and suggestions which he believed to be worthy of consideration. He hardly, at that moment, expected a very definite reply from the Vice President; but he did hope for the right hon. Gentleman's assurance that he would give serious attention to the points that he (Mr. Salt) had ventured to lay before the House. In the interests of elementary education, in the interest of the poor who were taught, and of the poor who paid, and, he believed he might venture to add, for the credit of Parliament and of the Government of the country, he begged to move the Resolution of which he had given Notice.

MR. W. M. TORRENS, in seconding the Motion, said: The desire I have long felt to see some effectual curb put upon the imposition of school rates, and the excess of school board expenditure, would not have induced me to second this Motion if it were of a Party or sectarian character. Great and grievous discontent prevails among the ratepaying community, especially in London, at the breach of conditions on which the Act of 1870 was passed; and as far as I know there is hardly a subject on which there is more unanimity of feeling. But as one of those who steadily supported that measure, and who did not shrink, when difficulty arose regarding its application in the Metropolis, from lending aid which was frankly accepted by the Government, and from taking my full share of work in bringing the Act into operation, I feel bound to raise my earnest remonstrance against the gradual perversion of the system to purposes that were never avowed, and I hope never intended. We were asked to impose on the occupiers of rateable property, the bulk of whom may be fairly designated as the struggling classes, a charge previously unknown in aid of primary education. Voluntary schools, with the help of grants from the Privy Council, had done a great deal; but confessedly they were unable to reach a poor and helpless outlying mass; and Parliament was asked by the right hon. Member for Bradford and the Prime Minister to set up board schools, not to supplant those existing, but to supplement them, and to gather up the waifs and strays of childhood, that nothing should be lost to the usable strength of the State. As far as that purpose was really meant, and to whatever extent it has been attained, I commend and I am ready to sustain it as cordially as ever. But I regret to be compelled to say that, like other young institutions, that of board schools has wandered frequently and far from the straight path of its duty. The questionable and, I think, Quixotic ambition to obtain control of higher education, for which it is unadapted, and which it has no just means of supporting, diverts continually its thoughts and its resources from the proper objects of its care; and causes a yearly augmentation of burdens which ratepayers, already overtaxed, feel to be intolerable. Rates, we are sometimes told, come out of rent; if a man pays so much more rate, he gets an abatement of rent, and so there is no hardship. But in a rising market for houses this is not true; and when you propose to put on a rate for the first time for primary schools, it was certain enough that the charge would come out of the householder's pocket. I well remember, in a conference at the house of the right hon. Member for Ripon (Mr. Goschen), the fitness of rates to bear the newly proposed burden was fully discussed, upon the objection that if primary instruction be a public duty it is a national obligation, and ought to be discharged out of the Ways and Means of the nation at large. The objection was overborne. But, speaking for the largest section of the ratepaying community represented in this House as part of the Metropolitan area, I say, deliberately and distinctly, that if you had not held out the lure already named, and if you had not held out the positive inducement that the rates should never exceed 3*d.* in the pound, I, for one, would not have agreed to the Act of 1870; and I do not believe that my Metropolitan Colleagues would have been authorized by their constituents to give that measure their support. I am not making any charge of wilful breach of faith; I deprecate language to that effect whenever it is used. Our duty here is to deal with tendencies and results, not with intentions or miscalculations. It is right, however, that the fact should be recalled when we are taking stock of our progress, and seeking to bring back daily practice to the original design. The 3*d.* maximum rate does not rest upon vague recollection of words spoken in debate, but is capable of absolute proof, as I undertake to show. I hold in my hand the original Elementary Schools Bill, introduced on the 17th of February, 1870, and not finally passed until the end of the Session. The 84th clause of that Bill promised a guarantee that when, in any parish, the 3*d.* rate did not produce more than £20 a year, the deficiency should be made up, not by an extra rate, but by an extra grant from the Privy Council. In a word, the great broad and wholesome principle was professed, and, as we hoped and believed, faithfully laid down, that primary instruction of the needy classes was the duty of the whole Kingdom, and was to be undertaken substantially for the national good. Localities were to pay a limited rate in order to create a check on expenditure; but it never was whispered that localities were to be left to the caprice of temporary and, therefore, irresponsible school boards; or that these were to be used by the Government as a machinery for trying fantastical experiments and empirical theories in the system of over-cram. It never was contemplated seriously by Parliament that, under the misleading pretence of screwing up the general standard of book knowledge, tested by competitive examination, a furtive and insidious means might be found for sapping and mining religious schools. At first, when the legal limit of local rates was exceeded, excuses were made that the excess was only a little; and when all sorts of subjects of higher education were one by one added under the expanding Code, we were told that it did not signify, for it was only this, and only that, and only t'other. A College friend of mine accused his servant once of making free with what did not belong to him; the man protested his innocence often; but, being at last found out, declared he meant no harm, for he never meddled with any but three things, which he really thought were allowable, tea and sugar was one, wine and spirits was two, and coals and candles was three. But public patience is worn out at last, and endurance has reached its limits. The Committee of Council stimulate rather than check the overstrain, which I believe to be a most pernicious infatuation; and in this and other ways egg on the school board to ever-augmenting expense. In London the rate is more than double what we stipulated for, and new schools on the most expensive pattern are continually erecting, where they are not really wanted, apparently to break the heart of the existing voluntary schools. Within the last month, in the parish of St. Giles's, Bloomsbury, what has occurred? Many years ago a central building was raised at a great expense, capable of accommodating from 900 to 1,000 children, and when the Act of 1870 was passed I can bear witness that it was constantly full. A portion of the parish, however, was overcrowded with poor, and the London School Board, of which during the first year I was a member, along with Mr. Samuel Morley, Viscount Sandon, and Mr. W. H. Smith, were told that an additional school house was wanted. To provide for the wastrals and the necessitous provision was accordingly made, part out of rates, part out of fees, and part out of grants, no one, as far as I know, complaining. Other board schools were built in adjoining parishes close by, and the general effect on the old establishment in Endell Street, was to drain it of half its scholars. Still we forbore to complain; but what have we now? Within the parish, whose population is greatly diminished in the last decade, the Board supply accommodation already for 2,892 children, though the average attendance is but 2,100; nevertheless, they are going to add 441 additional places, at a cost of £24,470 for site and building, with a probable outlay besides of £4,500 for a new playground; and this while 400 places are actually vacant in the old voluntary school. You will never persuade an intelligent people that this is all needful and right, or that you ought thus egregiously trifle with the means of livelihood of the peaceful and hard toiling community, while one-half the Kingdom is wholly exempt from liability to the burden thus mounting up year after year. Nineteen out of 20 common-sense people you talk to—whether Anglican, Catholic, or Wesleyan—declare that you are rather unfitting than fitting thousands of poor children for honestly earning their bread; and I grieve to add that the suspicion deepens daily among men of various creeds that the rates are misapplied with the unconfessed purpose of steadily reducing all primary instruction to the French dead level of secularism. I do not say that all who are engaged in the operation realize the ultimate purpose; but I say that the experiment thus making is unwarrantable and unwise; and now that at last silence on the subject has been broken, I am convinced that Parliament will have no peace until means are taken to bring back the expenditure of school boards within proper bounds. It is quite true that voluntary schools, by the help of earnest and munificent friends, are trying to keep their ground; and it is to their infinite credit that in some cases they still succeed in doing so. But everyone who watches steadily what is going on around him, and who candidly tells what he sees, must own that the high pressure of board school competition daily threatens to squeeze the voluntary schools out of existence. Members of school boards, and all who hold office under the Committee of Education, avow their belief in the course of events; but say it is inevitable. Inevitable is the most good-for-nothing word in the language. Nothing in legislation unjust, inexpedient, or wrong is inevitable, if we only make up our minds to arrest or amend it. If you will not make rates universal instead of partial, and if you will not allow each parent to pay his rates, like the fees of his children, into whatever school he pleases, then there is the other alternative of charging the whole expense between fees, benefactors, and public grants, which I, for one, believe would be a fairer and wiser plan.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the unforeseen and growing amount of the school rate; its unequal pressure upon various districts and various classes of the community; its failure in some cases to meet the requirements of the most necessitous classes; and the circumstance that it involves expenditure not originally anticipated, call for the serious consideration of Her Majesty's Government with a view to the relief of the burdens of the ratepayers, while maintaining, in accordance with the original intention of 'The Education Act, 1870,' the efficiency of elementary education,"—(*Mr. Salt,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. W. E. FORSTER said, that it would have been impossible for anyone holding the views of the hon. Member for Stafford (Mr. Salt) to have expressed those views with greater moderation and fairness to his opponents. The hon. Member urged that the original object of the Education Act was to supplement, and not supplant, the voluntary schools. He had himself, in carrying the Bill through, stated that as its object over and over again. But his hon. Friend was quite mistaken in saying that the result had been otherwise.

The Act had, in fact, supplemented, and not supplanted, denominational schools. In 1870 in the National schools the average attendance of children was 882,000. Now the number had risen to 1,552,000. As he saw his hon. and learned Friend the Member for Dundalk (Sir Charles Russell) present, he would refer to the Roman Catholic schools. He had no figures for 1870 with regard to them, but in 1873 there was an average attendance of 90,000 children in Catholic schools; but now, greatly to the credit of that religion, the number was 163,000. He thought it was matter for congratulation that, although the school board system was absolutely necessary, voluntary effort had not been discouraged, but had increased in far greater ratio than the population. He admitted that he had expressed his belief that the rate would not exceed 3*d.* in the pound, and he was supported in that opinion by those who had the largest experience of educational questions. His hon. Friend seemed to be under the impression that in the original Bill there was a clause limiting the rate to 3*d.* That was a mistaken idea, as the 84th clause was, in the end, substantially the same as when the Bill was introduced. He had, however, since that time had so much experience of political life that he should not be inclined, on any subject, to venture upon prophecy again. There were several reasons for the mistake into which he had fallen. The first was that a far greater educational destitution existed than anyone imagined, and he could only congratulate the country that adequate efforts had been made to provide for that destitution. His Predecessor (Lord Robert Montagu) had estimated that there were in the country about 350,000 children to be provided for. But the increase in the number of children being educated had risen from 1,700,000 in 1870 to 4,500,000 in 1883, and the average attendance from 1,150,000 to 3,000,000. Then schools had to be built. Then there had been an increase in the cost of educating the children, which had risen from 25*s.* 5*d.* to 36*s.* 8½*d.* a-head. The main cause of that increase was the higher salaries now given to masters and mistresses. The salaries of masters had risen by 26 per cent, and those of mistresses by 28 per cent. He might be charged with want of economy, but he could not but rejoice at that result. The increase in salaries had arisen partly from the fact that teachers were formerly underpaid, and partly from the greatly increased demand consequent upon the passing of the Act. They certainly had a much more efficient educational staff for their schools than existed before the passing of the Act. He did not believe that the very poor children were being neglected. There might be some "gutter" children still out, but nothing like so many as there were. Large numbers were being brought in, and these children required more teaching power to be brought to bear on them than children coming from more comfortable homes; and in order to get the work done it was found necessary to have a larger staff of masters and mistresses, and, perhaps, fewer pupil-teachers. Hon. Members who had spoken thought that the special subjects had a good deal to do with the cost, but he was certain they had very little. Almost every special subject was met by the Government grant. The first and most important business was to give a thoroughly good elementary education—reading, writing, and ciphering—and he trusted the day was far distant when there would not be alongside that a Scriptural education. The Act of 1870 had not resulted in a purely secular system; but, as he believed, in a more thoroughly Scriptural and religious teaching than existed before. But he should be sorry to suppose that the country would be satisfied with mere reading, writing, and ciphering. The hon. Member had quoted examples of ridiculous answers. Such instances could be found in any examination in the Kingdom, if anyone chose to amuse himself or the House by seeking for them. A few ridiculous answers were no proof that knowledge was not being taught. The boys now at school would be the voters of the future, and it was not desirable to debar them from a knowledge of the history of their country, or the geography of that Empire with the management of which they would probably have something to do. In no respect had the Vice President shown his absolute fitness for the Office more than by the way in which he had considered both sides of this question—acknowledging that the chief object was to give a really good elementary education, not discouraging special subjects, but not pestering the children with too many subjects. He rather expected that the hon. Member for Stafford would have suggested what changes he thought ought to be made in the mode of raising the money. When the Act passed it was stated that an increase would be given in the Government grant, and that pledge had been thoroughly fulfilled. The average attendance had increased 260 per cent; the Government grant, 320 per cent; voluntary contributions, 70 per cent; and the fees, 210 per cent. Ought they to take a larger proportion out of the taxes than they did at this moment? The Government grant was then 35 per cent of the total income, and was now 40 per cent; and he confessed that he thought it would be a disadvantage to education to give a larger proportion out of the public taxation. He would give, very briefly, one or two reasons why there should not be a larger increase in the taxes. The result of it would be that one set of people would be managing, and another set spending; and that meant extravagance to begin with, and also, in his belief, inefficiency. In his opinion, it was most desirable to keep up the local management, and he was sure that the management would be much less efficient if the money were mainly paid by the State. Then it had been said how much fairer it would be to the subscribers to voluntary schools if the taxes supplied the money; but they would only be taking out of one pocket instead of the other, taking taxes instead of rates. Under the present system if people thought there was extravagance they had the remedy in their own hands, and could vote for Members who held with a policy of "strict economy," which, however, often really meant starving education; and the large majority of the constituents in London, and, he believed, in every large town, had decided against that policy. He had only one other remark to make. Allusion had been made by the hon. Member for Stafford to what he called the "Canada" system. There was a great deal of attraction in the proposal; but he believed that the more it was looked at the more generally those interested in education would come to the conclusion that it was utterly impossible to work it in this country. Practically, there were only two denominations in Canada, and the number of denominations alone would make it impossible in England. It was, also, contrary to the very principle of rate management, which was that the ratepayers should choose the persons who were to dispose of the rates. But he was quite sure of this—that a proposal more likely to injure the interests of denominational schools could not be conceived. He did not wish to refer to the old controversies that had taken place, more than to say that he was sure that, for the interests of denominational schools, the more they had them separated from the school boards the better it was for them. It was easy to find theoretical faults, but, in so doing, they must set one against another; and he would be prepared, in the interests of education, to uphold the view he held before, and would only state that they must, if they looked at the theoretical unfairness on one side, look at it also on the other. He might, perhaps, be considered conceited; but he had seen nothing in the working of the Education Act since it was passed to lead him to think that they did not arrive at the best system. At any rate, they might have the comfort that, although there was much yet to do, there had been more done in the last 12 years than any man interested in education could suppose possible to be done.

MR. LYULPH STANLEY said, he hoped the House would allow him to make a personal explanation on behalf of the London School Board, which had been attacked. The hon. Member for Finsbury (Mr. W. M. Torrens) referred three or four times in the course of his speech to the secular education of the London School Board, of which the hon. Member had been a member, and must, therefore, have been familiar with its debates on the question of religious instruction. The London School Board passed a resolution with reference to Scriptural instruction, which became a pattern for all the school boards throughout the country. That resolution was, in substance, that the principles of religion and morality should be taught from the Bible, but that the teachers should be warned against proselytizing; and on that resolution the Board had acted ever since. It was in reference to the Scriptural instruction that the Vice President of the Council, when distributing prizes to the schools a few days ago, complained that it was, perhaps, a little too ambitious, and went too minutely into the facts of the Bible. He thought, therefore, that the hon. Member for Finsbury must either have been very forgetful or very hasty when he spoke several times during his speech of the dead secular level to which the London School Board were striving to drag down the education of the children of London. With regard, also, to the combined charge of gross extravagance and of malicious unfairness to voluntary schools which the hon. Member brought against the London School Board, he was completely in error in the statements he made, and in contending that the Board were erecting schools in the neighbourhood of voluntary schools, with the object of driving the voluntary element out of the field. The supporters of the Church schools had no justification for the complaint of the increasing pressure in consequence of the competition of the board schools. In 1870, before board schools were established, their subscriptions amounted to 7*s.* 6*d.* per child; in 1883 they paid exactly the same amount. But the general taxpayer paid them an increased sum of 14*s.* 9*d.*, instead of 8*s.* 9*d.* per child; while the children in average attendance were paying 10*s.* 5*d.*, instead of 8*s.*; and by the utilization of public property, in the shape of old endowments, the miscellaneous contribution to the total cost of £1 14*s.* 9*d.* per child had increased from 1*s.* 4*d.* to 2*s.* The Church schools, by raising their fees, had taken the pick of the pupils, and had sent the unsatisfactory children to the board schools. He would briefly give the history of attendance in the London board schools up to the 1st of July, 1883. In December, 1871, there was an average attendance of 174,000 in all the schools of London; in June, 1883, the number was 430,000. In June, 1883, there were 175,000 in voluntary schools, as against 173,000 at the beginning of the school board system, notwithstanding that many voluntary schools were, in the interval, transferred to the board schools. In the board schools the average attendance was 255,000. With respect to the enforcement of attendances, he would say that the average of attendance had risen to 72 per cent of the whole number on the books throughout the United Kingdom. But, in London, the average attendance was 81·3 in the board schools, and 80·2 in the voluntary schools. Thus a comparatively regular attendance had been attained. But even that was not satisfactory. Paris, where compulsion had only been introduced in the last year, had an average attendance of 94 or 95 per cent; and in Holland there was a similar high attendance. As to the cost of school buildings, no doubt that was a very great item; but it must be remembered that the sites were very costly, especially as compulsory powers were exercised. It was also the duty of the School Board to see that the schools were thoroughly well built. Curiously enough, it was the fact that the Education Department required more space and cubic feet of air for board schools than for voluntary schools. In a voluntary school 8 feet of superficial space per child was required, whereas in a board school it was 10 feet per child; and, therefore, the same amount of space in a board school was required for seating 80 children that was sufficient in a voluntary school for seating 100 children. He thought the hon. Member for Stafford (Mr. Salt) would, therefore, see that the sanitary arrangements in the board schools were so good as to be worth the money spent upon them. He would just say one word upon the complaint of hon. Members as to the injustice of taxing people for the general State education of the country who were maintaining the private education of their own children in accordance with their own religious principles. No doubt, the argument was a popular and an intelligible one; but it led directly to the Disestablishment of a State Church, because if it was unjust for Episcopalians to contribute to the rates for maintaining unsectarian schools, it was an injustice towards Jews and unsectarians to require them to contribute towards a State Establishment from which they derived no benefit and which was repugnant to their feelings. He had other arguments in his quiver whenever the Disestablishment debate came on, which he should be glad to discharge for the benefit of the hon. Members who supported a State Church. He had expected to have heard a little more from the hon. Member for Stafford (Mr. Salt) as to the injustice of the incidence of taxation. He thought the incidence of taxation in towns was pretty nearly fair upon rich and poor alike; but in the rural districts, where the taxation was placed upon the land alone, which formed the capital of the farm, while other forms of property were untaxed, it appeared to be unjust; and when the great question of Rating and County Government, and other cognate topics, came up for discussion, he hoped some method would be devised by which local burdens might be more fairly distributed over various classes of property. It was a large question, however, involving many considerations; and he trusted that some day it would be dealt with in a comprehensive manner. He thought there was one matter in which the State might make a subvention in connection with the burden of school board taxation, and that was in the way of defraying the cost of enforcing the school board by laws in reference to attendance. It was in the nature of a police charge, and not an education charge; and although he did not care to have it put upon Imperial instead of local funds, yet he saw in it no such danger of diminishing the efficiency of the schools as would result from the transferrence of other burdens.

MR. STANLEY LEIGHTON wished to remind the hon. Member for Oldham (Mr. Lyulph Stanley) that in that House he sat as a member of Parliament, and not as a Member of the London School Board. He therefore declined to follow his hon. Friend into the wonderful statistics which were exhibited by the management of the London School Board. He prefered to advert for a moment to some of the statements of his right hon. Friend the Member for Bradford (Mr. Forster,) who had made a confession in regard to the false prophecy he had made in 1870. He did not think the right hon. Gentleman mended the matter by saying that other people had been false prophets as well as himself. He thought the fact that the right hon. Gentleman had been compelled to declare that he had pressed the Bill upon the House upon false calculations was sufficient to induce the House to support the hon. Member for Stafford (Mr. Salt) in declaring that the matter did require the serious reconsideration of Her Majesty's Government. He (Mr. Leighton) approached this question not as a Churchman, but as an educationalist, as a philanthropist, and as a taxpayer. He impugned the existing system, both as to the manner in which it had been originated and as to the manner in which it had been carried on. He did not say that all the abuses which at present existed were the creation or the fault of the right hon. Gentleman; but the right hon. Gentleman was the representative of the system, and he was never tired of declaring that it was, as nearly as possible, perfection. He thought it was almost unworthy of Parliament, and almost a discredit to the nation, that there should, every year, be a pæan sung on the state of education, when, after all, it was open to the gravest criticism. Viscount Sherbrooke, when a Member of the House of Commons, specially warned the House against creating a great Government monopoly of education. But what had they done? They had created a great Government Department, which had under its command 40,000 teachers and 4,700,000 pupils, and this enormous Department —larger than the Army or Navy—was one which must surely exercise a tremendous influence over the people of this country. With regard to the rates, the expectation with which the Act of 1870 was introduced had entirely failed. Of that he would speak later on. As to the quality of the education, it was originally intended to be elementary education. What was elementary education? He would not use his own words, but those of the late Chancellor of the Duchy of Lancaster (Mr. John Bright)—

> "That a child should be taught to write so as to be read, and to read so as to be understood, and to cipher without mental effort."

Yet he found, among the subjects taught in the board schools, Latin, French, botany, chemistry, and elementary science. These were special subjects, but they were subjects paid for out of the rates, and they entered into the elementary education of the country. Then, again, let them test the sincerity of the regard of the Department for the really elementary subjects by the action of their own Inspectors. The other day, in a country school in a remote part of the Kingdom, an Inspector paid a visit of inspection, and the first question he asked the children was to explain the solar system. Of course, the managers and the teachers and everyone else were aghast at that question; but the Inspector declared that he could not satisfy his conscience without putting such questions. He was producing no exceptional example of the method and spirit in which rural schools were inspected. What did men like Mr. Francombe, of Redcliffe, say—

> "The number of subjects now being taught in our schools greatly impairs the results in the three R's, and few boys leave school able to read well or spell correctly."

The Chairman of the Committee of the National Union of Elementary Teachers, speaking as the representative of that Union, stated that the New Code was distinctly higher now than the Old Code, and the Secretary of the same Society asserted that serious pressure went on under the system. Therefore, whether for good or whether for evil, there had been a departure from the plan laid down in the original Education Act. He would examine the question, not vaguely, but on evidence which would be received in a Court of Law. First, he would call the attention of the House to a Petition lately presented to them. He would only read the words of the Petition, and not in any way use his own. The words of the Petition were so hideous that he thought they would scarcely be credited. These were the words of the Petition, and the Petition itself came from the Bradford School Board—

> "Information has reached the board of the undoubted existence of prostitution amongst the girls of school age in the borough of Bradford, who are in actual attendance at schools."

And that experience he believed was borne out by the experience of London as well. Passing from that most shocking result of gathering 300 or 400 girls together, without placing them under moral influences, he would go on to another result, not so shocking, perhaps, but which seemed to him to be still more sad. What did the Earl of Shaftesbury, the Chairman of the Lunacy Commission, say—

> "Insanity generally has diminished; but the proportion of lunatics among the teaching class and children has risen."

Many people had begun to see that the forcing system in schools, and the burning competition for places among teachers, were producing mental injury. What did other testimony from Scotland prove? It showed that insanity had increased among the teaching class through over-pressure in the schools, and there had been a large increase in the percentage of deaths among children of school age from brain disease. That was not given as the result of a careless investigation, but as the result of comparing the six years before the Education Act with the last six years. The right hon. Gentleman the Vice President of the Council received the cheers of the House the other night when he described how many children were gathered together in the schools; but the doctors said that if the system was persisted in, without reforming it, the development of the children must suffer. Was it surprising that mothers said—"You are killing our children?" And was it surprising that the teachers said—"We want our grant, and we must make them pass?" This came of the system of paying by results, without regard to circumstances. They had heard how the system had failed in gathering together the gutter children, and in getting them to enter the schools. To use the words of the Rev. Mr. Coxhead—

> "The poorer class of children is gradually being thrown upon the streets."

But the very first duty of school boards was to gather in the Arabs of the streets, the children of the poorest of the poor. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) said that, so far from supplanting, he had really supplemented the voluntary system. He (Mr. Stanley Leighton) was sorry that the Charity Commissioners, who ought to know quite as well as the right hon. Gentleman, held an entirely different opinion on the subject. This was what they said in their last Report in describing the competition of the board schools with the higher elementary education—

> "The third grade of endowed schools will be practically emptied and rendered practically useless by a competition such as we have indicated, a contingency which we cannot but regard with anxiety;"

and then the Commissioners went on to describe the serious mischief that was being done, and the great waste of pecuniary resources which would inevitably follow. If the system was doing good, if the system of pure elementary education was really being promoted, he should have very little to say; but, even in connection with the London School Board itself, Mr. Thomas declared that the result of the administration of the London School Board was a failure. The extravagance of the School Board, and their ambition, had greatly increased the rates, and had greatly injured the poor. It was not the fault of the principle of the Act of 1870, but the fault of its administration. He did not think that people fully recognized the enormous increase of the education rates. He would refer to one individual case, the type of hundreds throughout the country—namely, the country parish of Stoken Church, in Oxfordshire, where the school board rate was 2*s.* 1½*d.* What did that mean? It meant enhanced house rent. It meant that the cottager had to pay 10*s.* a-year more for his cottage. And what did it mean in regard to farmers? A farmer with a ratal of only £500 a-year, paid £50 to the school board rates. If a man had £10,000 a-year, he considered £50 a considerable sum to pay, as a subscription, towards a school; and yet here a farmer whose rental was only £500 a-year, and whose income was probably about £300, had to pay in the parish of Stoken Church upwards of £50 a-year in school board rates; the sum came upon him suddenly, without any provision havhaving been made to meet it. He would ask if that was fair towards the ratepayers? He concurred very much with the suggestion which had been made by the Home Secretary when the Education Bill was under discussion in 1870; and he did not think that the right hon. and learned Gentleman had ever withdrawn his opinion since that time—

> "The education rate should be limited, and the pressure of the residuary charge, whatever it is, should be borne by the Treasury."

He would put a question to his right hon. Friend the Vice President of the Council. He would ask the right hon. Gentleman to consider this case—we were within a measurable distance of this contingency—what would be the result if the supporters of the voluntary schools withdrew their subscriptions? And he (Mr. Leighton), for one, would certainly be ready to support that step. The result would be that it would throw £2,000,000 on the rates of the country in a single year; and he did not believe that even a Government so strong, so wise, and so self-satisfied as the present Government, could stand a blow like that. £2,000,000 would be thrown on the rates if the support given to voluntary schools by voluntary subscribers was withdrawn and these schools were thrown upon the educational rate. It had been said that no remedy for the existing state of things had been suggested. He could suggest several. First of all, let them limit the rate, and increase the grant; then let them keep elementary separate from secondary education; let them make it easy for the children to pass from one stage to the other—that was to say, from the elementary and State-aided schools to the higher grade schools; let them abolish overtime and home lessons, and let them encourage half-time and physical education. These seemed to him to be the methods by which they should endeavour to reform the system of education in this country. It was the dual control —half Governmental and half local— which increased the expenditure, and made it almost impossible to carry on the education of the country properly. The Government, with the generosity which always belonged to Departments of the State, laid all the blame of failures and abuses on the local managers; but, in point of fact, the local managers were helpless. They were at the mercy of a superior task-master in the Department, and were forced to make all they could out of the undeveloped brains of the children, and the result was the physical exhaustion of the children. In the face of, and against the protest of, such men as Mill and Herbert Spencer, who always declared that there should not be a Government monopoly of education, a Government monopoly was being inaugurated. He trusted the right hon. Gentleman the Vice President of the Council would not oppose the proposal of the hon. Member for Stafford (Mr. Salt), for all that the Resolution declared was that the matter required the serious consideration of the Government with a view to its amendment.

MR. CHARLES RUSSELL said, that, in rising to address a few observations to the House upon this question, he desired to make his attitude in regard to it perfectly clear. He regretted that the Question before the House was not that suggested by the Amendment of the hon. Member for Wolverhampton (Mr. H. H. Fowler), for a Parliamentary Inquiry into the working of the Act of 1870. That Act had been in operation for some 13 years, and the school boards had spent a good many millions of money in carrying it out, in addition to having incurred a considerable amount of debt beyond the sum actually raised by taxation. He recognized that, under the operation of the Act, great work had been done; but he thought it was fitting, after 13 years' experience, that they should inquire how far an Act of Parliament, which in its nature was experimental, had worked; whether the large sums raised by taxation under it had been raised in the best way, whether they were applied in the best manner, and whether the State was getting full value for the cost. He (Mr. Charles Russell) was specially interested with reference to its operation upon the voluntary schools, and particularly upon the voluntary schools of, on the whole, the poorest class in the country — namely, the Catholic community. The House and the country would be generous enough to recollect that those schools stood in an unique position. Catholics could not conscientiously avail themselves, and they did not, of the board schools. They believed that religious should accompany secular teaching. They did not admit that the school board Bible-teaching was religious education, properly so called, although the religious sense of some classes in the community was satisfied by it. But it was clear that, even if it were, it was not the religious education which Catholics desired to give their children. Indeed, was it not also clear that in proportion as the school board teaching did assume a definite religious character, so as to satisfy Protestant requirements, so in proportion must it be unacceptable to Catholics? It was now admitted that the Act of 1870 did not profess to be antagonistic to voluntary schools. By the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) and by the Prime Minister (Mr. Gladstone) it was again and again stated it was intended to supplement, not to supplant, voluntary schools. The Prime Minister had, further, fully recognized the claims which voluntaryists had upon the consideration of Parliament. It was they, indeed, who had done for education all, or nearly all, that was done before the State had recognized its duty to see that its children did not grow up in ignorance. But what did the Act of 1870 do? Did it, or did it not, contain the germ of a principle which, if allowed to grow unchecked, was destructive of the voluntary principle? This was a serious question. The Act of 1870 gave an unlimited power of taxation to school boards, the proceeds of such taxation to be applied solely—although the Bill as brought in provided otherwise—to board schools, and, at the same time, such schools had the right to come *pari passû* on the Privy Council grant, on the same principle as the voluntary schools. Was it not obvious, therefore, that the board schools, with means practically unlimited at their backs, must, in the long run, in the matter of buildings, higher paid teachers, and so forth, hold out inducements not within the reach of the voluntary schools, with their share of the Privy Council grant, supplemented only by private beneficence, and so supplant the latter? No doubt, some would rejoice at that result; and some, he feared, because they would regard it as the triumph of secularism over denominationalism in education. He (Mr. Charles Russell) declined to discuss the question as a contest between secularism and denominationalism in education. He had no objection to secular education, pure and simple, for those who desired it; but he would not have those volunteer agents unfairly handicapped who desired to see religious attend secular training. He would be glad to see the voluntary principle evoked in regard to each mode of education, and the State supplementing private effort to extend education, whether in a secular or a denominational form—the State paying only for the work of which it received the benefit in secular teaching. Fairly considered, no question of religious difficulty arose. He (Mr. Charles Russell) submitted that so long as the State had efficient guarantees that in the matter of secular education the teaching was sound from the State point of view, and was full value for the money it cost, the State should, in all directions, and on whatever system given, help the work of secular education. They would, in that way, give fresh impulse to that important factor, the voluntary spirit of the people, which, he feared, the Act of 1870 had somewhat checked. The hon. Member for Stafford (Mr. Salt) had said 1,000 Anglican schools had been given up to the school board. [Mr. LYULPH STANLEY: Voluntarily.] He (Mr. Charles

Russell) so understood; but that meant that in the case of these 1,000 schools the voluntary effort to help the work was relaxed. No Catholic voluntary schools had yet shared that fate, although paying rates for that which, conscientiously, they felt themselves unable to take advantage. The poorest part of the community had strained every nerve to meet the new difficulties and competition which they encountered. He was not sorry there was the competition. It would do good to the voluntary schools; but there was a point beyond which, on existing conditions, the competition could not be maintained. He gratefully recognized the fact that the increased sums received from the Privy Council grant had helped the Catholic Body to extend greatly their educational area. In 1870 there were only 666 inspected Catholic schools in Great Britain, with accommodation for 119,599 scholars, and an average attendance of 75,127 scholars. In 1882 the schools were 1,562, with accommodation for 314,519, and the average attendance 190,540. At the same time, the yearly cost of instruction had risen from £1 0*s.* 6*d.* per head on the smaller number in 1870 to £1 10*s.* 2½*d.* per head on the much greater number in 1882. He (Mr. Charles Russell) need not point out that the school board cost was much greater than this, and that went some way to account for the increased cost in Catholic schools in the endeavour to keep pace with the board schools. He was glad also to find that the grant per head earned by Catholic children represented a higher percentage on cost of instruction than in the case of any other class. It would appear, too, that in reading, writing, and arithmetic, the Catholic average was higher than that of the rest of the country—in reading, 90·85, against an average of 89·22; in writing, 82·78, against an average of 81·92; and in arithmetic, 77·83, against an average of 77·22. There was still here room for improvement. He (Mr. Charles Russell) did not believe the House or the country, whatever prejudice might prevail, would wish to see such voluntary efforts as these interfered with. He claimed adequate help for these schools on a principle which he believed to be sound. The State now recognized that it was its duty to give at least secular instruction to its children, and particularly to the children of the poor. Amongst those children were the children of the Catholic poor. He claimed that the State should, in fairness, and in sound policy, pay for the secular instruction of these Catholic children according to its value, and upon the same principle that the State paid for similar education in the board schools. In other words, secular education in Catholic schools should not be underpaid, because Catholics desired to see religious teaching attend and follow secular instruction. They asked no help in the work of religious teaching—that must be left purely to voluntary effort.

MR. MUNDELLA said, that his reply to the challenge of the hon. and learned Member (Mr. C. Russell) was, that there was no section of the community which had received such generous consideration as that to which he belonged; and that, speaking for his Predecessors in Office as well as for himself, to the Roman Catholics in England exceptional consideration had been shown. They had been allowed wherever they desired, in spite of all rules, to have their own schools, and to receive the grants. At the same time, there was scarcely a school board in England upon which the Roman Catholics were not represented; and a degree of liberality had been extended to them which he thought deserved recognition. With regard to the speech he had delivered at the Crystal Palace, he would repeat now what he had then said—that, since the passing of the Act of 1870, the religious instruction in England had increased as largely as, and even more largely than, secular instruction, which, he thought, some hon. Gentlemen would regret. From 1,600,000 children on the rolls, the number had risen to something approximating to 3,000,000, and the operation of the Conscience Clause had made religious instruction a reality. There were 3,000,000 children, and 1,200,000 were instructed in the principles of Christianity according to the Gospel; and these children were taught to read and understand the Scriptures; and of the whole of the children 1,300,000 were to be found in the Sunday schools on Sunday. The religious instruction of to-day in England was many-fold better than it was before the Act of 1870; and he hardly knew of anything that could be said in answer to that. The hon. Member (Mr. Salt) had not made a speech in support of his Motion, for a great deal that he had said had no bearing upon the Motion. The hon. Member's Motion pointed to the burdens of the ratepayers; but he believed the whole bearing of that speech was to increase rather than reduce those burdens for the benefit of denominational schools. In the interest of those schools, he thought it would have been better if this debate had not taken place. He stood up for the Act of 1870 against all assaults made upon it; and he believed that if the matter were thrown into the crucible the result would not be favourable to those who would oppose that compromise. With respect to the cost of schools, the hon. Member was quite mistaken in putting the cost of building schools at £6 10*s.* per head. Then the hon. Member spoke of those supporting voluntary schools not being rated for board schools; but the principle of exemption could not be and was not carried out. With regard to the classes of children that ought to be brought into the schools, there were tens of thousands of children in the schools coming from most miserable families of six and eight and ten children. There were 2,700,000 children of the poorest class brought into the schools since 1870, although he admitted that there were still many thousands of the same class of children still outside the schools. In respect to the question of over-work, he had in his possession statistics to show that from 10 years before to 10 years since the passing of the Act of 1870 the death rate of children between 5 and 15 had diminished by more than 19 per cent. There was nothing more remarkable in the history of the health of our population than the decline in the death rate of the children. This was due to the Factory Act, the Mines Acts, and the Education Act. During the last 20 years the death rate of children from brain disease was so small as not to be more than 0·5 per 1,000 of the population; so that these stories as to over-work were absolutely illusory and without ground. With respect to specific subjects, who introduced them? Viscount Sandon and the late Government, and he thought they deserved credit for having introduced them. He had, however, taken them from the lower Standards, and allowed young children to take them in the Fifth Standard; and was it for this that the hon. Member came down and denounced him for murdering the children? He did not know which had been the most striking—the language or the attitude of the hon. Gentleman. As to the cost per child, he maintained that the increased cost per child had not been 1*s.* 4*d.* per head. The voluntary subscriptions had increased from £419,000 in 1870 to £723,000 in 1883; and the schools had received from public funds an increase of £1,750,000 a-year. He thought it was not necessary to urge the hon. Member to withdraw his Motion, for nothing would be more unwise than to go to a Division. The Acts were working well, the voluntary schools were most successful; and he would challenge anyone to say they had not been fairly administered by every Vice President of the Council who had been in Office, and he was sure it would be allowed that good results had followed.

MR. J. G. HUBBARD: Sir, the right hon. Gentleman the Vice President of the Council disbelieves that managers of voluntary schools have a grievance; but he supports his disbelief by disproving a proposition which is not the basis of their complaint. They complain, not that the Government grant as now adjusted aggravates their difficulties, but that it does not mitigate them. The weight of the pressure on voluntary schools was admitted by the Government in 1870, and they promised that it should be alleviated. And now the Vice President of the Council triumphantly declares—"We promised an increase of one-half in the former grant, and we have fulfilled our promise." "True," we answer, "you have enlarged your grant; but you have, at the same time, enlarged your requirements, so that our increased expenditure upon each child permits no mitigation in the amount of voluntary contributions pressing with greater severity, owing to the extension of voluntary schools, and the multiplication of scholars." We are told, indeed, that we have no right to complain of an additional burden of our own creation. But why did we multiply our schools and scholars? Because we were assured that our burden would be lightened, and that an education rate, estimated at 3*d.* in the pound, would be supplemented by the Government grant. The Government deny that there is any provision to that effect in the Education Act. Of course, there is not; if there were such a provision we should make our appeal to the law, and not, as we now confidently do, to the Legislature; for, assuredly, the founders of Church schools would not have spent £6,000,000, except upon the assurances of the right hon. Member for Bradford (Mr. W. E. Forster) and the Prime Minister. But, even had no such expectations been held out, the claims of voluntary schools would be not the less entitled to satisfaction; for what, in plain terms, is their position? The State decrees a compulsory education; it assigns a provision by rate for board schools, and a subsidy from the Exchequer for board schools and for voluntary schools alike, measured by their results—an arrangement which leaves voluntary schools dependent for their existence upon individual liberality. We do not ask that this burden upon individual liberality be wholly removed; but we do ask that the weight of it, almost unbearable in some cases, shall be lightened. The State demands the production of children instructed in secular knowledge. The voluntary schools present their scholars efficiently instructed. Why should they—producing the article demanded by the State—be at so large a pecuniary disadvantage as compared with board schools? The board school receives for its scholar 14*s.* 5½*d.* from the Government grant, and 17*s.* 1¼*d.* from the rates. The Church school receives for its equally instructed scholar 14*s.* 10½*d.* from the Government grant, and nothing from the rates. Why should it be mulct because it adds religious to secular instruction? Churchmen pay now £600,000 in voluntary subscriptions, and they pay as much more in their share of the £800,000 education rate. We ask, as a remedy to this unequal treatment, that the school board expenditure be subjected to a vigilant control, and that the Government grant be enlarged, so as to throw the cost of elementary education more fairly on the wealth of the country, and to diffuse more generally the burden of maintaining voluntary schools, now pressing upon a comparatively few.

Question put.

The House *divided*:—Ayes 102; Noes 74: Majority 28.—(Div. List, No. 238.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

STATUTE OF FRAUDS AMENDMENT BILL.—[BILL 204.]

(*Mr. Reid, Mr. Whitley, Mr. Arthur Elliot.*)

THIRD READING.

Order for Third Reading read.

Motion made and Question proposed, "That the Bill be now read the third time."—(*Mr. R. T. Reid.*)

MR. LEWIS FRY said, he should not have attempted to detain the House at that late hour were it not that this important measure had passed the second reading without any discussion whatever. It was an important Bill affecting a large number of contracts relating to the sale of land and mercantile transactions for the sale of goods; and it ought not to pass without evidence that the change in the law which it contemplated was required by mercantile men. In past years it had been denied the support of important organizations representing the mercantile bodies of the country. The question had been discussed by the Associated Chambers of Commerce several times, and there had been great divergence of opinion upon it. When it was last discussed the majority were against any change in the Statute of Frauds; and since 1872—now 11 years ago—the subject had not been brought forward, and this was pretty good evidence that there was no desire for a change in the law. It appeared to him that if the law was to be altered, it should be amended on much broader lines than those upon which the Bill proceeded. They ought to make up their minds whether it would be to the interest of the public that verbal contracts such as were affected by the Bill should be enforced or not. If it was right that they should not, the law should remain as it was at present; but if the House was of opinion that these contracts should be enforced, the Statute of Frauds itself should be amended. His opinion was that this change of the law, if effected at all, should certainly not be brought about by the indirect and roundabout process proposed in the Bill. If it should be thought to be desirable that these contracts should be enforced in our Courts of Law, he could not understand why the plaintiff should be confined to the one proof pointed out in this measure—he meant the admission of the person against whom the contract was sought to be enforced. It seemed to him that these contracts should be equally capable of being enforced without the admission of the defendant; as he could conceive cases in which the plaintiff would be in a position to bring satisfactory evidence of the verbal contract having taken place without the admission of the defendant. Conversations might be taken down by persons present when verbal contracts were made, or the terms of a contract might be reduced into writing, and all that might be wanting might be the actual signature of the defendant, and in such a case there would be no doubt whatever as to the real terms of the contract; and yet in these cases no remedy was proposed. Another objection he took to the Bill was that the remedy it proposed would be very partial. In many cases, it would be no remedy whatever to persons seeking to enforce verbal contracts. Large numbers of gentlemen in business in the City of London were represented by agents, and a man who was so represented could not be made a party to an action under the Bill. Therefore, no remedy would be provided for the evils in cases of that description. He also considered that the Bill would tend largely to an increase of perjury. They would be putting an enormous temptation in the way of a defendant against whom a verbal contract was sought to be enforced, to give a simple denial, because that would have the effect of enabling him to escape altogether from the conditions of a verbal contract. In regard to contracts for the purchase and sale of real estate, this Bill would produce bad results. Hon. Members acquainted with the facts relating to the sale and purchase of real estate would know that no cautious person would enter into a written contract without taking legal advice; because, if he entered into an open contract, he would very often render himself liable to grievous mischief, either in the way of abatement of purchase money, if any error had been made, or of being called on at great cost to produce documents of title which might not be in his possession, or a longer title than he might be able to produce. A written contract for a sale was necessarily preceded by a verbal bargain, and a man might run great risks if, by an Act of Parliament, they made this antecedent verbal contract legally binding. That was what the Bill would do. He thought the measure would be a trap for incautious vendors, who would find very frequently that, by virtue of its provisions, they had been parties to that which would produce disastrous results. He held in his hand a Report on the Bill which had received the unanimous approval of the Council of the Incorporated Law Society. He would not trouble the House by reading the whole of the Report; but, in effect, it pointed out that, in regard to these contracts, the Bill was most objectionable. In conclusion, he moved that the Bill be read a third time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Lewis Fry.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. R. T. REID said, that certain contracts were required to be in writing, otherwise they could not be enforced against either of the persons party to them. In cases where verbal contracts were entered into dishonestly — and roguery was very often displayed by parties who, though admitting the contract, refused to carry it out, because it was not in writing—the object of the Bill was that in such cases as these, where the defendant put up such a defence, the plaintiff might ask him on his oath —"Is it true or not true that you entered into a contract with me?" If he said it was not true, then the plaintiff was defeated, there being no written contract to substantiate the plaintiff's claim; but if the defendant admitted that he had made a verbal contract, he would be liable to the extent of his admission to fulfil that contract. Of course, if a man chose to be a rogue, although he had entered into a contract, he might deny the fact. He did not think many hon. and learned Gentlemen differed from him upon this subject; and the proof of that was to be found in the fact that his Bill had reached its present stage without opposition. What were the arguments of his hon. and learned Friend (Mr. Lewis Fry) against this Bill? He complained that it did not go far enough. But with regard to that complaint, he would undertake to support any proposal his hon. and learned Friend might suggest in order to make it go further. All that the Bill would do would be to prevent persons from dishonestly availing themselves of a technicality in order to evade the performance of what was morally a binding contract.

MR. GREGORY said, he thought the Bill was open to very grave objection. It seemed to him to revive the worst part of the old system of the Court of Chancery in his recollection — namely, the system of interrogatories, which had been called torturing the consciences of defendants. The system was one of setting up equitable contracts, by endeavouring to extract from the defendant admissions in the course of examination. He deprecated any attempt of that kind for the purpose of arriving at information. Under the law, as it at present existed, some written evidence was required of a contract—it might not be a formal agreement, but something to show an agreement. He thought it was but right and just that there should be some evidence of a contract having been entered into between man and man. What was proposed in this Bill? It was this. They might meet a man in the street and ask him if he would sell his corn, or his produce, or whatever he dealt in; and if the man gave them even a negative reply they could administer to him an interrogatory, putting to him —"What did you say?" "Did you not say—?" "How did you say—?" "Did you admit such-and-such a thing?" "Did you not admit such-and-such a thing?" or "Do you deny such-and-such a thing?" They might put these questions to a man in such a way that it would be a very difficult thing for him to get out of the interrogatory to which he was subjected without risk of perjury. It would become a matter of ingenuity on the part of learned gentlemen either to constitute a contract by means of interrogatories, or to get out of a contract entered into by means of interrogatories — learned gentlemen might set themselves to work to prove or disprove facts by means of the power contained in this Bill. He had seen that kind of thing done very frequently in his Chancery practice, and he himself earnestly deprecated anything which would tend to revive that system. He believed that to be the result of the present Bill, and on those grounds he strenuously opposed its adoption.

MR. WILLIS said, he opposed the third reading of the Bill on two grounds —first, because he was satisfied it would bring no relief to those persons whose contracts the hon. and learned Member desired to enforce; and, secondly, because he thought it would bring about that result which it was the object of the Statute of Frauds to prevent—namely, an increase of perjury. His hon. and learned Friend (Mr. Reid) said that if a contract was admitted, why should it not be enforced? He agreed with that; but his hon. and learned Friend knew perfectly well that if he interrogated a dishonest man he would deny that there had been any binding arrangement, and would say that the contract had been merely a matter of negotiation, and that it was never intended that it should be binding until reduced into writing. He did not believe that in one case out of ten they would ever get an admission to suit the plaintiff who brought the action. The Statute of Frauds was passed for the purpose of preventing perjury being committed in cases of this kind. Cases of the evil effects of administering these interrogatories might be multiplied indefinitely. In Common Law cases, for instance, he had rarely been engaged in a case in which a verdict was given for the plaintiff where he did not find that interrogatories had been administered, and answered in the negative that which the jury answered in the affirmative. In many cases they found contracts in writing with the exception of the name, and the Statute worked an injustice. In his opinion, it would be better to repeal the 4th and 17th sections of the Act. He felt strongly, however, that if this Bill passed it would only bring about increased disorder and largely increase the crime of perjury, which, as things at present existed, was by no means decreasing at the present moment.

MR. GRANTHAM said, he was sorry to be obliged to disagree with his hon. and learned Friends. He was certain that the Bill would not bring relief. It would be the simplest thing in the world to get out of it, because, as an hon. and learned Member had said, it would only apply to cases where people did not want to get out of contracts. If a man did not wish it to apply he would say—"I did not enter into a contract." He might admit that there had been some negotiation, and might even say that the terms of a contract had been put down in writing, but that he had not actually made a contract. He (Mr. Grantham) hoped the House would not accept the Bill. It was a matter for consideration whether a change should be made in the Statute of Frauds; but he could not recommend this Bill, which, he thought, would increase perjury tenfold. In nearly every case where the Statute of Frauds was set up, to his mind there would be direct perjury under this Bill.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) owned he could not altogether share the views expressed by several hon. and learned Members in regard to the terrible results which would follow the passing of a Bill of this kind. Many of the fears to which hon. and learned Gentlemen had given expression were the kind of fears which were always heard from some lawyers whenever a change in the law was passed. When they had spoken about some change in the method of examining witnesses, it was said—"You should not do that—it will tend to develop perjury." The matter seemed to him an extremely simply one, and he could not agree with his hon. and learned Friend who had just spoken that the man who would set up a defence on the Statute of Frauds would be prepared to commit perjury. As a rule, if a man were asked whether or not he had entered into a verbal contract, if he had done so he would not deny it. He (the Solicitor General) did not think the Bill would produce any great results; but the question was this—what was the object of the Statute of Frauds? It was this—that a man who made certain bargains should not be bound by them unless they were in writing, signed by himself and the other contracting party. This was passed because of the fallibility of memory, and differences of opinion as to what were the terms agreed upon, and many other difficulties of that kind, rendering it uncertain whether a contract had been entered into or not. But where was the hardship in binding a man to a contract he admitted, whether it was in writing or not? That was all this Bill sought to do—to ask a man who set up the Statute of Frauds as a defence—"Did you make a contract?" If he replied "No," there would be an end of the thing; but if he admitted that he had made a contract, that admission could be enforced against him. He (the Solicitor General) would leave the matter in the hands of the House; but he had thought it his duty to point out, as clearly as he could, the nature of the measure.

MR. MORGAN LLOYD said, he did not agree with the hon. and learned Gentleman the Solicitor General with regard to the object of the Bill. To his mind it went further than simply putting it to the defendant whether or not he had entered into any contract; because he found that, according to Clause 2, a plaintiff could interrogate an officer of any Corporation, and his answer, whatever it might be, would be binding on the Corporation. An agreement might have been negotiated between a plaintiff and the Directors of a Company; and yet, if the Secretary of that Company, on being questioned, said that a contract had been made, that admission would be binding on the Directors. Was that an alteration in the law which the House should sanction? Any officer of a Company or Corporation, who might overhear part of a conversation between his Directors and the plaintiff, might say "yes" when an interrogatory was proposed, and so seriously and unfairly prejudice the interests of his employers. He (Mr. Morgan Lloyd), as he had stated, could not agree with what had been said as to the object of the Statute of Frauds. The Preamble of that measure stated that its object was to prevent perjury. If the present law was to be altered, it should be done in a way different to that laid down in the present Bill.

COLONEL NOLAN said, he should like to ask one of the lawyers what was the law in Ireland on this matter—he did not pretend to know it himself. To the best of his belief, in Ireland, if a man came to buy a number of head of cattle, they did not let him have the cattle unless he paid the money for them. If this Bill were to pass, a rogue might come up to a dealer, buy some cattle, and refuse to pay for them until they were delivered. He might say—"You have not fulfilled your contract until you have delivered the cattle." So far as he (Colonel Nolan) understood the Bill, it would bear that construction, and such a thing as that would very materially interfere with ordinary business arrangements. It would be very objectionable to change old customs in this way. If his doubts on this matter were removed, it would be satisfactory.

Question put.

The House *divided:* — Ayes 43; Noes 47: Majority 4.—(Div. List, No. 239.)

Words *added.*

Main Question, as amended, put, and *agreed to.*

Third Reading *put off* for three months.

PAROCHIAL CHARITIES (LONDON) (*re-committed*) BILL.—[BILL 215.]

(*Mr. Bryce, Mr. Pell, Sir Henry Peek, Mr. Walter James, Mr. Cohen, Mr. Horace Davey.*)

COMMITTEE. [*Progress 26th July.*]

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 (Appointment of additional Charity Commissioners).

MR. ILLINGWORTH said, he wished to move an Amendment. The power to ascertain whether the charities were for ordinary or for ecclesiastical purposes was vested in the Charity Commissioners, who had this power for three years. If they had any bias, it would be seen that they possessed very great powers in regard to determining the character of the Act. If the Commissioners were adherents of the Church of England, what security was there as to their decision upon a charity of a doubtful character? The time had gone when an appeal ought to be made to the fairness of any body of men; and, seeing that this Bill required every Commissioner to be a member of the Church of England, he should propose to introduce a provision that they should not be adherents of the Church of England. The number of Commissioners was to be increased from six to eight; and if this Amendment was agreed to there would be some security that the character of the charities should not be determined by men of one religious community. Why should the question of religious denomination be introduced into this matter at all? He had raised this question scores of times, for his object was to was to destroy the one-sided character of these public Bodies, and to insist that, if we could not rely upon the individuals, there should be protection against religious injustice being done. The great mass of the people desired to have this security, and it would be a great advantage if the Committee would accept his proposal. If that was done the matter would not rest here; but some further steps would be taken with regard to such Bodies as the Endowed Schools Commission, and a crowd of others, and a new and better state of things would be commenced.

Amendment proposed, in page 1, line 31, after the word "two," to insert the words "not being adherents of the Church of England." —(*Mr. Illingworth.*)

Question proposed, "That those words be there inserted."

MR. BRYCE sympathized very much with the view of the hon. Member; and he hoped that, on the next vacancy, the Government would see their way to gratifying the Nonconformists by appointing one of their members. But he could not say that he thought this a happy Amendment, because it would very much hamper Her Majesty's choice. He did not think there was any likelihood of any question arising under this Bill, which would make it necessary to bring again to the front those denominational questions which would seem to make this Proviso requisite.

MR. ILLINGWORTH said, he could recall cases in which it was proposed to exclude the masses from dealing with matters in which public property was concerned; and he had uniformly voted against such proposals. His object was that all classes of Her Majesty's subjects should be provided for. The hon. Member (Mr. Bryce) expressed a hope that the Nonconformists would be considered by those with whom the matter rested, but the same hope had been entertained for generations; and it was because nothing had been done that it was necessary to take such action as this, in order to prevent one-sided arrangements. He stood upon the high ground of fairness and justice.

Mr. SHAW LEFEVRE said, he scarcely thought the hon. Member was serious, for his proposal would introduce into the statute a disqualification of a very peculiar character; and it would be the first time that any such words had been put into any statute.

Mr. LABOUCHERE said, it was a very curious thing that Ministers always seemed to think it was a sufficient answer to say that it was the first time such a thing had been proposed. They must understand that we were an aggressive nation. In matters of religion he had no sort of confidence in Her Majesty's Government. There were already six Commissioners; but how many of these were Dissenters? [An hon. Member: Not one.] Not one. How many members of the Church of England? Six. It would, no doubt, be said that they happened to be the best men; but unless a protest was made now, and this Amendment was distinctly inserted in the Bill, it was certain that the two new Commissioners would be Church of England men, just as the present six were.

Question put.

The Committee *divided:*—Ayes 26; Noes 57: Majority 31.—(Div. List, No. 240.)

Mr. HEALY proposed at the same place to insert "of whom one shall be a Roman Catholic." He did so, he said, on the ground that most of these charities had come from Roman Catholic foundations. The pious donors in most of the cases were Roman Catholics; and when there was so much bigotry displayed, he thought one Roman Catholic Commissioner should be insisted upon. He hoped to see in the Lobby in support of that view those Gentlemen who had objected to all the Commissioners being members of the Church of England.

Amendment proposed,

In page 1, line 31, after the word "two," to insert the words "of whom one shall be a Roman Catholic."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

Mr. CALLAN said, he had walked out of the House on the last Division, as he did not like to be a *particeps criminis* in the sham vote of the Nonconformist English Radical humbugs.

The CHAIRMAN: The hon. Member must not apply such terms to hon. Members of this House.

Mr. CALLAN said, he would withdraw "humbugs," and substitute for it "sham Liberals." He hoped the Conservative Party in the House would support this Amendment; and he should be anxious to see whether the Amendment would have the support of the enlightened and chivalrous Secretary to the Treasury (Mr. Courtney), who always supported Liberalism in profession, but the very opposite by his votes.

Mr. BRYCE said, he hoped the hon. Member for Monaghan (Mr. Healy) would not persist in his Amendment, particularly as a great many poor Catholics would be benefited by the Bill. The best service the hon. Member could render his co-religionists in the City would be to support the measure.

Mr. ILLINGWORTH said, there was no difference between this proposal and that which had been made previously. There was already a Charity Commission in existence, the whole of the Members of which were confined to one religious body; and the object of his Amendment had been to enable Her Majesty to make selections from the whole range of Her Majesty's subjects—that was to say, she should be free to accept other than members of the Church of England. There was no partiality or injustice implied in his Amendment; and he should not like to at all narrow the choice of selection in any way. He should, therefore, feel himself bound to go against the proposal of the hon. Member, which was by no means as liberal as that which he had himself proposed.

Mr. WILLIS said, he should support the Amendment. [*Laughter.*] Hon. Members around him might laugh; but he was serious in what he was saying. He should endeavour, as far as in him lay, to break down the exclusive character of the appointments that were made upon this Commission and upon other Bodies. No Dissenter ever found his way to any responsible position, members of the Church of England being always appointed; and as he could not get the wider proposition of the hon. Member for Bradford (Mr. Illingworth) accepted, he would support the narrower one, and would show his genuineness in the Lobby by voting with the hon. Member for Monaghan.

MR. LABOUCHERE said, there were a large number of Catholics in the Metropolis who were interested in these charities; and he should like to know why, if that were so, they should not have a Representative on the Commission? He had voted for the Amendment of the hon. Member for Bradford (Mr. Illingworth), whose proposal he should have very much preferred to this one. It seemed to him that, logically, they could not avoid voting for the Amendment of the hon. Member for Monaghan (Mr. Healy). It was regarded as a preposterous thing, even amongst Gentlemen who took extreme views as to religion, that out of eight Commissioners there should not be one Catholic. He should like to see a Catholic on the Commission; but he had no doubt that unless this Amendment were passed such a thing would never happen. Just as he had voted for the hon. Member for Bradford because he had exceedingly little, he might almost say no confidence in the application of religious principles by Her Majesty's Government, so he should vote for this Amendment.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) wished to point out one thing that might increase the confidence of the hon. Gentleman (Mr. Labouchere) in Her Majesty's Government upon these matters. He would remind the hon. Member that Her Majesty's Government had only recently placed a Roman Catholic on the Bench.

MR. T. P. O'CONNOR said, with regard to the observation which had just fallen from the hon. and learned Gentleman the Solicitor General, he was sorry to be obliged to say that some of the very worst appointments the Government had ever made had been appointments of Catholics. If the hon. and learned Member had anything to do with the patronage of Her Majesty's Government in Ireland, particularly with regard to the Bench, he (Mr. O'Connor) should be very much obliged to him if, on all occasions in the future, he would select Protestants for those appointments and not Catholics. He must say he had been very much astonished to hear the First Commissioner of Works say that a Motion of the kind proposed by the hon. Gentleman the Member for Bradford (Mr. Illingworth) similar to that of his hon. Friend (Mr. Healy) was unprecedented in its character. Was it not a fact that there were several offices confined to members of the State Church? The Office of Representative of Her Majesty in Ireland was still expressly excluded from being bestowed upon a nobleman who might happen to be of the same religion as the majority of the Irish people. He could not understand the objection of the hon. Member for Bradford to this Amendment, taking it side by side with the objection of the hon. Member for the Tower Hamlets (Mr. Bryce). He (Mr. O'Connor) maintained that the claim of Roman Catholics to have a Representative on the Commission was stronger than that of any other body, and that for two reasons. First, because a great deal of the money which came from these charities was Catholic money; and, secondly, because a great many of the poor, for whose benefit the charities were intended, were Catholic poor. The hon. Member for the Tower Hamlets admitted that a certain section of persons for whom this Bill was intended would be Catholics. He (Mr. O'Connor) ventured to say that nearly half the poor of London who would have a right to make a claim under this Bill were of the Catholic religion; and, therefore, they had a right to have a Member upon the Commission. His hon. Friend (Mr. Healy) did not, he was sure, view this Amendment in the same light in which the hon. Member for Bradford viewed his. They meant to stick to this Amendment, and to carry it if they could; and if they succeeded in their object they intended to force the Government to grant further reforms.

MR. CALLAN said, he wished to point out to a limited number of Members the consequence of the vote they might give upon this question. The question was as to whether there should be a Catholic on the Commission or not; and he would draw the attention of the hon. Member for Stalybridge (Mr. Summers), and other Members from Lancashire districts who professed Radical principles——[Mr. T. P. O'CONNOR: Do not go into that.] The hon. Member for Galway asked him not to go into this matter; but the hon. Member had been a Radical himself at one time. [Mr. T. P. O'CONNOR: And so were you.] It was true he had been a Radical, and he hoped the hon. Member was as sorry for his old profession as he was. He regretted ever having given support to the Liberal Party. He would call upon hon. Members opposite, who represented constituencies largely composed of Catholics, to vote for this Amendment. He would ask those hon. Gentlemen to remember, and he would ask the Catholics of Lancashire to remember, that the Solicitor General gave as the Government objection to the Amendment that the Government had already appointed a Catholic Judge on the Bench. Mr. Justice Mathew and Mr. Justice Day had won their promotion in spite of their religion, and not because of it. ["Hear, hear!"] He was glad to hear that cheer from the hon. and learned Gentleman the Solicitor General. The hon. and learned Gentleman admitted that those gentlemen had won their promotion despite their religion; and now, forsooth, the hon. and learned Gentleman threw this fact in the face of Catholic Members when they were asked to put a Catholic on the Charity Commission. He would ask who put the hon. and learned Gentleman the Solicitor General on the Front Opposition Bench opposite—what votes had placed him on the Treasury Bench but the Irish Catholic votes of Durham? Therefore, what presumption it was for him to come and throw in their teeth that a Catholic had been placed upon the Bench. He trusted that the Irish electors and the Catholic electors, not alone of Lancashire but of Durham, would remember this at the next election. He trusted that the vote the Government gave to-night upon this question would be remembered against Liberal Members who seemed to be anti-Irish and anti-Catholic.

Question put.

The Committee *divided*:—Ayes 14; Noes 61: Majority 47.—(Div. List, No. 241.)

Clause *agreed to.*

The CHAIRMAN: The Question is that Clauses 4, 5, and 6——

Mr. CALLAN: I want to know, Mr. Chairman, whether you are not in error in dealing in this way with a Bill which is seriously contested? ["Order, order!"] I am in Order in asking whether it is right to put these clauses *en bloc?*

The CHAIRMAN: The course is perfectly in Order, as there are no Amendments to these clauses. Each clause is named separately and slowly, so as to give any hon. Member who chose an opportunity of proposing an Amendment. The Question is, that Clauses 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 be added to the Bill.

Clauses *agreed to.*

Clause 14 (Provisions to be inserted in schemes relating to parishes in Second Schedule to this Act).

Mr. LYULPH STANLEY said, he wished to propose an Amendment in page 6, line 28, leave out all after "thereto" to end of line 38, and insert—

> "With the consent of the trustees to declare by a scheme under this Act that it is desirable to apply for the advancement of education the whole or any part of such property, and thereupon the same shall be deemed to be an educational endowment, and may be dealt with by the same scheme accordingly."

The effect of the Amendment would be this. In the City, besides the ecclesiastical endowments, which had a certain amount of utility, and which could be applied within the parishes for which they were established, there was also a large amount of surplus or useless ecclesiastical funds—money left, for instance, for the preaching of a sermon annually on the defeat of the Spanish Armada, on the discovery of the Guy Fawkes conspiracy, and for the purchase of fagots for burning heretics, all of which had become obsolete; and there were others which, though they were not obsolete, applied to areas which had so shrunk as to render it impossible to apply the money. Everyone knew that the City was full of small parishes, which had endowments which had become entirely obsolete. In the Endowed Schools Act of 1869 this clause he was now proposing had been in principle adopted. It was provided in that Act that if any fund became obsolete for the purpose for which it was originally granted, or if the parish had become so large that the money could not be usefully applied to it, power was taken, with the consent of the trustees, to apply the funds to education. His proposal was that where charities of this kind existed in the City, and there were surplus funds which could not possibly be applied within the parishes, the principle adopted in the Endowed Schools Act should operate, and the money should be devoted to unsectarian education. The answer might be given to him that the contrary principle of applying ecclesiastical endowments over the area of greater London which were intended for the City had been adopted in the case of the City churches. In that case, however, the endowments were a portion of the general ecclesiastical establishment of the Church of England as by law established. They were part of the general ecclesiastical property of the Church, just like the property of the Deans and Chapters. But these charities were not part of the ecclesiastical property of the Church of England, and in many cases it was quite accidental that there were Church bequests.

Amendment proposed,

In page 6, line 28, to leave out all the words after the word "thereto," to end of line 38, in order to insert the words "with the consent of the trustees to declare by a scheme under this Act that it is desirable to apply for the advancement of education the whole or any part of such property, and thereupon the same shall be deemed to be an educational endowment, and may be dealt with by the same scheme accordingly."—(*Mr. Lyulph Stanley.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. LABOUCHERE said, that these funds, which were left for the purpose of burning heretics and things of that kind, were to be inherited by the Church of England; but what right had the Church of England to them? Surely such funds ought to be devoted to the purposes of education, so that the people might be instructed how wrong it was to burn heretics or anybody else. There was no reason in the world why the Church of England, which already owned vast millions of property which belonged to the nation, should be endowed with further powers and emoluments. He would infinitely rather vote these funds to the Catholic Church, or the Quakers, or any single section in the world than to the Church of England; because the Church of England was the one sect that held, and insisted on retaining, property which belonged to the whole nation. It was all very well to bring on Bills of this importance in the small hours of the morning, when the reporters were not present, or, at any rate, were not reporting the proceedings of the House; but they ought, he thought, to seriously consider whether they should allow, either now or at any other time, such abominable proposals as were contained in this Bill to become law? He had no doubt that the hon. Member for the Tower Hamlets had put these proposals in the Bill in the hope that he would acquire votes by so doing; but, at any rate, the hon. Member, by this course, had not succeeded in acquiring his (Mr. Labouchere's) vote. He thought the whole subject should be discussed more seriously than it had been up to the present. He protested against the Church of England holding the money bags which belonged to the nation; and so long as he had the honour of a seat in the House, whenever he heard of an attempt, direct or indirect, to give the Church of England one single farthing more than it had a right to possess, he should do his best to oppose the proposal. And when he heard any proposal in that House to deprive the Church of England of that which it at present possessed, he should always do his best to support it.

MR. BRYCE said, there was a clause in the Bill which directed the Commissioners to ascertain what was ecclesiastical and what was not. It was not proposed to give to the Church of England anything which it did not now possess.

MR. ILLINGWORTH said, he was afraid the hon. Member for the Tower Hamlets (Mr. Bryce) had not had much experience of the claims made by the Church of England.

Question put.

The Committee *divided*:—Ayes 47; Noes 30: Majority 17. — (Div. List, No. 242.)

MR. FIRTH proposed, in page 6, line 30, to leave out all after "applied to," to "generally to," in line 34, inclusive. The Committee having decided that these funds should not be brought under the same provisions as those which were contemplated in the Endowed Schools Act, he supposed the funds were now to be applied for the purpose of the Church of England. His Amendment provided that there should not be constituted new vested interests which might require to be compensated. If the time should come when the Church was disendowed it would be necessary to compensate the interests it was by this Bill proposed to create.

Amendment proposed, in page 6, line 30, to leave out all the words after the words "applied to" to the words "generally to," in line 34, inclusive.—(*Mr. Firth.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. BRYCE said, he was sorry he could not accept the Amendment, in favour of which he voted in the Select Committee. He was obliged, however, to stand by the Bill as it now appeared; and he was bound to say it seemed to him to represent all that could be carried.

MR. LYULPH STANLEY said, he hoped the Committee would decide in favour of this Amendment. It was a great mistake to suppose that the Amendment had anything to do with the Disestablishment of the Church of England. The Amendment would simply prevent the building of new churches, and the establishment of poverty-stricken ministers, in districts where they were not required. In point of fact, this was a question of the exercise of common sense in the application of the funds.

MR. SHAW LEFEVRE said, he thought they might very fairly and wisely leave it to the Ecclesiastical Commissioners to say how the money should be spent.

Question put.

The Committee *divided:*—Ayes 38; Noes 32: Majority 6.—(Div. List, No. 243.)

Clause *agreed to.*

Clauses 15 to 18, inclusive, *agreed to.*

Clause 19 (Commissioners need not specify in scheme the precise objects to which general charity property shall be applied).

MR. ARTHUR O'CONNOR said, this clause provided that Commissioners should not specify in the scheme they drew up the precise objects to which the charity should be applied. It seemed to him such a provision as that was one of the most mischievous which could possibly be inserted in a Bill of this description. They knew perfectly well that most of these charities, because "ill gotten, go ill." If this clause were passed unamended it might reasonably be concluded that the door would be opened to fraud and misapplication of charity funds. He, therefore, proposed to omit the word "not," in line 42, so that the clause should provide that the Commissioners should be bound to specify in every scheme the precise objects to which the charities were to be applied.

THE CHAIRMAN: The hon. Member had better negative the whole clause, for the omission of the word "not" would really negative the clause.

MR. HEALY said, the clause read as follows:—"Shall not be bound to specify." His hon. Friend merely proposed to omit the word "not."

MR. ARTHUR O'CONNOR said, his object was to insist upon the Commissioners doing what the clause now said they should not do.

THE CHAIRMAN said, he would put the Question as the hon. Gentleman wished.

Amendment proposed, in page 9, line 42, to leave out the word "not."—(*Mr. Arthur O'Connor.*)

Question proposed, "That the word 'not' stand part of the Clause."

MR. SHAW LEFEVRE said, the omission of the word "not" would make the clause nonsense.

MR. T. P. O'CONNOR asked whether it would not be competent, in case the Amendment were carried, to propose consequential Amendments upon it when they came to a later part of the clause?

THE CHAIRMAN said, it would be competent for the hon. Gentleman to move consequential Amendments.

MR. BRYCE said, the hon. Member (Mr. A. O'Connor) would, on further consideration, see that the clause was not open to the objection he raised. The form of the clause was common to Bills of this kind, and the object was to prevent the Commissioners being obliged to specify everything with great exactness. The clause was not intended to admit of laxity.

MR. HEALY said, that if it were feared they would, by omitting the word "not," be laying down for the Commissioners too hard-and-fast a line, it would be better to omit the clause altogether. The clause, as it stood, would allow the Commissioners to play ducks and drakes with the funds at their disposal. Although all the Commissioners might be members of the Church of England they ought not to have such power.

Amendment *negatived.*

Clause *agreed to.*

Clauses 20 to 45, inclusive, *agreed to.*

Clause 46 (Schemes to contain no preference for any religious denomination).

MR. ILLINGWORTH said, the Amendment he had now to propose was one which he believed would be accepted by his hon. Friend (Mr. Bryce). It was to leave out, in page 16, line 2, "to the members," and insert, "by the deed of foundation to the spiritual purposes."

Amendment proposed,

In page 16, line 2, to leave out the words "to the members," and insert the words "by the deed of foundation to the spiritual purposes."—(*Mr. Illingworth.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. BRYCE assented to the Amendment.

MR. J. G. TALBOT asked the hon. Gentleman in charge of the Bill (Mr. Bryce) to consider whether this was not a departure from the arrangement arrived at. He had understood that the Bill was to be carried through the House in the same form in which, after serious discussion, it came from the Select Committee. This Amendment would effect a substantial change, because it proposed to divert the charities which were, by their foundation, expressly devoted to the temporal relief of members of the Church of England, or, indeed, of any other denomination. He could not understand why the appropriation of charities should not be respected as much in temporal as in spiritual matters.

MR. LYULPH STANLEY said, he hoped the hon. Member (Mr. J. G. Talbot) would not divide upon this Amendment. The Amendment proposed really expressed the intention of the Select Committee. The hon. Member would remember that he (Mr. Lyulph Stanley) had a clause on the Paper to prevent the attaching of any denominational character to any of the schemes. It was pointed out by the hon. and learned Member for Christchurch (Mr. Horace Davey) and others that it was quite possible there might be a Quaker or Jewish foundation; and if his clause were carried it might compel the Commissioners to take those foundations and throw them into the hotch-potch, and thereupon the clause as it stood was drafted on the spur of the minute; but the Amendment was needed to make the intention of the Committee clear.

MR. SHAW LEFEVRE said, he hoped the Amendment would not be pressed.

Amendment *negatived.*

Clause *agreed to.*

Clauses 47 to 49, inclusive, *agreed to.*

Motion made, and Question proposed, "That this be the Preamble to the Bill."

MR. O'SHEA said, he had no wish to oppose the passing of the Bill; but he desired to give some Member of the Government an opportunity to state that no further legislation would be attempted after this Bill, and for that purpose he would move that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Shea.*)

MR. HEALY said, the hon. Member for Clare had usually supported the Government, and yet the Government did not think it necessary to give him a civil answer to a civil question. On the previous night, at about half-past 1 o'clock, the Irish Members had made a proposal to the Government as to the necessity for reporting Progress on the Estimates, in order that some understanding might be come to upon some other matters. They got an understanding from the Government that they would not proceed with any important Bill at that hour; and if it was too late then to proceed, how much stronger reason was there against proceeding now? The Irish Members had assisted in a considerable amount of legislation on the part of English Members; and he thought it was only right that English Members should show the same consideration to them. Any attempt to proceed further with legislation to-night would only lead to a prolonged wrangle.

Mr. COURTNEY pointed out that the adoption of the Motion to report Progress would lead to the consideration at once of the next Motion.

Mr. HEALY protested against this method of treating the House, and said he thought a Division should be taken. He did not wish to put the Committee to inconvenience; but was it worth while to keep up this humbug under the New Rules?

Colonel NOLAN said, there was no Member of the Government present, and he thought it would be only respectful to the Committee that some Member of the Government should be present. Hon. Members having assisted the Government, they were entitled to have a definite answer from the Government, or else they should refuse to allow Business to go on.

Mr. R. N. FOWLER said, he was no advocate of this Bill; but he wished to point out that the hon. Member for the Tower Hamlets (Mr. Bryce) had conducted it through the House with great courtesy. All the Amendments had been got through; the Bill had been before the House for a long time, and he thought it would be better to dispose of it to-night.

Mr. SHAW LEFEVRE said, he hoped the hon. Member for Clare (Mr. O'Shea) would not persist in his Motion. The only question was, whether the Preamble of the Bill should be agreed to? Several hours had been spent on the Bill; and as soon as the Bill was through the Government would state what course they would take.

Mr. ARTHUR O'CONNOR said, that, if this sort of conduct on the part of the Government was to be allowed, the procedure of the House would no longer be creditable.

Mr. T. P. O'CONNOR said, the hon. Gentleman the Secretary to the Treasury, who had now used improper and disorderly language, was the very Gentleman who shortly before had declined to make any statement as to the Business of the House, because it would be contrary to the New Rules.

The CHAIRMAN: No words reached me which I considered out of Order. The Question is, that I now report Progress.

Motion, by leave, *withdrawn.*

Mr. Healy

Preamble *agreed to.*

Bill *reported;* as amended, to be considered upon *Monday* next.

MOTIONS.

CONSTABULARY AND POLICE ADMINISTRATION (IRELAND) BILL.

MOTION FOR LEAVE.

Colonel NOLAN moved the adjournment of the House, on the ground that such an important Bill as this should not be taken at this hour, especially as the Government Bench was deserted.

Colonel ALEXANDER supported the Motion, observing that the House had now been sitting over 14 hours.

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel Nolan.*)

Mr. TREVELYAN said, the Motion he had to propose was for leave to introduce this Bill, and that was a Motion which was usually made at any hour, and which was generally allowed to be made as a matter of courtesy. He appealed to hon. Members to allow him to do what he had always endeavoured to allow them to do—namely, to lay their Bills before the House.

Mr. HEALY said, it was quite true that the Government had given facilities to private Members for the introduction of Bills which did not excite general interest; but he could not give approval to the right hon. Gentleman on that account. This Bill was one of enormous public importance to Ireland, and one upon which the fate of Ireland for a century would depend. He wished to let a little light in upon this matter. About 1 o'clock yesterday morning, Irish Members agreed to let the Government have a little money, so far as Ireland was concerned, on the understanding that this Bill would not be brought in. But what happened? Lord Spencer was angry, and he told the right hon. Gentleman the Chief Secretary for Ireland on no account to let this morning pass without bringing in this Bill. That was the state of the facts.

Mr. TREVELYAN said, the story was utterly untrue, and he could not believe that the hon. Member credited it.

Mr. J. G. TALBOT asked whether it was competent for the hon. Member to discuss these matters on the Question now before the House?

Mr. SPEAKER: The hon. Member is bound to speak to the Question before the House.

Mr. HEALY said, he would speak to the point of Order, which he had been going to speak to when interrupted by the hon. Member for the University of Oxford. He would ask the Speaker whether he had not, on a previous occasion, ruled that the statement that an assertion of an hon. Member was utterly untrue was out of Order? He could refresh the right hon. Gentleman's memory.

Mr. SPEAKER: If the right hon. Gentleman has attributed want of truth to an hon. Member he is out of Order.

Mr. HEALY said, as to the point raised by the hon. Member for the University of Oxford, he wished to say that in any remarks he had been making he had only followed the statement so far as he could of the right hon. Gentleman. As the right hon. Gentleman said that Earl Spencer did not make this remark to him, he would withdraw the suggestion. But if it were as the right hon. Gentleman had stated, why were the Government anxious to introduce the Bill to-night? Why would not Monday afternoon be good enough? When a Motion was made on Friday night, as hon. Members would remember, the right hon. Gen[illegible] the Prime Minister himself had [illegible] that 12 o'clock at night was qui[illegible] enough for Gentlemen to be out [illegible]; and, surely, therefore, Monday [illegible] it would be early enough for them to introduce this Bill. The debate on Monday could be adjourned at midnight, or at 1 o'clock on Tuesday morning, and then the right hon. Gentleman would have his opportunity. It was not reasonable to introduce the Bill at an hour when not a single word of the debate could be reported in the newspapers. It was not reasonable to ask the House to sit up beyond the present hour to hear a statement on the question. He would ask English hon. Gentlemen how they would like to be treated in this way if they were in a minority, and the Irish Members were in a majority in that House? Would they not think that the Irish Members were tyrannical and hard-hearted if, under such circumstances, they did not give English Members the opportunity Irish Members were now asking for? English Members did not understand the feeling of the Irish people on this matter, otherwise they would not insist upon sitting up to any hour in the morning to have the Bill introduced. If the right hon. Gentleman insisted, of course, as the Irish Members were a mere fractional part of the House, he would be able to ignore their wishes; but, at the same time, such action would lead to very regrettable scenes. If the Bill were a desirable one the right hon. Gentleman would have a fair opportunity of showing it to the country on Monday, for the papers would be able to report it.

Mr. LABOUCHERE said, he thought that at 4 o'clock in the morning it was generally understood that no contentious matter should be taken. He would not enter into the question as to whether the Bill should be discussed or not at this hour. Hon. Members from Ireland thought the measure most important, and unquestionably they intended to discuss the first reading. Should they, therefore, be called upon to do so when there were no reporters present, or when the reporters were not exercising their ordinary functions, at 4 o'clock in the morning? The right hon. Gentleman would, no doubt, himself admit that of late Irish Business had gone off most satisfactorily, and this was not likely to be the case if the course the Government were at present adopting were persisted in. They knew how action of this kind would be resisted by English Members if this were an English instead of an Irish Bill of great importance.

Mr. O'BRIEN said, they had been about four hours over the Parochial Charities Bill. No doubt there were some very important points in that measure, and hon. Members did not begrudge the time which had been devoted to them; but they certainly thought that the liberties of the people of Ireland were at least as important as the provisions of that Bill. He must protest against this system of dealing with the liberties of the people of Ireland in this nocturnal way at 4 o'clock in the morning. [*Laughter.*] He meant at 4 o'clock in the morning. They had had a forecast to-day of a Scotch Saturday. If Her Majesty's Government were not able to do their Business at reasonable hours, let them give them an Irish Saturday.

Mr. T. P. O'CONNOR said, he felt compelled to say a word or two, as some of the language of the Chief Secretary for Ireland partook of the character almost of personal reference to him.

Mr. TREVELYAN said, he had not been referring to the hon. Member's Bill, but to two other Bills—the Sea Fisheries (Ireland), and the Irish Reproductive Loan Fund Act (1874) Amendment Bills.

Mr. T. P. O'CONNOR said, the right hon. Gentleman would have been justified in saying that he had also facilitated a third Bill—namely, the Labourers' (Ireland) Bill, of which he (Mr. T. P. O'Connor) had happened to be in charge. So far as the right hon. Gentleman claimed credit to having allowed the introduction of these Irish Bills, as a matter of courtesy they gave him every credit for that. He had co-operated with Irish Members with regard to these Bills; but he did it on two conditions on his side and theirs, the condition on his side being that he approved of the principles of the Bills he facilitated. The right hon. Gentleman did not seem to say that he had facilitated by one hour the passage of Bills the principle of which he objected to. Irish Members, on their part, had accepted the facilities the right hon. Gentleman had given to them on the understanding that they had liberty of action as to Bills they did not agree with. They were not to be supposed to be willing to barter away their rights and their liberties as to their action on Bills they strongly opposed. The right hon. Gentleman said that it was a matter of courtesy to allow Members, whether private or official, to take the first stage of a Bill; but that was not the question here. The question was, whether a Member should be allowed to take the first stage of a Bill, which was to be stoutly contested, at five minutes to 4 o'clock in the morning? He challenged the right hon. Gentleman to give a single instance of the first stage of a Bill to which strong objection was taken being allowed, by courtesy or otherwise, at five minutes to 4 in the morning. The question really was, whether the first reading of a strongly-opposed Bill should be permitted at this hour? He would put it to hon. Members on the other side of the House—to Liberal Members—whether they would permit the Government to tyrannize over the Irish Members on this question? Hon. Members on those Benches would surely give credit to the Irish Members who had sat up for three hours attempting to improve the Parochial Charities Bill. He would express his astonishment and surprise at the way in which hon. Members on that (the Conservative) side of the House, whatever their interests might be, joined in what, if it were not effected on the floor of the House, might be described as intrigues and conspiracies to assist the Government whenever the liberties of Ireland were affected.

Mr. SPEAKER: I must request the hon. Member to confine himself to the Question before the House, which is the adjournment of the House.

Mr. T. P. O'CONNOR said, he would tell the Chief Secretary that the Bill he was now endeavouring to smuggle through the House at this hour was a measure to which the Irish Members were determined to offer most strenuous opposition at every stage. There was another argument in favour of the adjournment of the House. They were informed, by an important Government functionary, that the Leadership of the House was in commission. That was a statement made within the hearing of the House, and within the last 20 or 25 minutes; and, in order to prove the accuracy of the statement, an hon. Member on the Treasury Bench had indulged in an exhibition of temper—he would call it that rather than an aberration of judgment.

Mr. SPEAKER: The hon. Member is now referring to what took place in Committee; and he is, therefore, irregular.

Mr. T. P. O'CONNOR said, he was referring to a statement which had been made in Committee; but it was one relating to the Business of the House at that moment; and, *à fortiori*, he should think it would apply to the discussion of the Business 20 or 25 minutes from that period. He did not think a question of this kind should be brought forward when they had no Cabinet Minister present. How did they know but that the Prime Minister, if he were in his place, would not throw over his subordinate and agree to an adjournment? He certainly thought the right hon. Gentleman (Mr. Trevelyan) would lose nothing by postponing the introduction of this Bill.

MR. O'SHEA said, he did not think the Chief Secretary could accuse him for having endeavoured to prevent him from endeavouring to bring in this Bill; on the contrary, he had put Question after Question in the House for weeks past, endeavouring to urge on the right hon. Gentleman to introduce the measure, so that Irish Members might have an opportunity of seeing what it contained. He had taken great interest in this matter, and was anxious to see the Bill introduced; but the reason he supported the adjournment was because he did not think that the Bill could go before the country if introduced at such a late hour. The Dublin papers were now being published; and if the Bill were proceeded with now, the result would be that they would be transacting Business which would be materially affecting the Constabulary Force in Ireland, in which the people of Ireland, rightly or wrongly—he could not say which—took the most intense interest. He was perfectly certain that neither he himself, nor any Irish Member in the House, wished to prevent the Bill being brought in and discussed if it were introduced at a reasonable hour. They were perfectly willing to listen to any interesting statement of the right hon. Gentleman, if he would only make it at an hour when not only Members of Parliament could have the benefit of the information the right hon. Gentleman gave them, but when the country could have the benefit of it as well. No doubt a second edition of the Dublin papers would be published with some account of the statement of the right hon. Gentleman, but the report would not be a full and fair one; and, under all these circumstances, considering what had been done here to-night and the Business that had been transacted, and considering also the hour, he trusted the right hon. Gentleman would see that the request he made to him was a reasonable one, and that he would defer the introduction of the Bill until such day as he could bring it on at a reasonable hour.

MR. DAWSON said, he was sure the right hon. Gentleman would see that, in addition to the reasons brought forward by other hon. Members, he might be allowed to adduce some others as taking great interest in the City of Dublin, whose Police Force was to be reformed by this Bill. To his mind it would be deplorable if a Bill of such vital importance were introduced at a moment when it was impossible for the people of Ireland to be placed in possession of the details of the proposed legislation. He did not think it was consonant with the ordinary courtesy of the right hon. Gentleman to insist upon going on with the Bill now; and he (Mr. Dawson) called upon him to accede to the very moderate and reasonable request of hon. Members to put off the introduction of his measure to such an hour when they would be able to discuss it as it deserved, and when the discussion could be reported to the country. If the right hon. Gentleman persisted in his present course, he would very largely undo a great deal that he had done in Ireland, and in his Office, to make himself agreeable to the people. It would be a very serious matter if he should, by any kind of force, endeavour to push this Bill forward. He was sure that it was only necessary to appeal to the right hon. Gentleman, under the circumstances, to accede to the adjournment of the debate.

MR. R. POWER said, the present was a most extraordinary way of dealing with Business of this kind. The right hon. Gentleman had always professed his anxiety to conciliate Irish Members upon Irish questions, and on a great many occasions, no doubt, he had done so. On the present occasion, however, they had come to a Bill of the very greatest importance to the people of Ireland, for it was on a subject in which they had taken a great deal of interest. They had come to a Bill which concerned the Police Force of Ireland, and what did the right hon. Gentleman do? Why, notwithstanding that he found every Irish Member of the House in favour of an adjournment, notwithstanding that he had failed to get support from any single Irish Member, and notwithstanding that he had declared his anxiety to govern Ireland according to Irish ideas, and that he was urged to postpone the Bill until Monday, at a time when their speeches could be fully reported, he got up and said he was going to insist upon having the Bill read a first time. Although he had heard many appeals made to Chief Secretaries without avail, and although he knew it was almost useless attempting to move any of those right hon. Gentlemen by appeal, yet the matter was so serious on this occasion that he would make an appeal, and he trusted the right hon. Gentleman would see his way to making an exception to the ordinary rule in yielding to it.

Mr. COURTNEY said, the hon. Member for Monaghan (Mr. Healy) had asked that the Bill should be brought on at a reasonable hour on some other night; but the hon. Gentleman must know that Notices of Motion always came after the Orders of the Day; and, therefore, to whatever day this Bill was put off, it would be very questionable whether the Government would be able to bring it on at an early period of the evening.

Colonel NOLAN: Could they not bring it on on Tuesday?

Mr. COURTNEY: No. The hon. and gallant Member forgets that the House has determined that for the rest of the Session Orders of the Day have precedence on Tuesdays also. He would, however, throw out this suggestion, which, if adopted, might succeed in bringing the measure on before 1 o'clock. Of course, he could not fix any particular hour for the resumption of the debate; but he would make this proposal. If the hon. and gallant Member would withdraw his Motion, and permit the right hon. Gentleman the Chief Secretary for Ireland to move for leave to introduce his Bill, and then, after that Motion had been put, without explanation let them adjourn the discussion, the adjournment would make the question an Order of the Day, and the debate could then be resumed at a reasonable hour.

Colonel NOLAN said, that he should be very glad to accept this proposal, and would, therefore, withdraw his Motion.

Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That leave be given to bring in a Bill to improve the administration of the Royal Irish Constabulary and the Dublin Metropolitan Police; and for other purposes connected with the said forces."—(*Mr. Trevelyan.*)

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Arthur O'Connor.*)

Motion *agreed to.*

Debate *adjourned* till *Monday* next.

Mr. R. Power

ORDERS OF THE DAY.

BANKRUPTCY [SALARIES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of sums, by way of remuneration, to Clerks of the Crown and Peace in Ireland, for additional duties which may be imposed upon them under the provisions of any Act of the present Session to amend and consolidate the Law of Bankruptcy.

Resolution to be reported upon *Monday* next.

SUPREME COURT OF JUDICATURE [FUNDS, &c.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the liability of the Consolidated Fund to make good to the suitors of the Court, the moneys and securities transferred to the account of the Paymaster General, on behalf of the Supreme Court of Judicature, which may be incurred under the provisions of any Act of the present Session for Consolidating the Accounting Departments of the Supreme Court of Judicature.

Resolution to be reported upon *Monday* next.

REVENUE AND FRIENDLY SOCIETIES [ADVANCES BY NATIONAL DEBT COMMISSIONERS.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the National Debt Commissioners to make advances for the redemption of Annuities payable for charitable purposes in England and Wales, which are now charged on the Consolidated Fund, or moneys to be provided by Parliament, under the provisions of any Act of the present Session to amend the Law relating to the Customs and Inland Revenue, and to reduce the interest payable on investments of Friendly Societies, and to make other provision respecting charges payable out of the Public Revenue.

Resolution to be reported upon *Monday* next.

House adjourned at a quarter after
Four o'clock in the morning
till Monday next.

HOUSE OF LORDS,

Monday, 30th July, 1883.

MINUTES.]—Public Bills—*First Reading*—Greenwich Hospital* (165).

Second Reading—Irish Reproductive Loan Fund Act (1874) Amendment* (156).

Committee—Report—Consolidated Fund (No. 4)*.

Third Reading—Sale of Intoxicating Liquors on Sunday (Cornwall) (142), *negatived;* Companies Acts Amendment * (148); Prison Service (Ireland) * (145), and *passed.*

EGYPT—THE CHOLERA.

QUESTION.

EARL DE LA WARR asked, What the intentions of Her Majesty's Government were with regard to the importation of rags from Egypt and other places infected with cholera; whether the sanitary authorities of British ports had the power of imposing quarantine regulations; and, if so, to what extent?

LORD CARRINGTON, in reply, said, he was happy to be able to inform the noble Earl that the rag trade of Egypt was exceedingly small; in fact, 5,000 tons a-year was quite the outside number of tons; and the Local Government Board had prepared a General Order with reference to the importation, and the Order would be issued immediately, and he would at once lay it on the Table. It was true there was mention made in the papers that an American vessel had recently sailed from Egypt with a cargo of rags. Information was received last week that that ship was coming to Liverpool, and an Order was prepared by the Local Government Board as to how it should be dealt with; but it was not issued in consequence of the Board receiving a telegram that the cargo was not to be disembarked from it, but was to go straight to New York. He had already explained to the House the intention of Her Majesty's Government with reference to quarantine and the regulations that had been issued by the Local Government Board on the subject. These regulations, briefly stated, were that when a ship came in which the officer of Customs had any reason to suspect might be at all infected, the ship was to be at once detained, and ordered to moor outside in such position as the captain might be directed. Notice would then at once be given to the sanitary authority, which would order the ship to be inspected by the medical officer of health. Anyone suspected to be suffering from cholera was to be removed to hospital or other appointed place, and those not removed were to be detained on board ship for at least two days. The medical officer, too, was to take all steps for preventing the spread of infection, and the master of the ship was to destroy all the clothes and bedding of the persons attacked, and disinfect the ship. It had been generally believed that the first case of cholera in 1865 was brought to Southampton in a ship from Alexandria; but careful investigation at the time failed to prove that was the case.

ARMY—THE HEALTH OF THE TROOPS IN EGYPT.—QUESTION.

LORD ELLENBOROUGH asked, If the Government had any Returns as to the extent of the prevalence of cholera amongst British troops in Egypt?

THE EARL OF MORLEY said, that the Medical Returns for the Force in Egypt, for the week ending July 13, were as follows:—Admissions to hospital in the week, 170; number of cases remaining in hospital on July 13, 546, or 8·21 per cent of the strength of the whole Force. The principal diseases were:—Enteric fever, four cases admitted, and 34 remaining; dysentery and diarrhœa, 22 admissions, and 51 cases remaining; venereal diseases, 23 admissions, and 148 cases remaining.

EARL DE LA WARR asked whether it would be possible to send home by telegraph the names of men who had succumbed to disease, as it would be a great relief to their wives and families?

THE EARL OF MORLEY said, the names had already been sent home by telegraph.

LORD ELLENBOROUGH asked when the next Return should be made?

THE EARL OF MORLEY replied, that he could not say exactly the day; but he should say they would certainly come in the course of next week.

ECCLESIASTICAL COURTS COMMISSION—THE REPORT.

QUESTION. OBSERVATIONS.

LORD ORANMORE AND BROWNE, in rising to inquire of Her Majesty's Government, When the Report of the Royal Commission on Church Courts will be presented; and to call attention to the contempt of legal obligations that now exists among many of the clergy of the Established Church, said: My Lords, some months back the noble and learned Earl on the Woolsack stated that the Royal Commission on Ecclesiastical Courts would soon present their Report. Two years and three months have elapsed since its appointment. As it had an impossible task to fulfil—namely, to find Courts of Law which would satisfy those who repudiated as unjust all adverse decisions—the time that has been occupied may not be considered too long, were it not that the Press states that the Commissioners have sat only one working day in 10 since their appointment. Delay, also, was an evident object of the recalcitrant Party; and the Prime Minister, with that strong sense of justice and attachment to the law-abiding portion of the community which always distinguishes him, selected three-fourths of the Commissioners from the Party who set the law at defiance. In passing, I may also call attention to the fact that far the larger number of the promotions in the Church made by the Prime Minister have also been conferred on members of the same Party in the Church. I doubt not many of them are able and excellent men; but neither is there any doubt they are, at best, lukewarm supporters of the Church of England as by law established. There is no doubt either that few of the occupants of the right rev. Bench have used the powers they possess to suppress lawlessness in the Church—nay, more, in many instances they have promoted those who openly break the law; so that, taking into consideration these circumstances, your Lordships will hardly be astonished at the large number of the clergy, as I shall show you, who set the law at defiance. I will now ask the attention of the House to the results of this action and inaction, assisted, as it has been, by the stay of proceeding against contumacious clergymen during the sitting of the Royal Commission. I find, from a little book published under the auspices of the English Church Union, called *The Tourist's Church Guide*, that the following practices, which have been decided to be illegal by the highest Court in the Realm, are in use:—Eucharistic vestments in 359 churches; incense in 16; lights at celebration of the Holy Communion, 663; eastward position, 1,876; in all, 2,901 churches. That is to say, from 6,000 to 8,000 clergy refuse to obey the law under which alone they hold their preferments and position in the Church of England. This evidences a most unfortunate state of lawlessness and disorder; but, large and influential as is this body of the clergy, and rich and powerful as are their supporters, they number only about a quarter of the clergy, and the latter a much smaller proportion of the laity. I would here ask attention to the fact that though there are 8,000 contumacious clergymen, that persecuting Society, the Church Association, have only proceeded in 21 cases. It will be said the Bishops would permit no more. It is so; and, with every respect for the right rev. Bench, it seems to me that had they acted with vigour in enforcing the laws of the Church, those laws by which alone the Church of England holds its property and position as the National Church, this state of things could not have come to pass. Is it not to preserve and, when necessary, enforce order in the Church that Bishops are given such powers? Consider that more than half of these clergy are curates, specially licensed by the Bishops, and removable at pleasure. Should not this power have been exercised to enforce the law against contumacious curates? Do the Bishops do their duty when they neglect to use their authority in repressing lawlessness? One excuse is made for the inaction of the right rev. Bench. It is said—what is the importance of vestments, incense, candles, eastward position? These are only matters of fancy. Those who have read the Judgments given, when these were decided to be illegal, will know that they are emblematic of doctrines not held by the Church of England. They are too lengthy to refer to; but I must read an extract from a High Church publication, edited by Dr. Lee. To this work Dr. Pusey wrote an introductory Essay. He stated in a note he was not responsible for the contents of other Essays. I cannot, therefore, say he was responsible for them; but his name leads many to read them. The publication is called *Essays on the Reunion of Christendom.* Here is an extract—

> "The marvel is that Roman Catholics do not see the wisdom of aiding us to their uttermost. Admitting that we are but a lay body, with no pretensions to the name of a Church, we yet, in our belief—however mistaken—that we are one, are doing for England what they cannot do. We are teaching men to believe that God is to be worshipped under the form of Bread, and they are learning the lesson from us which they have refused to learn from the Roman teachers that have been among us for the last 300 years. We are teaching men to endure willingly the pain of Confession which is an in-

> tense trial to the reserved Anglo-Saxon, and to believe that a man's 'I absolve thee' is the voice of God. . . . On any hypothesis we are doing their work."—(p. 187.)

Another plea is — these are educated gentlemen, earnest, good clergymen. I am ready to admit that this is true; but no more nor less so than are the remaining three-fourths of the clergy of England. But I hold that being a devout, good clergyman does not necessarily constitute a good clergyman of the Church of England. I have no doubt there are excellent clergymen, not only in Christian Churches, but in every Church throughout the Universe. But what has a Bishop of the Church of England to do with that? Aye, it is said that there is room enough in the Church of England for large divergence of views. No doubt; but so long as the Church exists under its present contract, that divergence cannot go further than is permitted by that contract as interpreted by the Courts of Law. Again, it is said — "Why interfere with the Service where the clergyman and the congregation are agreed?" Well; but if that is accepted, this is certainly not a National Church, nor the Church of England! Yet, unfortunately, this state of things exists to a lamentable degree; for if a member of the Established Church goes to a strange place, and asks where the parish church is, the answer is—" Oh, that is very High; but St. John's is Low; All Saint's is Broad." While a Roman Catholic, a Wesleyan, a Presbyterian, is at once directed to his church. But, again, suppose in one of these congregations there is a difference of opinion. They must submit it for settlement to a Court of Law. Again, admit that the Church of England is to become a Congregational Church. These congregations, having different beliefs and different forms of worship, on what ground can the property of the Church be confined to them alone; must it not be divided, at least, among all congregations of Christians, if not among all religious communities? And what will become of the Hierarchy of the Church of England? I remember the Bishop of Rochester saying that there were several churches in his diocese into which he never entered, because they set his authority at defiance. Again, I should much like to hear whether it is not true that there are clergymen in the Church of England who claim the power of ordaining other clergymen. I heard of one in the Province of York, who ordained some clergymen; and when the Archbishop of York inquired about it, the clergyman told him to mind his own business, and to get himself ordained by the Bishop of Rome. It is reported that some of these clergymen have been consecrated Bishops, though there is a mystery as to who consecrated them. One word on the desire for Christian unity. Every Christian must desire it; and I hope, in a spiritual sense, it exists—not confined to any particular division of the Christian Church—among all bodies of Christians. It cannot be measured by Church government, by ceremonies, by definitions that are but deductions of the human mind. Far be it from me to define Christian unity; but in the beautiful Liturgy of the Church of England, I find a simple and true definition. It is this—

> "We beseech Thee to inspire continually the Universal Church with the spirit of truth, unity, and concord; and grant that all that do confess Thy Holy Name, may agree in the truth of Thy Holy Word, and live in unity and godly love."

I dare say many of your Lordships have read the life of a pious and earnest clergyman, lately deceased. He claimed a right, as a clergyman of the Church of England, to communicate in the Greek Church. He went to Russia; he was received by the Heads of their Church, stated his case, explained the 39 Articles according to his interpretation, but acknowledged that this view was not held by the Bishops of the English Church. The Greek Patriarch said he could neither accept him as ordained, nor look on the Church of England but as heretic; but would be glad, on his renouncing the errors of that Church, to receive him into theirs. I fear there is no doubt that this case applies to many of our mistaken clergymen. It shows only that many men have many minds, and that Christian unity will never in this world exist in an outward and visible form of worship. In speaking of lawlessness in the Church, it is impossible to omit the case of Mr. Mackonochie. For more than 15 years his case has been before the Courts. He represents the concentration of contempt and defiance of the law of the land. Condemned many times, he escapes final deprivation only because backed by unlimited funds. Clever lawyers find new technicalities that still enable him, a clergyman of the Church of England, to teach doctrines hostile to that Church. Mr. Mackonochie's Diocesan, though that gentleman has for years paid no attention to his admonitions any more than to legal decisions, yet writes thus—

> "I humbly submit that however exalted a man Mr. Mackonochie may be, yet if he has serious differences with the discipline and doctrines of the Church of England, he is not fit to be a pastor of that Church."

This alone concerns his Diocesan, and the very statement shows that the right rev. Prelate felt that he was not doing his duty in instituting him into his new benefice. I think no one can have read the correspondence that took place on this matter, and a similar case that occurred in the diocese of Manchester, without being distressed at the want of courage shown in the one case, and the conscientious manliness that guided the other. Neither can I pass over the false issue that has been raised as to the conduct of the late lamented Archbishop in this case. No one who had the honour of the smallest acquaintance with the most rev. Prelate could but admire his unaffected kindness and courtesy. No one who heard him in this House but must remember with regret and admiration that they will never listen to that easy, fluent, and dignified utterance which at once commanded the attention of the House. In Mr. Mackonochie's case, though weakened by suffering, he acted in the same spirit that always actuated him. He had no wish to punish the man; but he desired that a contumacious clergyman should not longer cause a grievous scandal. He had nothing to do with the unfortunate juggle in the change of livings which has taken place. I will only say that it is an unfortunate and discreditable circumstance. I trust, however, the rev. gentleman has only got a respite, and ere long he will have an opportunity of devoting his energies to some Body with whose opinions he is in accord. I must now ask your Lordships' attention to a debate, as reported in *The Guardian* of July 4th, which took place in the Upper House of Convocation touching sisterhoods. The length of the discussion showed how deeply the right rev. Bench appreciated the vast importance of the matter; and that while they all agreed in praising the devotion and self-sacrifice of these ladies, they also agreed—

> "That their work should be supervised; that they should be under the control of the Bishops; that they should be brought within the lines of the Church, and thus sustained in the true paths of wisdom and piety."

To show the consensus of opinion, I must trouble the House with short extracts from speeches delivered. The Bishop of Lincoln stated—

> "These ladies came to some self-appointed clergyman, who received them with a most solemn consecration, without any regard to whether it was lawful or not. That was the reason he objected to the present sisterhoods, and he considered that the practice led to most disastrous consequences."

He said further—

> "That some of these most charming ladies exposed themselves to great temptation. . . . . He was surprised that remonstrances had not been made long ago."

Does it not follow, that the clergy who administer these "consecrations" are also in great temptation? The Bishop of Truro, among other things, said—

> "The position of these sisterhoods I consider a most critical one at present."

He (the Bishop of Truro) desired a Committee to inquire into the position of these sisterhoods, especially how, without undue interference with their spiritual system, they can be brought practically within the system of the Church of England. He continues—

> "I was forced to face the facts of the inner life of a large number of sisters, and the results of that personal help I have had to give them at all times of their life forced upon me the conviction that the dangers to any Church of any large organizations of devoted women, not properly put under Episcopal supervision, are most serious."

And he concludes—

> "I am anxious to say no more; but this fact has been forced upon me."

I will follow the example of the right rev. Prelate, save to say that these utterances are very ominous. What is meant by "the spiritual system;" "the personal help;" "the dangers to the Church;" "the want of proper supervision leading to most serious results;" "the fear of saying too much?" These utterances, from an intimate friend, a supporter of these Societies, are, to say the least, ominous and perplexing. The Bishop of St. David's and the Bishop of Lichfield stated—

> "That these sisterhoods had no greater differences and were no more insubordinate than the clergy."

This, I think, your Lordships will have no difficulty in believing. The Bishop of Chichester stated—

> "That the sisterhoods were doing a great and good work in hospitals and schools; but they refused to let him know their rules or enter their house."

It did not seem to occur to the right rev. Prelate that the first work of these ladies might be to undermine the doctrines of his Church; and the second, charity. The Bishop of Lichfield said—

> "That he had been asked to become a Visitor of a sisterhood; but on examining the rules and regulations, he found they were of a character he could not approve."

These general expressions of views of the Episcopate must refer to years of experience and a large number of sisterhoods? They can leave no doubt on any fair mind that they are doing a large work of charity; but there is every room to doubt whether their work is conducted in an orderly manner, or whether they are in any wise friends of religion, as viewed in connection with the Reformed Church of England. Now, I must call your Lordships' attention to a most important speech from a most important Dignitary, containing most interesting and important matter. I refer to the speech of the most rev. Prelate (The Archbishop of Canterbury), who fully concurs in the desirability of bringing these sisterhoods into subordination to the right rev. Bench. I will express no opinion on that head. But I fear that he cannot expect great subordination to his views, when he has shown so little respect for the authority of another Bishop; for, subject to correction, I have it that, after receiving information from a brother Bishop that a clergyman in his diocese was acting contumaciously, he, nevertheless, preached in that clergyman's church. I cannot understand the motive of his doing so; but, be it what it may, it could not but tend to encourage insubordination. It seems to me that he was setting an unfortunate example; all the more unfortunate from the exalted position to which he has at present attained. But, my Lords, I will leave the House and the public to form their own opinion on this matter, and will trouble you with a portion of the speech of the most rev. Prelate touching sisterhood. It is thus reported—

> "The President said that he had received long reports of the danger arising from small sisterhoods, and with respect to such bodies there came before him a few days ago a case in which a sister had been admitted to the three Vows in perpetuity at fifteen years of age. He was asked to dispense her from these Vows. She was at present in America, and he found that she had applied again and again to the person who had administered these Vows to relieve her from them; but he had refused. He had tried to find whether that person had obtained any power to give the Vows in question; but he seemed to have none except what resided in his own bosom. It was clear that if, under those circumstances, a person could administer such Vows, he might confirm or ordain. But what could be done? He could not dispense her from the Vow, because that would be recognizing the fact that these Vows were administered; and, in point of fact, they did not exist. At the same time, her conscience was much troubled. She had taken the Vows originally because of the defective organization of the Church so to speak."

The three Vows, your Lordships are aware, are Celibacy, Poverty, and Obedience. These were administered to a child of 15. But a short time back we were making laws to protect young girls. There was no dissent as to their necessity. If no law exists to protect young girls from taking Vows of Celibacy, Poverty, and Obedience, does not this case call for their enactment? A poor girl beguiled by a wily priest to sacrifice herself and her property before she is old enough to have any idea what her liberty and property are worth! I think the priest who committed this act was as guilty as any seducer. Is it not as wicked to corrupt the mind as the body? Is it not vile robbery, under pretence of religion, to take her property? The most rev. Prelate is cognizant of the individuality of this priest? Is he a curate in his diocese? Has he withdrawn his licence? Will he not state his name, and so enable all parents and young girls to beware of him? Will he not so prevent his employment as a clergyman in the Church? Will he not expose him to the contumely he merits? This case has come to light. We thank the Archbishop for putting us on our guard. But how many cases similar, aye, perchance, some more disastrous, are hinted at in the speeches of the right rev. Prelates which I have read? These are terrible questions to every father of a family, let him be poor or rich; for who can deny that some of the clergy of our Church are walking about like lions seeking whom they may devour? I am not surprised at the numerous secessions from the ranks of the Ritualists to the Church of Rome. I am no friend of their system; but, accepting their sisterhoods, they are at least surrounded by many safeguards which, if not successful to meet all these evils, at least check many of them. I must say a few words, lest it should be thought that I am so narrow-minded or so ungenerous as not to admire the heroic devotion to good, the abnegation of self, that distinguishes these ladies, whatever communion they belong to, the misery and sorrow they alleviate. While they are governed by their own free will, they bless and are blessed! While it guides them there is no necessity for Vows of any kind. But, if for any reason they desire to return to their families, I think it a great and crying wrong that they should be restrained from so doing, whether it be from loss of property or from the restraint of any Vow they have taken. Here we have, by some fortunate accident, this case brought before the public; but it leads inevitably to the question—How many unfortunate young girls or older women may now be immured, and their happiness for life destroyed? I believe this is the only country in Europe where Conventual Institutions are not visited by Inspectors appointed by Government. I have no wish or intention, by word or thought, to cast a slur on the clergy of my own Church or any other Church; but I believe they are but men with like passions to ourselves, and, therefore, to be protected against too great temptation and refused too great power. My Lords, I fear I have too successfully shown you the disturbed and lawless state of the Church of England. It is true, my Lords, that many of the clergy, supported by many of the laity belonging to that Party who set law at defiance, deliberately remain in the Church with the view of instructing its weaker members in doctrines hostile to the Church of the Reformation, although the clergy hold their emoluments and positions under contracts and promises to defend it. Many openly avow this intention; but they are all honourable men—English gentlemen. How changed their view of right and duty! They have created a Party in the Church, who, though they value that Institution most highly as a centre of simple and true Christianity, yet they would prefer Disestablishment to the continuance of these false and lawless teachings in the Church. This Party have accepted many changes—among others, a musical and most ornate worship; but they will not accept teaching and practices altogether hostile to those of the Church of the Reformation. I will conclude with the words of the Bishop of Manchester—no Low Churchman, no narrow-minded man. He says—

> "If there is to be a truce at all, the only ground upon which it can be reasonably offered or accepted is, that both parties should keep within the limit of defined law as it stands, existing provocations being withdrawn and no new ones introduced. Is it an unnatural or improper thing to ask—'Till the law is altered keep within the limits of the law?'"

THE LORD CHANCELLOR said, he did not propose to go into the general topics raised by the noble Lord, because he spoke in the presence of those who were much better qualified than himself to deal with them. He had, however, to inform the noble Lord that the Secretary of the Ecclesiastical Courts Commission had intimated to the Home Secretary that the Report of that Commission, with Appendices, would probably be sent to the Office of the Secretary of State, for presentation to Her Majesty, in the course of the present week.

THE ARCHBISHOP OF CANTERBURY said, there were a good many points in the noble Lord's allegations which the House would not expect him to touch upon. It appeared to him to be a strange impeachment of the Government to say that the Members of the Commission were selected unfairly; but when the Report came into their Lordships' hands he did not think any want of diligence, either as to the number of sittings, or the pains taken in the investigation, or any mark of partiality, would be found in it. With regard to the churches in which the noble Lord stated that illegal practices prevailed, the number must evidently have been arrived at by counting the churches twice over, in some cases even more than twice. The noble Lord had quoted authority to support his views, and had rebutted imaginary pleas put forward by the Bishops. Neither he nor his right rev. Brethren had heard of the authority quoted, nor had they ever advanced the pleas he mentioned. It was strange, indeed, that while Bishops were being accused of inaction and carelessness, a special charge made against them was that they showed too much anxiety to bring the sisterhoods into some degree of subordination to the Church, and to have some cognizance of what went on within them. He should have thought that that was a point which might have been placed to the credit of right rev. Prelates. Those sisterhoods were more numerous than the noble Lord imagined —there were in the Southern Province 700 of them of the more important kind, besides smaller ones, of which very little was known. No doubt, the fears of the noble Lord were exaggerated on this subject, yet, at the same time, it was advisable, as matters stood—indeed, it was imperative—that the Bishops should do their best to obtain some means of ascertaining the mode in which these houses were conducted. There was no reason to suppose that the sisterhoods would have any reluctance in making known their regulations; if they were at all inclined to complain, it would be because they were now, for the first time, noticed when they had become prosperous. Those institutions were of many kinds, and they by no means all belonged to one school. The only one he was acquainted with personally was the Mildmay Park Sisterhood, containing over 100 sisters, and the views entertained by them would be called ultra-Protestant. The lady at the head of that institution told him she was not at all unwilling to see the institution placed under Episcopal supervision. The noble Lord had alluded to the eastward position as being illegal; the highest Court of the land, however, had declared it to be legal; its practice, therefore, could hardly be reckoned among ecclesiastical offences. The noble Lord had alluded to his preaching upon a certain occasion. He might say that he had previously written to, and had received a letter from, the Bishop of the diocese approving his so doing, and he was himself ignorant, until three days before the day in question, of the relation between that particular building and the church authorities in the diocese. Many of these matters were such that the noble Lord could hardly know their history; but he might rest assured that no body of men more anxiously debated upon the course they should adopt in any question affecting the Church's welfare than the Bishops, and none were more constant in their endeavours to redress the evils which existed there. The present state of the Church, compared with what it was 40 years ago, would show that they had not laboured without success.

Lord ORANMORE and BROWNE said, that the most rev. Prelate had in no wise answered his complaint of the want of will or want of power in the right rev. Bench to repress the constantly unnecessary evil of lawless practices in the Church. The most rev. Prelate had said that the Bishops discussed these illegalities. What was asked was that they should repress them; and he (Lord Oranmore and Browne) believed that if they did not do so, the Church of England would inevitably be Disestablished, not from the attacks from without, but from disunion within.

The Marquess of SALISBURY suggested that the noble Lord might move the adjournment of the Debate, as they did in the other House.

After a few words from the Bishop of London,

[Subject dropped.]

IRISH REPRODUCTIVE LOAN FUND ACT (1874) AMENDMENT BILL.

(*The Lord Greville.*)

(NO. 156.) SECOND READING.

Order of the Day for the Second Reading read.

Lord GREVILLE, in moving that the Bill be now read a second time, said, that in 1874, when the Act was passed, certain sums of money arising from a charitable fund were transferred to the Commissioners of Public Works in Ireland, who were ordered to grant loans out of it to counties for fishery purposes. These loans would only, however, be granted to eight counties being maritime counties, and he wished the Bill to be read a second time for the benefit of the counties of Roscommon and Tipperary, which were not maritime counties; and if the Bill were passed it would allow these sums of money to be utilized for works of utility in those two counties. Every possible security had been taken against wasteful expenditure of the money, which would be advanced only for a term of 35 years, when it would become repayable.

Moved, "That the Bill be now read 2ª."—(*The Lord Greville.*)

Lord VENTRY said, he should not oppose the second reading; but he had many objections to the Bill. For instance, it failed to indicate any special purposes for which the money was to be spent. It was also, in this and other respects, inconsistent with previous legislation on this subject. If he was not able to amend the Bill in these respects in Committee, he should move the rejection of the Bill at a later stage.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

SALE OF INTOXICATING LIQUORS ON SUNDAY (CORNWALL) BILL.—(No. 42.)

(*The Earl of Mount-Edgcumbe.*)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Mount-Edgcumbe.*)

THE EARL OF WEMYSS, in rising to move, as an Amendment, that the Bill be read a third time that day three months, said, that those of their Lordships who happened to be present when this Bill was last before them might, perhaps, remember that the noble Lord who was promoting it was anxious that it should be read a third time on the following day. He (the Earl of Wemyss) had on that occasion ventured to ask for a little more time, and for that he was taken to task and censured by the noble Lord who presided over the destinies of India and of Ilbert's Bill. Now, they were all aware that individual liberty had, in a great measure, been practically done away with since the present Government came into power; but he had certainly not been aware that it was to the extent that an independent Member of their Lordships' House was to be debarred from expressing an objection to a Bill because it was endorsed by a Member of the Cabinet. Notwithstanding this disapproval and censure, it was his purpose on the present occasion to invite their Lordships to reject the Bill. The measure had followed a very eccentric course in the two Houses of Parliament. One of the last Saturdays of the last Session in "another place" had been devoted to the especial purpose of certain Estimates; and to the surprise of everyone the Cornwall Sunday Closing Bill suddenly made its appearance, and no one being there in readiness to oppose it, it passed the second reading. During the present Session the Bill had been again introduced in "another place;" but as it was blocked—and he would own that he regretted the absence of the power of blocking in their Lordships' House, which, if adopted, would, he supposed, fix half-past 7 instead of half-past 12 as the blocking hour—it seemed to be deemed advisable that it should execute a flank movement. It was, therefore, withdrawn from the Commons, and, doubtless to the astonishment of their Lordships, made its appearance on their Lordships' Notice Paper. This kind of proceeding pretty much resembled a process with which the Cornishmen of the Coast were once not unfamiliar, for it was an attempt to smuggle the measure through Parliament. If the Bill passed their Lordships' House it was pretty sure to have a run through the other House, for it would only come on there at a period of the Session when nobody would be present to oppose it. His noble Friend brought this Bill forward on the ground of the unanimity of the people of Cornwall, and he rested his argument upon a Petition bearing the signatures of 120,000 adults. Now, in all Cornwall there were nothing like 120,000 adult males.

THE EARL OF MOUNT EDGCUMBE: The signatures are not exclusively males.

THE EARL OF WEMYSS: Exactly; females and children had been pressed into requisition in order to bolster up the case. He believed, however, that careful analysis of the Petition showed that among the ostensible signatures were long lists of names written in the same hand, many of them without address or specified occupation. Whole families of 12 or 15 members had signed, many young children being signed for in groups; and, as if the public did not furnish a sufficiently wide field, the inmates of lunatic asylums had been pressed into service. All this showed what the real value of the Petition was, and he hoped their Lordships would accept it for what it was worth. At a meeting which was held not long ago at Plymouth, not for the purpose of discussing this Bill, but for a political purpose, the opportunity was taken by his noble Friend who presided on the occasion of ascertaining the opinion of Cornish men upon this question by a show of hands, when he said that opinions were so much divided that he could not say; and what he would like their Lordships to do was to consider the Bill itself. It proposed to shut up every public-house in Cornwall on the statement in the Preamble that the partial closing of public-houses had been attended by many advantages, and that the logical conclusion from that state of things was that it was desirable they should be shut up altogether. Well, in London the public-houses were shut up for a considerable length of time on each Sunday; but he did not think there was any Peer in their Lordships' House who would on that ground bring in a Bill to provide that they should be closed altogether, for such a measure would be resisted by the working-classes and could not be carried. The attempt had, indeed, already been made, and had led to rioting and failed. So the Sunday Closing could not be applied to the Metropolis and large towns where most needed, assuming the principle to be sound. It puzzled him, however, to find why it was this kind of legislation should be applied to Cornwall, of all the English counties in particular, seeing especially that Cornwall was one of the most sober counties in the country. Why, then, should this attempt to deprive the people of the opportunity of obtaining necessary refreshment be initiated there? During the past year there were only eight persons, *bonâ fide* Cornish men, brought up charged with drunkenness on Sunday, and there was nothing to show that it might not be the same person who had been eight times charged with the offence. Therefore, as regarded the county of Cornwall, it was clear the Bill was unnecessary; and, therefore, he called upon their Lordships to reject it, not only on that ground, but because it was the first attempt to establish local legislation in counties. In Ireland, in Scotland, and in Wales Sunday Closing had been established by law. But what had been the result? At the Irish Assizes in March last Lord Justice Fitzgibbon said the cases of intemperance in County Clair had risen from 960 to 1,511. At Nenagh Baron Dowse said drunkenness had increased in the North Riding of Tipperary from 512 to 1,037 cases, a little over 200 per cent. At Cavan Judge Harrison informed the Grand Jury that drunkenness had trebled in their county. At Limerick Judge O'Brien said that intemperance had doubled in that county. In all these counties the Irish Sunday Closing Act was in force. There were, however, as their Lordships knew, five principal towns in Ireland which were exempted from the operation of the Act, and the effect had been that while drunkenness had increased in the other parts of the country to such an extent as to call down the animadversions of the Judges, it had actually decreased in the five towns which were exempted from the Act. In Wales, the Head Constable in Cardiff stated that convictions for drunkenness on Sunday in that town had increased 50 per cent since the Welsh Sunday Closing Act had been in operation, while surreptitious drinking in unlicensed houses had been more than quadrupled. In Scotland, where the Forbes Mackenzie Act was in force, there were 176,000 convictions for Sunday drunkenness, against 119,000 in England. Great as was this contrast, it became immensely more so when it was taken into consideration how vastly large was the population of England compared with that of Scotland. A recent Parliamentary Return showed that in Scotland during the last four years convictions for drunkenness on Sunday had been steadily increasing from 1,866 in 1879 to 2,530 in 1882. This showed that this kind of legislation had failed. There were, however, other considerations which he was anxious to bring before their Lordships. The first of these was that this was the first step in the direction of piecemeal legislation. If successful in Cornwall, it was intended to extend this system to every county from Land's End to John O'Groats. Those who promoted it knew well they had no chance of carrying a General Act applicable to the country at large. They found that in public opinion, on the whole, the present system was too strong a wall for them to attempt to throw down; and, therefore, they were proceeding to demolish it brick by brick. Now, if this kind of legislation was good for any it was good for all. Taking them on that principle, he would ask them why this legislation should be confined to counties? And why it should not be extended to Unions, large towns, and parishes? If this Bill succeeded in passing, there were seven which would be withdrawn in the other House and introduced into their Lordships' House, It was a dangerous thing to adopt the principle of Local Option, for if it were adopted with reference to the Church of England, the result would be—and this argument he specially recommend to the right rev. Prelates who appeared to take such an interest in this Bill—that in Cornwall, which was pre-eminently a Nonconformist county, the Church of England would undoubtedly be disestablished in that county; and if the question were put to the vote, *nolunnes episcopari* would be the answer. If everything was to be left to Local Option, why was not the question of marriage with a deceased wife's sister referred to that sanction in places where there was a strong feeling against such marriages; and if local legislation such as this was to apply to a county, why not to a Union? Why not to a parish? The principle of the Bill was simply this—that because eight Cornish men were drunk in the year, every man in Cornwall was on Sunday to drink nothing but Zoedone and lemon squash. For his own part, he could never understand why, if a few men got drunk, they should proceed to punish the sober man by enacting that he should have nothing to drink. This was a question which mainly affected the poor man, and was not one which affected the rich. He did not hear it urged that their Lordships' cellars were to be locked up on Sunday, and yet it was proposed to prevent a poor man from getting a glass of beer at a public-house. Another point was, why were the publicans specially selected as the only traders who were to have this hard measure dealt to them? The Rev. Dr. F. G. Lee, of All Saints', Lambeth, who was a great friend of the Temperance Cause, recently addressed the following letter to an applicant for his co-operation to put down the opening of public-houses on Sunday:—

> "Sir,—If you and your friends choose to make a proposal that all shops of every sort and kind in town and country be closed by Act of Parliament, I am convinced that, both on religious and social grounds, there is much to be said in favour of such a proposal. But when, for special and persecuting legislation—and passing over the West End Clubs—you select the publicans, who are severely taxed, often misrepresented, bear heavy burdens, and get plenty of abuse, I am bound to tell you frankly that I can take no part in promoting such a scheme. It would be mean, one-sided, illiberal, and unjust to do so. For in this parish I can bear personal testimony that, on the whole, the publicans as a body are generous and charitable, and conduct their business creditably; and no more deserve to be made the victims of special grandmotherly legislation than the newsagents, confectioners, tobacconists, or other shopkeepers who so largely carry on Sunday trading."

That, he thought, showed that the Rev. Dr. F. G. Lee was a regular brick. It was, however, remarkable that in this Bill there was nothing whatever said about compensation. They were going to take away from the licensed victualler one-seventh of his profits; and yet they were silent upon the point of how he was to be compensated for that loss. And even if there were anything of the kind in the Bill, the ratepayers ought to be considered, who would have to provide for the compensation. Another point to which he wished to direct their Lordships' attention was the question of evasion. It was a social axiom that the more they imposed restrictive measures of this kind upon the people the more they excited in them a spirit of evasion, which, in the long run, would spread from the law which excited it to legislation in general; and thus the people would run the risk of losing the high character of which they at present boasted—that they were the most law-abiding population in existence. There was only one other point to which he wished to direct attention, and that was the time at which this measure was brought forward. There might be some palliation for it, although not in strict principle, if it were brought forward at a time when drunkenness was prevalent throughout the country; but it was brought forward at a time when it was notorious that temperance was making astounding strides in this country, when the Revenue from the Excise had fallen off about £2,000,000, when they had the Salvation Army working in every town, and when so many persons they met in the streets wore the blue ribbon. There were two things he would impress upon their Lordships. The one was the reason given for this kind of legislation—namely, that temptation should be taken away from men. He had always thought that, instead of taking temptation away from men, the best thing was to try to strengthen their characters to enable them to resist temptation. Such legislation as this tended to weaken the national character; and it had the further evil of being an undue infringement of rights and liberties. He would remind their Lordships of a speech uttered by, perhaps, the most eloquent Member of the House, he meant the Bishop of Peterborough, who was now sorely stricken—and he was sure there was not one of their Lordships who did not earnestly pray that he might be restored to health—in which he had said, with reference to this question of individual liberty, that he had no love of drunkenness; but that, while he wished to see it disappear from the land, he would rather see England drunk and free than sober and enslaved. He would, therefore, ask their Lordships, who were in an independent position, superior to the influence of the Caucus, and capable of creating a free and independent public opinion, to reject this Bill, which was novel in its character, contrary to sound principles of legislation, and antagonistic alike to the instincts and traditions of a free people.

Amendment *moved*, to leave out ("now,") and add at the end of the Motion ("this day three months.")—(*The Earl of Wemyss.*)

THE EARL OF MOUNT EDGCUMBE: My Lords, when this Bill was read a second time, my noble Friend stated his intention to move its rejection at a later stage, and named as the ground of his objection that it was piecemeal legislation. He has now attacked it, however, from every conceivable point—the way in which it was brought into the House of Commons, the way in which it has been brought into this House, and the principle of the Bill. He has attacked it all around, and brought to bear all his ability, eloquence, and Parliamentary experience. He says that the Bill is brought here because it could not have succeeded in the House of Commons, and failed in the last Session. I am bound to take exception to that. The Bill was put down day after day, and week after week, in the House of Commons throughout the Session. It was moved several times, but blocked by my noble Friend and Mr. Warton. They could not expect the promoters of the Bill to withdraw it simply because they had put a block in its way, and it had been put off to the close of the Session. The noble Lord speaks of this Bill being a surprise, and of its being brought on as a surprise on a Saturday. The real fact is, that on the day before the Question whether the Bill should be taken on the Saturday was put to the House, and a Division was taken, and the minority was only 8 or 10. My Lords, you are not asked to pass this Bill, as my noble Friend says, because there is an adverse majority in the House of Commons, and it is wished by means of the prestige of passing it in your Lordships' House to run it through the House of Commons. Quite the contrary. The House of Commons has shown most clearly that it is in favour of this Bill, and of the principle which it embodies. It was read a second time last Session; and although the noble Earl and Mr. Warton fought very gallantly, they only got, as I said, eight or ten followers. The Welsh Bill, which was practically the same in its terms, was carried in the House of Commons by 163 to 17. To the Petition in support of this Bill my noble Friend referred in a way intended to make it ridiculous. But there was extremely little in what the noble Earl said. The population of Cornwall at the last Census was under 330,000 souls, from infants upwards. The number of adults above 16 years of age would be about three-fifths, or 198,000. Of these 198,000, 120,332 signed this Petition. It was a Petition which included all classes; not only Noncomformists, but Churchmen and persons of all classes, and, of course, females as well as males, otherwise the number could not possibly have been found. It is perfectly true a large number of names were written in the same handwriting; that will be the case with any Petition to which a great number of names are attached. But when all such names were struck off the numbers stood at 119,275. The result showed the statements against the Petition to be what I may call a "cock and bull story." Because a certain number of persons signed the Petition who dated from a lunatic asylum, it was said—"You have got all the lunatics in it." There were 57 or 58 of these names. The lunatic asylum had 700 or 800 inmates, and in order to manage them, 50 or 60 persons had to be employed. Not one lunatic signed the Petition. But when one knows how nearly allied drink is to lunacy, one does not wonder these persons who had charge of lunatics felt very strongly on this question. This Petition was an almost unprecedented representation of the feelings of the county. All the Mayors, with one exception, signed it as Mayors, Municipal Councils presented separate Petitions in favour of the Bill, and seven or eight Boards of Guardians, composed of men who might be supposed to know the feelings of their neighbours, did the same. There were 46 public meetings, and all were in favour of the Bill. Not only so; but after last year's Bill fell through, 132 public meetings were held all over the county, and without one exception they all passed resolutions in favour of the Bill. In only three or four was a counter-resolution proposed, and in none was it carried. In all other cases the answer was unanimous. Make any allowance you please for mistakes, or for persons who signed the Petition in ignorance, and still there remain a residuum which certainly shows the feeling of the county. I base my claim also upon the character of the Petition. A movement or agitation among one class you may look upon with jealousy, because what is advantageous to them may be disadvantageous to the rest of the community. But this comes from all classes; and instead of seeking an advantage, they have entered into a sort of self-denying ordinance, and desire to give up something which you may think necessary for their convenience. I am glad my noble Friend did not refer to the counter-Petition which was promoted by a strong and influential body—the Licensed Victuallers' Association. I should have been quite ready to go into that, and analyze it as my noble Friend did the Petition in favour of the Bill. My Lords, this has been called ridiculous and grandmotherly legislation; but it has been adopted, not only in Scotland, and Ireland, and Wales, but in Canada, New Zealand, Tasmania, and two or three other Colonies. Some of them have had it for 20 years, and have kept it, while others, after seeing its results elsewhere, have adopted it and still retain it. The real question is not whether this legislation is grandmotherly but whether it answers. My noble Friend quoted some statements from papers which have been sent out by the Licensed Victuallers' Association. They must be taken for what they are worth. In Ireland I may say the Judges in many cases gave other reasons for the increase of drunkenness, and in Scotland the consumption of intoxicants in 10 years following the Forbes Mackenzie Act was far less than in the 10 years preceding, though in England the consumption largely increased. In 1877 the Chief Constable of Edinburgh gave evidence before a Committee of the House of Commons showing that the state of things in that town had greatly ameliorated. With regard to Wales, I have seen a number of letters saying that the Act works very well. But, of course, they were from persons who were greatly in favour of the Bill. I am surprised to hear the noble Lord say the House is free from public opinion.

THE EARL OF WEMYSS: No; free to form public opinion.

THE EARL OF MOUNT EDGCUMBE: I beg your pardon for the blunder. My noble Friend says again that drunkenness is on the decrease because public opinion is going in that direction. It is difficult to say what is due to public opinion and what to legislation. They act *pari passu*. One other point, and I have done. It is with regard to the comparison between our houses and poor men's houses. My Lords, this is a poor man's question. It is perfectly true that a great difference exists between the rich and the poor in these matters, for the rich have their Clubs and their cellars; but it is the poor man who is asking for the Bill. That is the most remarkable thing about the canvasses which have been made. The humbler the rank of the people the greater was the preponderance in favour of this measure. They do not grudge you advantages which do not create the evils of which they complain. They ask you to look at the subject from their point of view. There are other differences between the rich man and the poor man. My noble Friend can send his sons to any school or College he chooses; if he finds a danger of their contracting bad habits in one place he can remove them to another. The poor man cannot do that with his son who is an apprentice, and in whose way on Sundays, when he has nothing to do and money in his pocket, the public-house stands open and offers a temptation which many cannot resist. The father knows this might be altered, but is being kept as it is by those who cannot or will not put themselves in his position, and you cannot wonder if there is some bitterness in that man's heart, which no jealousy of your superior comforts and conveniences would excite or justify. My Lords, the difficulty of passing such a Bill as this for the whole country has been spoken of. The people of Cornwall do not wish to wait until that difficult question is settled. They see no real practical difference between passing such a Bill for the 12 counties which form the Principality of Wales and passing it for the one county forming the Duchy of Cornwall, which is inhabited by a cognate people. There is no geographical difficulty. On three sides we are surrounded by water, and on the fourth our boundary is a river. If the Bill fails it can do little harm; if it succeeds it may remove some of the difficulties which stand in the way of the larger measure to which my noble Friend alluded.

LORD MOUNT-TEMPLE said, that the law prohibiting Sunday trading applied to all trades except that of publicans, although the provisions of that law were found defective in execution. Why should publicans be favoured with a privilege denied to all other trades? It was an invidious monopoly injurious to the sellers of other articles. On Saturday wages were paid; the public-houses, and no other shops, being open on Sundays, many were tempted to spend their wages in beer or gin, when they might have bought with their wages nourishing food or useful clothing. The privilege which publicans had was of no advantage to the country, and he doubted very much whether it was of any advantage to themselves. Those who were influenced by the speech of the noble Earl who moved the rejection of the Bill would believe that the publicans were opposed to the Bill; but when the ratepayers in Cornwall were asked to record their opinions some few years since, three out of four publicans were desirous of closing on Sundays. As regarded the objection that this was a local measure, he would point out that the whole question was primarily of a local character, though indirectly it affected the nation, and for local desires and convictions it was right to have local enactments. As statistical inquiries showed that the Bill was desired by 98 out of every 100 of the Cornish people, it ought not to be rejected merely because other parts of England did not demand it.

LORD TRURO said, he thought that the real and simple question was whether this was a piece of wise and judicious legislation? They had heard a good deal about grandmotherly legislation; and though, no doubt, there had been a public necessity for the Factory Acts and similar measures, the present Bill could not certainly be regarded in the same light. The Revenue from the National Excise was £2,000,000 less last year, and the crime statistics of the country showed that the same amount of drunkenness did not exist as was, until a short time ago, the case. He himself had received reliable information which convinced him that the people of this country did not require to be kept in a state of tutelage. Education was making itself felt. He had heard on the previous day of 72 parishes in the Midland Counties which did not furnish a single case of criminal drunkenness at the Quarter Sessions. If there was a disinclination in Cornwall to the consumption of intoxicating liquors, the inference was they meant to continue sober, and did not stand in any need of this legislation.

LORD BRAMWELL remarked, that their Lordships ought to bear in mind that if this Bill passed it would create a new crime, and that it would prohibit, not only the sale of spirituous liquors, but the sale of everything which was sold by those who sold spirituous liquors. He was rather disposed to think that those who consumed spirituous liquors were, under the Sunday Acts, guilty of an offence quite as much as those who sold them. But it was absolutely certain that such an Act of Parliament as this would be infringed—no man's conscience would forbid him to drink a glass of ale on Sunday if he were disposed to do so; and even if the fears of the beerseller prevented him from selling, there would be a variety of reasons to lead to such a sale. It was not an application of the line—"Dost thou think, because thou art virtuous, there shall be no more cakes and ale?" It was rather—"Dost thou think, because thou art vicious, there shall be no more cakes and ale?" He could confidently declare that he had tried more cases of perjury arising out of the sale of beer during unlawful hours than from any other cause. There were policemen on the watch to see if these Sunday Acts were infringed, and then a sort of perjury was committed, with the feeling, he supposed, that there was no very great harm in frustrating a prosecution of the kind. This was a mischief which sprang from the restrictions that already existed, and it would certainly augment. The Preamble of this Bill involved the general proposition that what was good for four hours out of the 24 would be good for the whole 24 hours—a proposition which he believed their Lordships would be reluctant to affirm. The craving for drink, if it existed, might be battled with, he supposed, for the space of four hours; but that would be more difficult with a period of 24 hours. He could not help asking what the object was of this legislation? Assuming it was made out that the majority of the people of Cornwall were in favour of this Bill, for whose sake was it asked? Was it asked for the sake of a minority, who did not want it, to make them good against their inclination? Or was it for the sake of the majority, who could not take sufficient care of themselves? What, again, was there to distinguish Devon from Cornwall? Absolutely nothing. One consequence of this Bill would be that they would see a great many *bonâ fide* travellers from East Cornwall into Devon. A Bill of this description would simply compel people to provide their drink on the Saturday; and a fitting title for it would be "An Act for the Encouragement of the Sale of Bottled Beer." In all these cases of goodness the goodness was always so excessive—there was no moderation in it. Here was a proposal to shut up public-houses altogether on Sunday. No tea or other refreshment whatever could be sold. But it was said that the proprietors of these houses would sell beer, and not tea or other refreshments. This showed the evil of such legislation as this—it stopped that which was lawful. The consequences of the Bill would be that not only would an increased number of offences be committed, but attempts would be made by the public to evade it and dodge it in every possible way. On all the grounds he had mentioned he was opposed to the Bill.

Lord Bramwell

THE EARL OF KIMBERLEY said, that, having some connection with Cornwall, he was a little surprised at the anticipations of his noble and learned Friend, that the Bill, if passed, would lead to an increase of perjury. Considering that very strong prohibitions existed under the present Acts, and that during a very considerable part of Sunday drinking was entirely forbidden, it was scarcely a sufficient argument against an extension of the hours, that possibly some persons might violate the prohibition. In Scotland legislation of this kind had been enforced for several years; but he had never heard that it had resulted in an increase of perjury. The real question was a simple one. A great deal had been said about its being undesirable to close public-houses on Sunday, as an interference with the general principle of liberty; and he had a certain amount of sympathy with those who argued that they should not restrict liberty in that respect. But the principle of Sunday Closing had already been distinctly enacted by Parliament; and the question was, when a county came forward and said that they desired the measure, whether it was desirable to extend to a particular part of that county a principle already extended to Wales and a considerable part of Scotland and Ireland. His noble Friend who sat behind him (Lord Aberdare) had the other night pointed out that it was by no means a new principle to allow particular measures in particular communities. In many places there were special police laws and measures dealing with such subjects as those; and in cases where there was so great a difference of opinion he could not conceive a better course than that they should allow communities such as Cornwall to try the experiment of passing a law of this kind, which, at all events, could not be an evil to any other community; and he did not think they should lay down as a substantive rule that Parliament should never pass any particular measures. He thought the noble Earl opposite had shown that there was really in Cornwall a very strong consensus of opinion in favour of the Bill. He would also point out to the noble and learned Lord behind him that the man who went over the border to another county did not drink any more; and he was not aware of any evil caused in that way, except that he had to go a certain distance to avoid the restraint which did not exist on the other side of the border. Upon the whole, he hoped the House would agree to the Bill, and he thought it was a fair demand to make on Parliament.

THE MARQUESS OF SALISBURY: My Lords, I think we have arrived at a point when we have a right to employ some considerable precautions in the special legislation which has undoubtedly been adopted for Wales, for Ireland, and for Scotland. This is the first time it is proposed to apply to England the principle that you are to restrain one man from a legitimate indulgence because another man happens to be rather weak in self-restraint. Well, that is a rather strong principle to assert. I am quite aware that it is gaining ground at the present day, and that that rather repulsive form of virtue which desires to dragoon its neighbour into imitation is very much on the increase. But, at all events, I do not wish to accept or to struggle for the enunciation of general principles upon this matter. I am content to agree with the noble Earl who has just sat down, that it is possible that on such a subject as this a greater localization may be in store for us, a greater abandonment of centralized and of symmetrical legislation than we have hitherto seen. But, at all events, I should like, before adopting for any special cases what is abstractedly and generally a very odious kind of legislation—I should like to have some kind of indication how far we are to go, and by what standard and measure we are to abide in determining how far we are to go. Now, several of the speakers in this debate—and I think among them the noble Earl who has just sat down—have indicated, not indistinctly, that this process is to them, as it was described by my noble Friend on the Cross Benches, the taking down brick by brick of a wall which you are not strong enough to knock down at once, and that they hope to extend this to the whole of England. I am pretty sure that they will meet with an uncommonly tough resistance if ever they attempt to do it, and I do not wish them joy of the undertaking. But when the noble Earl tells us that Parliament has already conceded this principle, I think —and I hope he will pardon me for saying so—he is importing rather inconsistent language into his argument. We are often told that it is very foolish for us on this side of the House to resist the thin end of the wedge; but whenever the thin end of the wedge has been inserted, we are told that Parliament has conceded the principle, and that we cannot resist any further. I really want to know on what principle we are going in this matter? Is it our intention to give these very odious privileges to populations that desire them? If so, what unit of population would you select? Is it counties, unions, or parishes you are going to take, and by what means are you going to ascertain the real unanimity or strong desire on the part of the population—because you may be guilty of inflicting very great injustice upon the minorities whom you force to conform? In this case we are going upon the most doubtful and the most insecure of all possible indications of popular feeling, and that is upon Petitions which have been got up by zealous canvassers. I remember a case in which a clergyman signed a Petition in favour of all kinds of advanced Ritualistic practices in the belief that "it was something about the Burials Bill;" and that which is the case with an educated man I suspect is very much more the case with numbers of the people who have been canvassed in favour of this Bill. Before I judge what is the value of a signature attached to a Petition I wish to know what is the precise statement made to the man who signed it, and until I know that I cannot ascertain whether his assent is worth anything or not. My Lords, if you mean to go on in this course, you must do it in rather a less haphazard way than this; you must adopt some machinery for ascertaining whether you are really acting in conformity with the wishes of the population. I do not say I desire any such consummation. I detest the progress of this principle of forcing one man to give up legitimate indulgences because another man is unable to keep himself straight; but if you adopt it, at all events you must do so upon some settled and ascertained plan, and not in this random way. Under all these circumstances, I feel I have no alternative but to vote with my noble Friend who has moved the rejection of the Bill.

THE DUKE OF ARGYLL said, he could not help thinking that the whole tone of his noble Friend who had just sat down, and certainly the whole of the observations of the noble Earl who opposed the Bill, went the whole way of asserting the principle of absolute Free Trade in the sale of liquor. That system had been fairly tested at Liverpool, where the experience of the magistrates was such that they were very glad to return to the old system; and he trusted the House would not commit itself to any such sweeping and formidable principle. The noble Earl who opposed the Bill seemed to think it unjust and unreasonable that public-houses should be closed. Given that they were to be at liberty to consider the morals of a community, they had to ask, was this a reasonable request? And he thought the community should be allowed to try the experiment if they desired it. He attached no weight to the argument that the Bill would create new offences, for every restriction did so. He thought the noble Earl in charge of the Bill had shown conclusively that Cornwall was united in its desire for the passing of this Bill; and, therefore, he should most heartily give his vote in favour of it.

VISCOUNT BURY said, he would ask the noble Duke whether he was really serious in saying that those who opposed this exceptional legislation were in favour of Free Trade in drink? He, for one, should repudiate any such imputation, and he was sure the noble Duke would find it very hard to maintain it. His objections to the measure were two; the one was that it was introducing the thin edge of the wedge, and the other that it was an infringement of personal liberty. If this really was intended to be the thin end of the wedge, noble Lords ought to bring in a General Bill at once, instead of this piecemeal legislation. He considered the noble Lord who spoke from behind the Government Bench (Lord Mount-Temple) had endeavoured to prove too much, for if 98 out of every 100 of the Cornish people were in favour of closing the public-houses, why were they not closed? Why did not the publicans who were said to be in favour of the Bill put up their shutters, or why did not the magistrates deal with the matter? They had it in their own hands; and if they really wished for Sunday Closing, there was no reason why they should not practice it without legislation.

The Duke of Argyll

THE DUKE OF SOMERSET asked why, if the wishes of the people of Cornwall were to be considered in this matter, the wishes of the people of Portsmouth and Plymouth should have been set aside in respect to the Contagious Diseases Acts? Now, however, because some popular feeling had been excited, they were about to give Cornwall Local Option on the question of the sale of intoxicating liquors on Sunday. The noble Earl (the Earl of Kimberley) was a Member of a Committee which had sat for a long period on the Drink Question, and had never proposed such legislation. If the Bill was passed, people would be driven to go secretly, instead of openly, into the public-houses; and, regarding it to be a mistake, and an interference with liberty, he urged that it should be stopped.

On Question, That ("now") stand part of the Motion? Their Lordships *divided*:—Contents 38; Not-Contents 38.

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The numbers being equal—

THE LORD CHANCELLOR: According to the Rule of this House, which is *semper præsumitur pro negante*, I must say the Not-Contents have it.

Resolved in the *negative.*

House adjourned at a quarter before Eight o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 30*th July*, 1883.

MINUTES.] — PUBLIC BILLS — *Leave* — *First Reading*—Constabulary and Police (Administration) (Ireland) [274].
First Reading — Factories and Workshops Amendment * [273].
Committee—*Report*—Supreme Court of Judicature (Funds, &c.) * [270]; Public Health Act, 1875 (Support of Sewers) Amendment * [267].
Considered as amended—*Third Reading*—Parochial Charities (London) [215], and *passed.*
Third Reading—Railway Passenger Duty, &c. [219], and *passed.*
Withdrawn — Settlement and Removal Law Amendment * [152].

QUESTIONS.

VACCINATION ACTS—FINES, &c.

MR. HOPWOOD asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the following account in the "Cork Daily Herald" of July 16th:—

> "To-day the police had the disagreeable duty of seizing a bed, the property of Mr. John Savage, sheriff's officer, Kinsale, in satisfaction of the amount of a decree for £1, at the suit of the Guardians of the Kinsale Union. It will be remembered that Mr. Savage appealed to the Recorder's Court, Cork, in the hope of setting aside the decision of the magistrates at Kinsale Petty Sessions, who fined him in the sum of £1 for refusing to have his child vaccinated. The Recorder confirmed the ruling of the Petty Sessions Court, and to-day the decree issued was executed by the police in the seizure as above stated. Mr. Savage offered to surrender to the alternative of a week's imprisonment, but was refused, and then offered his watch, but with the same result. This is the sixth seizure of Mr. Savage's goods for his resistance to the Compulsory Vaccination Law. It may be added that he has been 29 times summoned before the magistrates during the past six years;"

whether it be true that this man has been many times prosecuted and distrained upon; and, whether the Irish Local Government Board will follow the example of the English Board in its circular to the Evesham Guardians, and advise vaccinating authorities in Ireland to abstain from repeated prosecutions of the same individual?

MR. TREVELYAN: Sir, I am informed that the report is not altogether correct, as it was by Mr. Savage's own request that a bed was selected for seizure. The tender of his watch was made in joke. It is true that Mr. Savage's goods have been six times seized under similar warrants, and that he has been about 29 times summoned; but this number includes preliminary summonses to show cause why an order should not issue to have his child vaccinated as well as the final ones for disobedience of that order. I will consider the suggestion contained in the last part of the hon. and learned Member's Question.

INDIA—"THE SPOLIATION OF INDIA" (THE "NINETEENTH CENTURY").

MR. PASSMORE EDWARDS asked the Under Secretary of State for India, Whether his attention has been called to an article in the current number of the "Nineteeth Century," entitled "The Spoliation of India," stating on the authority of a Parliamentary Return that an amount of £12,776,573 is annually drawn by Europeans from the Indian Treasury in sums of more than £100 each, and that of this amount no less than £4,006,000 are yearly drawn by non-residents in India, and whether the said Return will now be printed, so as to be easily accessible to Members of the House and to the public; whether he has observed in the same article a statement to the effect that the Indian Government has recently entered into arrangements whereby the Native States of India have been induced or compelled

> "To close up or make over to our officers their own internal sources of supply of salt, and to force their subjects to pay the exorbitant prices exacted by the British monopoly;"

what is the average increase in the price of salt in the Native States consequent on the said arrangements, and how many millions of persons are affected by it; what is the average proportion of the said increase that will under the said arrangements go to the Native, and what to the British Indian Treasuries respectively; and, whether he will lay upon the Table of the House the Correspondence which passed between our Indian political officers and the Native States on this subject, in particular that with the Gwalior, Jeypore, Jodhpore, and Indore States?

Mr. J. K. CROSS: Sir, my attention has been called to the very extraordinary article in *The Nineteenth Century*, entitled "The Spoliation of India." I think it would be well that parts of the very voluminous Return of Indian salaries and pensions presented in 1881 should be printed for the information of the House. If the nominal lists are omitted, I believe it would not cover more than 16 or 20 pages of print. With respect to the pensions, I may say that in a speech in this House on the 8th of May last I said that they were about £4,000,000 sterling in England, and about 119 lacs of rupees in India; the total cost to India to provide this payment being some 60,000,000 rupees. This includes the pensions of Natives. As regards the last four paragraphs of my hon. Friend's Question, I may say that it is quite impossible, within the limits of an answer to a Question, to state the arrangements which have been made with the Native States, respecting salt and other duties; but I will lay upon the Table of the House the letter of the Government of India of the 26th September, 1878, reporting, for approval, the nature and consequences of these arrangements, by which it is shown the Native States receive an amount equal to the whole of the increased tax on the salt consumption of their populations. The India Office does not possess the Correspondence asked for, which, with few exceptions, is in the vernacular.

Mr. O'DONNELL: Can the hon. Gentleman say what is the increase in the average price of salt in the Native States consequent on this arrangement, and how many millions of people are affected by it?

Mr. J. K. CROSS: I would rather prefer to wait until the Return which I have said I will lay before the House is ready for presentation. At the present time I have not the information.

NAVY—DOCKYARD WORKMEN.

Mr. STEWART MACLIVER asked the Secretary to the Admiralty, If he can now state whether the various claims put before him in his visits to the dockyards have been considered; and, whether some concession will be made, in next year's Estimates, to the shipwrights, joiners, riggers, and others who have submitted their case to the Admiralty?

Mr. CAMPBELL-BANNERMAN: Sir, the cases submitted to my hon. Friend the Civil Lord and myself by workmen in the Dockyards are still under consideration, and it may be some time before a decision in any of the cases is announced, as it is inexpedient that the subject should be dealt with in a piecemeal fashion. The statements made by those whom we saw will have all due weight given to them, and we will endeavour to remove any proved grievance; but I think it right, in order to guard against disappointment, to add that we are not of opinion that any reason exists for a general increase of the wages of any large bodies of workmen.

NATIONAL EDUCATION (IRELAND)—IRISH MODEL FARMS.

Mr. SYNAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has made inquiries into the circumstances connected with the letting of the Mungret Agricultural School and Model Farm, in the county of Limerick, and the shutting up of the National School connected therewith; whether said School has been shut up by order of the Lord Lieutenant and consent of the Lords of the Treasury, or by the Trustees of the Local Act of 42 and 43 Vic. c. 220; whether the shutting up of said School is warranted by the said Act; and, whether the Government will direct the Commissioners of National

Education to erect another school for the parish of Mungret, or order the said Trustees to pay the one-third of the Grant required by the said Commissioners out of the rents and profits of said Buildings and Model Farm, or to restore the said schoolhouse to the parish?

MR. TREVELYAN: Sir, I have made inquiry into the circumstances of this school. So long as the Mungret Farm and buildings were under the control of the Commissioners of National Education, they maintained there a vested male national school, whereby the parish of Mungret gained an exceptional, and, as it may be said, an accidental advantage in the matter of school accommodation. Under the provisions of the local Act to which the hon. Member refers, the premises passed from under the control of the Commissioners to the trustees mentioned therein, and the national school has been recognized as a non-vested school, and as such its continuance depends altogether on the will of its patron or manager. It has not been shut up, as stated in the Question, but has been transferred by the trustees to temporary premises, where it is being carried on pending the erection of a new schoolhouse on a site provided for the purpose under the terms of the Act. As I am advised, this removal of the school was warranted by the Act, which made provision for the grant of a new site, and contained no direction to the trustees to maintain the national school in its original quarters. The Commissioners of National Education have already made a grant of two-thirds of the cost of the erection of a new schoolhouse, and that is the maximum grant they are empowered to make. As I have already stated, I am advised that the trustees are under no obligation to maintain the national school; and, therefore, I do not think that the Government could direct them to pay the remaining one-third of the cost. As, however, the hon. Member and those in whose interests he asks this Question appear to be of a different opinion, I have proposed to take further advice on the subject; and with a view to make the case upon which the opinion is taken quite complete on all sides, I have invited the hon. Member to favour me with a statement of the grounds upon which this claim is put forward.

MR. SYNAN said, he would repeat the Question on Monday next, by which time he supposed the right hon. Gentleman would have the opinion of the Law Officers. The facts were fully set forth both in the present and in the former Question he asked on this subject. The whole question was, whether the trustees had the power to transfer the school to other premises?

HARBOURS OF REFUGE—IRISH CONVICT LABOUR.

SIR EARDLEY WILMOT asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is proposed to employ Irish convict labour in the construction of harbours of refuge in England or Scotland; and, whether it would be practicable to utilise such labour on public works in Ireland?

MR. TREVELYAN: I am not aware, Sir, of any such proposal as is referred to in the first paragraph of this Question. With regard to the second paragraph, the utilization of convict labour on public works in Ireland has been more than once under consideration; but it has not, at present, been found practicable to come to any definite conclusion on the subject.

CUSTOMS DEPARTMENT—CASE OF SAMUEL HUTIN.

SIR EARDLEY WILMOT asked the Secretary of State for the Home Department, Whether he will be good enough to cause an inquiry to be made into the case of Mr. Samuel Hutin, an Examining Officer of Her Majesty's Customs of twenty-six years' service, and with a good character during the whole of that time, who has been dismissed from his situation on very unsatisfactory evidence?

MR. COURTNEY: Sir, my right hon. and learned Friend has asked me to answer this Question, as the subject to which it relates does not come within his cognizance. My attention has already been called to this case, and I have satisfied myself that the man fully deserved dismissal, and that the evidence obtained by the Board of Customs was amply sufficient to justify them in acting as they did.

SIR EARDLEY WILMOT asked if the hon. Gentleman knew that the steward of the ship who formulated the charge against Mr. Samuel Hutin had since himself been charged with misappropriation of the stores of his ship?

Mr. COURTNEY: That does not affect the evidence that was given.

THE MAGISTRACY (IRELAND)—MR. CLIFFORD LLOYD.

Mr. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is a fact that three of the special resident magistrates, including amongst the number Mr. Clifford Lloyd, have recently been promoted to first class, over the heads of magistrates by many years their seniors; if it is a fact that some of the latter have had as much as 18 or 19 years' active service, whilst Mr. Clifford Lloyd has had only seven years' experience; and, whether the promotions in these cases have been altogether contrary to the usage in the Resident Magistrates' Department for the past 16 years?

Mr. TREVELYAN: Sir, the facts are substantially as stated in the first and second paragraphs of this Question. Three of the magistrates acting as Special Resident Magistrates were selected for promotion to the first class from members of the second class, some of whom had longer service than the gentlemen selected. Those who were selected for promotion were selected, I presume, on the same grounds that induced their selection as Special Resident Magistrates. It has not been the invariable practice to promote to the first class by seniority, nor does the Lord Lieutenant think it desirable that any such practice should be introduced.

Mr. HEALY: Might I ask the right hon. Gentleman whether, in bringing forward the Bill he proposes to introduce to-night, he will give an explanation of the extraordinary state of facts described in this Question?

Mr. TREVELYAN: I will give an explanation of facts; but I am not sure that they will be extraordinary.

PREVENTION OF CRIME (IRELAND) ACT, 1882—COST OF ERECTION OF POLICE HUTS.

Mr. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will state when a police hut is removed from one barony to another to which barony is the cost charged, and if to neither, from what source is the expense of transfer defrayed; and, if the police which are about to be stationed at Kilmoon, near Lisdoonvarna, county Clare, are to be charged to the county of Clare at large, or to be paid from usual Parliamentary Vote?

Mr. TREVELYAN: Sir, the cost of the transfer of police huts is not charged in cases of remit to either barony, but to the Constabulary Vote. The men stationed at Kilmoon are a part of the County Force. The county establishment is composed of a free quota charged altogether upon the Constabulary Vote, and of an extra Force, a moiety of the expense of which is charged upon the county at large.

BOARD OF PUBLIC WORKS (IRELAND).

Mr. ARTHUR O'CONNOR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Chief Commissioner of the Irish Board of Works is an engineer; whether the two other Commissioners of that Board are also engineers; whether the Board have also a staff of engineers and architects to assist them; whether it was on the recommendation of this Board, consisting exclusively of engineers, that Lieutenant Colonel James, a retired officer of Royal Engineers, was recently appointed Assistant Commissioner of the Board; whether, since his appointment, Lieutenant Colonel James has applied to have the services of an additional engineer, in the person of Captain Rawson, to assist him; and, whether, since the Board so composed is entrusted with very varied powers and administrative duties in connection with the development of the material resources of Ireland, Her Majesty's Government will take into consideration the advisability of securing for the future that the Board shall not be so exclusively recruited from the ranks of a single profession?

Mr. COURTNEY: Sir, the Chairman and Assistant Commissioner are retired officers of the Royal Engineers; the other two Commissioners are members of the Institute of Civil Engineers. By far the largest portion of the duties of the Board relate to buildings and engineering works; but I do not think it is necessary that the whole Board should be composed of engineers and architects, although they ought, no doubt, to preponderate upon it. The

Treasury have received no application on the subject of Captain Rawson.

NAVY—NAVAL SCHOOLMASTERS.

CAPTAIN PRICE asked the Secretary to the Admiralty, Whether he can hold out any hopes that the recommendations of the Inspector of Naval Schools will be carried out—namely, that there should be an amalgamation of Naval and Marine Schoolmasters, and that "Naval Schoolmasters should not be placed at a disadvantage as compared with Army Schoolmasters?"

MR. CAMPBELL-BANNERMAN: Sir, the words quoted by the hon. and gallant Member occur in a passage in the Report of the late Inspector of Naval Schools, in which he suggests a scheme for amalgamating the naval and marine schoolmasters. This is, however, a mere suggestion, and it is not the intention of the Board to adopt it.

STATE OF IRELAND—LORD CLONCURRY'S ESTATE AT MURROE.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Lord Cloncurry has been enabled to reduce his staff of emergency bailiffs on the evicted farms at Murroe by one half in consequence of the action of the Government in allotting two policemen to every party of two bailiffs distributed over the estate; whether any outrage has occurred on the estate, except one for which emergency bailiffs were twice tried; whether it is true that the only tenant on the Murroe estate who has gone into the Land Court, Thomas Fitzgerald, has had his rent reduced from £170 to £130, or 23½ per cent; and, out of what fund the policemen so employed are paid?

MR. TREVELYAN: Sir, the number of men in charge of these farms has not been reduced. It is true that two men of the Property Defence Association have been removed; but their places have been otherwise supplied. The police are necessary for the protection of the bailiffs, and their presence has probably prevented outrages; but there have been several cases of assaults on the bailiffs, a case of forcible possession, and some minor offences against property. The police are a part of the County Force, and not charged upon the locality. I am informed that two other tenants besides Thomas Fitzgerald have had fair rents fixed, and obtained reductions of about 19 and 8 per cent respectively.

NAVY—COURTS MARTIAL—H.M.S. "TRIUMPH"—CASE OF LOUIS PRICE.

MR. WARTON asked the Secretary to the Admiralty, Whether Louis Price, the boy on board H.M.S. "Triumph," who was recently sentenced to penal servitude had any friend to advise, assist, or appear for him at his trial?

SIR HERBERT MAXWELL asked the Secretary to the Admiralty, Whether the seaman, Louis Price, sentenced to five years' penal servitude for insubordination, was entirely without professional advice on his trial; whether he called Commander Acland to give evidence as to his character in the belief that he could not call Captain Markham, who was prosecuting; whether Commander Acland was a member of the Court, and resumed his seat upon it after giving evidence that Price was pugnacious and bad tempered; whether the Judge, to whom the sentence was submitted for approval, in accordance with the Naval Discipline Act (1866), had it in his cognisance that Commander Acland resumed his seat on the Court after giving evidence unfavourable to the prisoner; and, whether the Board of Admiralty have consulted, or will consult, with Captain Markham as to the facts of the case.

MR. CAMPBELL-BANNERMAN: Sir, the seaman, Louis Price, had no legal adviser at his trial; and it is difficult to see how, on the Pacific Station, he could have obtained the benefit of professional advice. It was open to him to call Captain Markham to bear witness to his character; but the only witness he called was Commander Acland, who, I may observe, was, as chief executive officer of the ship, the best qualified to speak to the man's character. The hon. Baronet's Question does not give an exact representation of Commander Acland's evidence, which was distinctly in Price's favour as regards his general conduct, although he added that he was hot-tempered and pugnacious. There is nothing unusual or improper in a member of a court martial giving evidence as to the character of a prisoner and yet discharging his judicial duties, although no one is allowed to sit on a court martial who is a witness examined as to the facts of the case. In this instance, however, no such occurrence took place, Commander Acland not having been a member of the court martial. I therefore need not answer the hon. Baronet's fourth Question, beyond saying that I am not aware who the Judge is to whom he thinks sentences of naval courts martial are submitted for approval. There is no such proceeding laid down in the Act as alleged by him. As I stated the other day, the Admiralty have received a document purporting to be an offer of fresh evidence in this case. They are considering the matter, and will, if necessary, avail themselves of the advice of Captain Markham.

SIR HERBERT MAXWELL: When a seaman is sentenced to penal servitude, is not the sentence submitted to a Judge?

MR. CAMPBELL-BANNERMAN: To what Judge does the hon. Baronet allude? If the hon. Member means one of the Judges of the High Court in this country, there is no provision to that effect.

SIR HERBERT MAXWELL said, he would repeat the Question.

SUPREME COURT OF JUDICATURE (NEW RULES).

MR. RAIKES asked Mr. Attorney General, Whether he will not propose such an Amendment of the Standing Orders which regulate the proceedings of Grand Committees as will enable the Committee on Law to consider and report upon the new Rules of Procedure in the Supreme Court? The right hon. Gentleman further asked whether, in the event of the Attorney General being unable to adopt that suggestion, some provision would be made for submitting these Rules to the judgment of Parliament?

THE ATTORNEY GENERAL (Sir HENRY JAMES): As to that, the Prime Minister stated the other day that it would be impossible to set apart a time for their discussion; but that if any Member moved an Address to the Crown against the Rules, then it would be necessary to give facilities for their consideration. As to the Question on the Paper, I think the right hon. Gentleman will see that his suggestion would be impossible, because the power to move an Address to the Crown is by Statute conferred upon Parliament, and I presume it would be impossible for Parliament to delegate that right to a Committee.

MR. WARTON: I would ask, Sir, whether, I having already given Notice of an Address to the Crown on the subject, a day will be granted?

THE ATTORNEY GENERAL (Sir HENRY JAMES): This Question must, of course, be referred to the First Lord of the Treasury. I cannot undertake to give any answer.

POOR LAW (ENGLAND AND WALES)—POLAND STREET WORKHOUSE.

MR. SMALL asked the President of the Local Government Board, Whether the Local Government Board has received from two of the guardians complaint as to Mr. Bliss, the Master of the Poland Street Workhouse of the Westminster Union, being out frequently and late; and, whether the Board intends to take any steps with regard to the guardians' letter?

MR. GEORGE RUSSELL: Sir, the Board have received a letter from the Guardians drawing attention to the hours at which, on certain days, the master has returned to the workhouse; and the Board have asked the Guardians to obtain the master's explanatory observations and transmit them to the Board.

SUEZ CANAL—THE ENGLISH SHARES.

MR. CAVENDISH BENTINCK asked Mr. Chancellor of the Exchequer, How many of the Suez Canal shares purchased by Her Majesty's Government from the Khedive of Egypt have been drawn for payment at par, say 500 francs; and, whether Her Majesty's Government have received the said moneys, and how they have been accounted for?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): In reply to the right hon. Gentleman, I have to say that 966 shares have been drawn for payment at par, and the proceeds have been invested in £19,935 9*s.* 6*d.* Consols, held by the Commissioners for the Reduction of the National Debt.

EVICTIONS (IRELAND)—CASE OF FRANCIS LYNCH.

MR. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that Francis Lynch, a tenant on the land of Lord Granard, county Longford, was evicted on the 25th of November 1881, but, believing that possession had not been properly taken, went to live in a house on the land, which was repaired by the Land League; whether he was summoned, for forcible possession, to Ballinalee Petty Sessions, and the case dismissed; whether he was summoned for being a trespasser, on the 19th instant, to the same court, before a special resident magistrate, when the case was again dismissed; whether Lynch, returning from court to his house, found it tumbled down by emergency men who are protecting some farms in the neighbourhood; and, whether the Irish Executive will take any steps to protect and compensate Lynch, and to punish any persons who have committed a breach of the Law in his case?

Mr. TREVELYAN: Lynch was evicted in 1881, owing six years' rent. He subsequently went to live in a house on the farm from which he had been evicted. In September of the following year he was summoned for forcible possession. The proceedings were taken under Section 8 of the Prevention of Crime (Ireland) Act; and the case was dismissed on the ground of the length of time which had elapsed since the execution of the writ, it being more than nine months. He was afterwards summoned for trespass, and the case was dismissed without prejudice, because the complainant had no evidence in Court to prove the eviction. While the second case was going on the house was knocked down as stated; and Lynch has, I am informed, declared his intention of seeking legal redress. I am not aware that any breach of the law has been committed in this case; but if Lynch conceives that he has any legal ground of complaint, the law is open to him. Of course, the Executive has no power to compensate him, even if he is in the right in the dispute.

SUEZ CANAL—MAPS, &c.

Mr. VILLIERS STUART asked the Under Secretary of State for Foreign Affairs, Whether he will cause to be placed in the Reading Room of this House a map of the Suez Canal on the largest scale published; and, whether he will cause to be marked in colours along its course the lands ceded to the Suez Canal Company, as well as those resumed by the Egyptian Government for public purposes?

Lord EDMOND FITZMAURICE: A map such as described by my hon. Friend will be placed in the Library in the course of the day.

INDIA (BOMBAY)—THE CHOLERA.

Mr. O'DONNELL asked the Under Secretary of State for India, Whether it is true that, during the week ending the 30th May, there were 636 cases of cholera and 278 deaths from cholera in the Poona District, and 395 cases and 220 deaths in the Thana District, and whether this proportion of deaths proves the virulence of the epidemic; and, whether, in reference to some districts, as in Ahmednuggar, the official Reports fail to give any statistics, but confine themselves to the statement there was "cholera throughout the district?"

Mr. J. K. CROSS: The figures quoted for the Thana and Poonah districts are correct. In reply to the last part of the Question, I may explain that when the mortality from cholera is small, the numbers are not necessarily given in the weekly season Returns from the separate districts; but when mortality becomes excessive, they are published weekly. The statistics for Ahmednuggar have been published weekly since the 5th of June. Complete cholera statistics are given in the Sanitary Returns made up at the close of the year. Up to the end of last month cholera was very prevalent in the Deccan districts of Bombay, though the rest of the Presidency was unusually free from the disease. The present epidemic, however, does not appear to be of exceptional virulence. In 1881, with 16,700 deaths, the ratio of mortality to attacks was over 47 per cent; while, in the present epidemic, the ratio is 43 per cent. The average deaths from cholera in the Bombay Presidency for the 15 years ending 1880 have been 20,172 per annum, most of which occurred between May and September.

Mr. O'DONNELL: Is it not the case that besides the sporadic cases of cholera there was a large number of virulent local outbreaks, the existence of which has not yet been admitted by the Government? I will give Notice of Questions on this point, and I will ask whether, in a small town in the neighbourhood of Bombay, there were not 63 cases, of whom 28 died within a few hours of a couple of days; and whether these local cases of virulent outbreak are reported to the Egyptian Board of Health?

INDIA (MADRAS)—THE MAGISTRACY—MR. WALLACE, DISTRICT JUDGE OF CUDDAPAH.

Mr. O'DONNELL asked the Under Secretary of State for India, Whether Mr. Wallace, District Judge of Cuddapah, Madras, has been suspended for charging the Senior Member of Council with taking presents from Natives; whether, Mr. Wallace having declined to withdraw his charges, his case has been referred for orders to the Secretary of State; and, whether he will be allowed an impartial inquiry to be conducted by persons not under the orders of the Madras Government?

Mr. J. K. CROSS: Sir, it is not the case that Mr. Wallace has been suspended for charging the senior or any other Member of Council with taking presents from Natives. On Friday I informed the hon. Member that the matter was under the consideration of the Government of India, who have not yet reported it for the Secretary of State's orders. This case will be dealt with in the same manner as that of any other member of the covenanted Civil Service in a similar position.

Mr. O'DONNELL: If this is not the charge, will the hon. Gentleman say what the exact charge is?

Mr. J. K. CROSS: If I could state what the exact charge was, I should decline to do so at the present time, because the matter is before the Government of India, and has not yet been reported to the Secretary of State in Council here.

Mr. O'DONNELL: I will repeat the Question on Thursday with some additional details.

INDIA—REPORTED OUTRAGES ON ENGLISH LADIES.

Mr. E. STANHOPE asked the Under Secretary of State for India, Whether the Government has received any confirmation of the reports of horrible outrages upon English ladies in Calcutta and Howrah? Perhaps the hon. Gentleman will allow me also to say that a number of letters have reached me on the subject. Three outrages are said to have occurred, one of the ladies being the wife of the Public Prosecutor.

Mr. J. K. CROSS: The Government of India has not given us any information on the subject; and if the hon. Gentleman will give me any authentic statements on which I can make inquiries or base a question, I will take care that inquiry shall be made.

Mr. E. STANHOPE: Since the subject was mentioned by the deputation to Lord Kimberley on Thursday last, has any inquiry been made?

Mr. J. K. CROSS: No, Sir. We have searched all the records. No inquiry has been made, and we have received nothing authentic to induce us to make inquiry. I shall be very glad to institute inquiries if the hon. Gentleman would put us in the possession of more authentic information.

Mr. E. STANHOPE: I will put the hon. Gentleman in the possession of the facts I have.

Mr. O'DONNELL: Whilst he is on the subject, could not the hon. Gentleman obtain a statement of the annual number of outrages on English women by English men?

BURMAH—BURMESE EMBASSY IN PARIS.

Mr. ONSLOW asked the Under Secretary of State for India, Whether it is true that a mission, said to be sent by the King of Burmah, has arrived in Paris; and, whether, if so, he can state to the House the object of the mission?

Mr. J. K. CROSS: No information has been received at the India Office as to the arrival of the Burmese Embassy at Paris. The object of the Mission is stated by the Burmese authorities to be purely scientific and industrial.

Mr. ONSLOW: I would ask the hon. Gentleman whether he has inquired at the Foreign Office whether they have received any intelligence; because, if so, I shall be glad to put a further Question in a day or two?

Mr. J. K. CROSS: I have inquired. The Foreign Office has no information.

NAVY—THE "HOPE" HOSPITAL SHIP.

Mr. H. G. ALLEN asked the Secretary to the Admiralty, What arrangement has been, or will be, made to receive the class of patients formerly treated on board the "Hope," at Pembroke Dock; and, whether their Lordships will kindly consider the claims of the shipkeeper of the "Hope," who has lost that situation by its breaking up, to an appointment of equal value?

MR. CAMPBELL-BANNERMAN: Sir, the *Hope* receiving hulk at Pembroke was used for the accommodation of men suffering from infectious diseases. The vessel had become unfit for service, and the medical officer reported that only five cases of infectious disease had been treated on board in 10 years, the last being a case of scarlet fever in April, 1879. It was, therefore, recommended, when she was ordered to be broken up, that in future quarters should be hired temporarily for this purpose on shore as occasion required. The man in charge of the ship, James John, was not a seaman, but a hired man, who had been a warrant officer's servant. As he was reported to be a man of excellent character, every effort was made to find for him a suitable appointment in one of the other Yards; but no vacancy was found.

MOROCCO—SALE OF SLAVES IN TANGIER.

MR. ARTHUR PEASE asked the Under Secretary of State for Foreign Affairs, Whether the accounts lately published in the newspapers of the constant public sales of slaves in Morocco are confirmed by the report of Sir John Hay Drummond Hay; whether he has been instructed to protest against this public scandal; and, whether the attention of the Government has been called to the following particulars of the sale of slaves contained in a Tangier Paper, "El Mograb El Aska," of July 1st, 1883:—

> "Sale of Slaves in Tangier.—1883.—June 23, a young negro aged 12, 25 dollars; June 27, a negress, very young, robust, and well formed, 40 dollars; June 27, a young mulatto girl, 35 dollars; June 27, a negress, young and healthy, 38 dollars; June 27, a negress, older, 40 dollars; June 28, a young negro, aged 8, from the Province of Lûs, 33 dollars; June 28, a very young negress, well formed, and sufficiently sympathetic, 39 dollars?"

LORD EDMOND FITZMAURICE: Sir, I regret to say that the accounts in the newspapers of the public sales of slaves in Morocco are generally confirmed in the Reports sent by Sir John Drummond Hay, which, together with an instruction to him on the subject, will shortly be laid before Parliament. The attention of Her Majesty's Government has not been called to the particular statement referred to by my hon. Friend; and I cannot, therefore, state whether it is accurate.

PARLIAMENTARY PAPERS—THE CONSULAR REPORTS.

MR. SLAGG asked the Under Secretary of State for Foreign Affairs, Whether he will cause arrangements to be made to enable the Consular representatives of Foreign countries residing in the United Kingdom to obtain, free of cost, such Parliamentary Papers relating to trade, commerce, and other subjects as they may feel interested in?

LORD EDMOND FITZMAURICE: Sir, a Circular will be addressed by Lord Granville to the Foreign Representatives in London informing them that if at any time they should require additional Copies of Parliamentary Papers relating to trade and commerce for the use of their Consular Body in this country, they will be supplied to them gratuitously on receipt of an application addressed by the Foreign Minister to the Secretary of State.

SOUTH AFRICA — THE TRANSVAAL—EXPENSES OF THE VISIT OF THE HIGH COMMISSIONER, 1878-9.

MR. WODEHOUSE asked the Under Secretary of State for the Colonies, Whether he will lay upon the Table of the House any further Correspondence respecting the expenses of the visit of Sir Bartle Frere as High Commissioner to Natal and the Transvaal, 1878-9, for which a sum of £3,808 is required in the Supplementary Estimate of the Civil Service and Revenue Departments?

MR. EVELYN ASHLEY, in reply, said, the further Correspondence contained very little more than was contained in the Return laid on the Table in 1880; but if the hon. Member wished to have it produced, he (Mr. Evelyn Ashley) should confer with the Treasury with the view to its being laid on the Table.

CONTAGIOUS DISEASES ACTS — COMPULSORY EXAMINATION—RETURNS.

DR. FARQUHARSON asked the Secretary of State for War, Whether his attention has been called to a memorial recently sent to the First Lord of the Treasury by the Association for Promoting the Extension of the Contagious Diseases Acts, showing the results of the suspension of the compulsory examination of public women; and, whether he has any objection to laying it upon the Table of the House?

MR. HOPWOOD asked the Secretary of State for War, Whether it is the fact that in the districts protected by the Contagious Diseases Acts such diseases among the troops rose in number between the years 1877 and 1880 (the date of the last Army Medical Report) from 35 per thousand to 74 per thousand?

MR. STEWART MACLIVER asked the Secretary of State for War, If his attention has been called to the increase of patients at the Naval and Military Hospitals at Stoke and Stonehouse (Devon); the number at the first place being 184 against 118, and, at the second, 100 against 45, as compared with ten weeks of the same period last year, when the Contagious Diseases Acts were in force; and, whether any steps will be taken by the Government to check the ravages of disease among our soldiers and sailors?

THE MARQUESS OF HARTINGTON: Sir, if the hon. Member for West Aberdeenshire (Dr. Farquharson) will move for the Memorial and the reply to it, I will lay both upon the Table of the House. The ratio of venereal disease in protected districts did rise, as stated in the Question of the hon. and learned Member for Stockport (Mr. Hopwood), during the years 1877-1880, from 35 per 1,000 to 74 per 1,000, being an increase of 39 per 1,000. I should state, however, that the increase in the same period in the districts not protected by the Act was from 68 per 1,000 to 119 per 1,000, being an increase of 51 per 1,000. It would seem that a serious wave of venereal disease occurred in 1880, as there was a sudden rise in the ratio of 27 per 1,000 in protected districts, and of 59 per 1,000 in 14 large stations not under the Acts. By the later Returns for 1881, not yet published, I find that the ratio for protected districts remains at 74 per 1,000, while that for unprotected districts underwent a further increase of 7 per 1,000, the ratio being 126. In reply to the hon. Member for Plymouth (Mr. Macliver), I have to state that the amount of sickness from venereal disease at the Naval and Military Hospitals at Stoke and Stonehouse has been substantially such as is now stated by the hon. Member; but, on account of the difficulty of obtaining accurately the numbers for the Naval hospital, it is difficult to ascertain what ratio per 1,000 these figures represent. It is, however, to be observed that, while there has undoubtedly been a serious increase in the amount of venereal disease in the protected districts, there has also been a large, though by comparison a lesser, increase in the unprotected districts, which would seem to point to the presence of other causes as well as the suspension of compulsory examination. In these circumstances, the Government prefer to wait the result of further experience before deciding on any line of action.

SIR H. DRUMMOND WOLFF: I would ask the noble Lord whether, as the Government have dropped the Bill which was promised in substitution for the Contagious Diseases Acts, he will consider the advisability of replacing the Metropolitan Police, which were formerly employed in certain towns under this Act?

THE MARQUESS OF HARTINGTON: I do not think it would be correct to call it a Bill in substitution for the Contagious Diseases Acts. It was a Bill which was brought in to give effect to a Resolution passed by the House. As I have stated, we do not propose, without further experience as to the working of the present system, to introduce any further measures.

INLAND NAVIGATION AND DRAINAGE (IRELAND)—THE SCARIFF DRAINAGE BOARD.

MR. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has received a Copy of certain Resolutions passed about a week since by the Provisional Board constituted under the Scariff Drainage Act of 1880; if he would state the nature of such Resolutions; and, if he has decided to take any action consequent upon them?

MR. TREVELYAN: No, Sir; I have received no such Resolutions.

POOR LAW (ENGLAND AND WALES) —CATHOLIC CHILDREN IN WORKHOUSES.

Mr. MACFARLANE asked the President of the Local Government Board, If his attention has been called to the refusal of the Nottingham Board of Guardians to send the Roman Catholic children in the workhouse to the certified school of that denomination, although they admit that the school is within a reasonable distance; whether such refusal meets with his approval; and, whether, since it is in direct contravention of the spirit and intention of the Legislature, if not actually of the letter of the Law, and that the action of the Nottingham Board of Guardians which may be taken as a precedent in other places, he proposes to take any steps to compel them to comply with the admitted intention of the Law and with the demands of justice?

Mr. GEORGE RUSSELL: Sir, the Board are aware that the Roman Catholic children in the workhouse of the Nottingham Union are sent to a school of the Nottingham School Board, as the attendance of these children at the Board school has been the subject of a long correspondence between the Board and the Guardians. There is a Roman Catholic public elementary school within a distance of a mile from the workhouse; and the Board have urged the Guardians to arrange for the attendance of the children at this school. The Guardians, however, have declined to do so, one of their reasons being that the Board school is nearer to the workhouse. It is a matter of regret to the Board that the Guardians have so decided; but it appears to the Board that the Guardians are within their legal powers in sending the children to the Board school. The children only receive secular instruction in the school, being altogether withdrawn from religious instruction. It may, at the same time, be stated, with regard to the religious instruction of the children, that the Guardians, in one of their letters, inform the Board that the Roman Catholic clergy are allowed to visit the children on each Saturday at any time between the hours of 9 a.m. and 5 p.m.; that the children go to the Roman Catholic church every Sunday morning; that the Board Room is set apart for a Catholic Service each Sunday afternoon, the children never failing to attend the Service; and that the elder children attend the celebration of Mass.

Mr. HEALY asked the hon. Gentleman whether his attention had been drawn to the circumstance that in Ireland, if the action of a Board of Guardians was disapproved by the Local Government Board, the Local Government Board instantly dissolve the Board of Guardians?

Mr. GEORGE RUSSELL: No, Sir; that circumstance is not within my knowledge.

EGYPT—THE CHOLERA.

Mr. MACFARLANE asked the Under Secretary of State for Foreign Affairs, If any case of cholera has been reported as having occurred on board any ship bound from any Indian Port to Suez within two or three months preceding the outbreak at Damietta?

Lord EDMOND FITZMAURICE: No, Sir. No case of this nature has been reported.

Mr. MACFARLANE: Has it come within the noble Lord's knowledge that any person has ever been attacked by cholera after having undergone the quarantine of a 12 days' voyage before reaching the place?

Lord EDMOND FITZMAURICE: I cannot answer that Question without further inquiry of gentlemen on the spot.

COOLIES (INDIAN) AT LA REUNION.

Mr. ARTHUR PEASE asked the Under Secretary of State for India, Whether Her Majesty's Government possess any means for rescuing Indian Coolies now in Réunion from the oppression and ill-treatment to which they are subjected; and, whether any British Consul is now in that Island?

Mr. J. K. CROSS: Sir, the Convention of June 1, 1861, with the French Government, under which emigration from India to Réunion was conducted, is still in force as regards Indian Coolies in that Colony who have not renounced their right to a return passage to India. And the English Government has the same means now which it has always had of interfering for the protection of the Coolies if ill-treated. There is, at the present time, an acting Consul at Réunion.

CRIMINAL LAW (IRELAND)—ARRESTS OF EMIGRANTS AT QUEENSTOWN.

Mr. HEALY asked Mr. Attorney General for Ireland, Whether it is the fact, that P. Sweeney, who was arrested for the murder of Lord Mountmorres, at Queenstown, when about to emigrate, has been discharged; how long he was kept in gaol; whether the Government intend to make him any compensation; and, how many arrests have been made amongst emigrants at Queenstown within the past twelve months, where the parties had afterwards to be discharged?

The ATTORNEY GENERAL for IRELAND (Mr. Porter), in reply, said, that Sweeney was arrested at Queenstown, and was detained from the 13th of June till the 7th of July, when he was sent to Sligo on a writ of *habeas corpus* to give evidence on a trial. He was returned on July 12, and liberated on July 14. At present he was believed to be in Sligo. Thirty-seven arrests had been made among the proposed emigrants, and of these persons 18 had been handed over to the police in different parts of the United Kingdom. Fourteen were English cases. There were 10 convictions, in five cases the prisoners were discharged, and in four cases the charge was withdrawn.

Mr. HEALY asked the right hon. and learned Gentleman whether it was not the fact that this unfortunate man could not speak a word of English; and whether, considering that his arrest had deprived him of his passage from Queenstown, the Government would give him compensation for his three weeks' imprisonment?

The ATTORNEY GENERAL for IRELAND (Mr. Porter): I am not aware whether he speaks English or not. There is no fund out of which compensation can be made.

Mr. HEALY: Has not the right hon. and learned Gentleman got the Secret Service money?

The ATTORNEY GENERAL for IRELAND (Mr. Porter): No, Sir; I have not.

ROYAL IRISH CONSTABULARY—SUB-CONSTABLE CLIFFORD.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Why Sub-Constable Clifford has been removed, on suspension, from Longhill Station to Rathkeale, county Limerick, without any charge stated; whether it is the fact that Sub-Constable Clifford discovered some rounds of buckshot ammunition concealed near the house of a man named Michael Fitzgerald, who, it was alleged, had been supplied with ammunition by Constable Egan of Longhill; whether he delivered up the ammunition to Sub-Inspector Harrison, of Rathkeale, and was immediately afterwards removed from Longhill on suspension, without any charge being communicated to him; whether the Sub-Inspector was responsible for the statement made in this House that there was no foundation for the allegation that ammunition had been supplied to Fitzgerald by Egan; and, whether an inquiry will be held into the discovery of the buckshot, and the conduct of Sub-Inspector Harrison, Constable Egan, and Sub-Constable Clifford?

Mr. TREVELYAN: Sub-Constable Clifford was removed partly because he was suspected of conspiracy against the constable Egan; and, in the interests of discipline, it became necessary to separate the parties at Longhill. The immediate cause of his suspension was that he had detained some articles of value which had been lent to him, persistently declining to give them up, alleging, as a reason, that the person in question owed him money. He is a man of unsteady habits, with five unfavourable records against him. It is the case that Sub-Constable Clifford found some buckshot ammunition near the house of Michael Fitzgerald; but the allegation that it had been supplied to the latter by Constable Egan is, I am assured by the County Inspector, wholly without foundation. I see no grounds for an inquiry into the matter.

Mr. O'BRIEN inquired whether it was a fact that this man was punished to some extent for communicating with him? The fact was that he had never had anything to do with him, either directly or indirectly.

Mr. TREVELYAN: I will make a note of that inquiry.

CONTAGIOUS DISEASES (ANIMALS) ACT—PROPOSED COMMITTEE.

Mr. J. W. BARCLAY asked the Chancellor of the Duchy of Lancaster, Whether the Government will consent to the appointment, early next Session, of a Committee on the Contagious Diseases (Animals) Acts; whether the Agricultural Department will meanwhile take any steps to obtain definite information regarding the state of health of cattle in the United States; and, whether cattle might safely be imported, viâ Canada, from the Western States, where no contagious disease is reported to exist?

Mr. DODSON: The Government will carefully consider the expediency of the appointment of a Select Committee on this subject next Session; but I should not like to enter into any engagement on the subject at this distance of time. We receive Reports constantly from our Consuls in the United States and the American Government as to the health of cattle in the United States; and I do not well see that we can obtain more definite information than we do. But, with regard to the third Question, we have not the power, under the 5th Schedule of the Act, to exempt parts of countries; and, therefore, we could not deal differently with the Western than with the Eastern States. It is true that no contagious disease is reported from the Western States; but the hon. Member is probably aware that there is no restriction on removal in the United States, and, therefore, there is, no doubt, the possibility of the introduction of disease from one State to any other State. We have received no case of foot-and-mouth disease in this country from the United States for the space of nearly four months.

RAILWAY PASSENGER DUTY, &c. BILL.

Sir EDWARD WATKIN asked the First Lord of the Treasury, Whether, when Parliament abolishes or reduces a Tax, as proposed to be done in the "Passenger Duty, &c. Bill," now before the House, there is any constitutional precedent for giving power to a mere Department of Executive Government to reimpose the Tax, so abolished or reduced, on the mere Motion of such a Department, and without any specific authority from Parliament previously obtained?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): My right hon. Friend has asked me to answer this Question, and, in reply to my hon. Friend, I have to say that I see nothing unconstitutional in making the relief of a Company from certain payments to the State, contingent on the observance by the Company of certain conditions laid down in the Statute. In the present case, the Company will have an appeal from the decision of the Board of Trade to a Court of Justice; so that even the foundation of my hon. Friend's Question is not accurately stated. The provisions of the Bill appear to me to be perfectly sound.

SUEZ (SECOND) CANAL—POLICY OF HER MAJESTY'S GOVERNMENT.

Baron HENRY DE WORMS asked the First Lord of the Treasury, Whether, in view of the fact that the period of six months, mentioned by the Secretary of State for War at the commencement of the present Session as that within which our troops would probably be withdrawn from Egypt, has nearly expired, and of the anarchy which still prevails in that country, as exemplified by the telegrams in the newspapers describing the utter incapacity of the Egyptian officials to deal with the cholera epidemic, and also in view of possible difficulties arising from M. de Lesseps' declaration, in his letter of the 20th inst. that he will at once proceed to make a second Suez Canal, he will give an assurance to the House that, before any action is taken in the matter, this House will have an opportunity of expressing its opinion thereon?

Mr. GLADSTONE: Sir, the hon. Gentleman has put to me a Question containing the considerations which, according to him, are to govern my answer. But they cannot govern my answer, because I do not admit the accuracy of the considerations as they have been stated by him. I do not wish to dispute them; and, therefore, with his permission, I will pass them by, and come to his Question, which is, whether I will—

> "Give an assurance to the House that before any action is taken in the matter the House will have an opportunity of expressing its opinion thereon?"

I am bound to say I do not know how to give a very strict interpretation of the term "the matter;" because the hon. Gentleman can hardly mean to say that, considering the British Government are shareholders in the Canal, they are to do nothing whatever that touches the Suez Canal before the House meets again. I did, I think, explain myself pretty clearly on this subject on Thursday last, when I stated that the desire of the Government was that the commercial and shipping interests of the country should have ample time to consider this question, and turn it over and test it for themselves, and arrive at a conclusion after they had considered the different points it raises, and that we did not therefore contemplate, as within the limits of probability in any way, the early renewal of negotiations such as those in which we have been recently engaged. I may add to that answer this one further consideration. We feel that, as far as this is a commercial question, it is almost hopeless to expect that it can possibly be considered with any impartiality, with any prospect of a satisfactory result so far as it is a commercial question, as long as it is entangled in political complications; but, at the present moment, it is entangled in political complications. I trust we may get out of them; but it is quite evident to me that if we were prematurely to re-open negotiations, we should bring the question back again into those political complications. I do not think the hon. Member need entertain any fear about unduly precipitate action on our part without the knowledge of the House.

Baron HENRY DE WORMS said, that "the matter" to which his Question referred was the statement of the Secretary of State for War, at the commencement of the Session, that the troops would probably be withdrawn in six months; and, as part of the Question only had been answered, he would repeat it.

TENANTS' COMPENSATION—TENANTS ON MINERAL PROPERTIES.

Mr. ROLLS asked the First Lord of the Treasury, Whether, having regard to the measures for securing to tenants compensation for agricultural improvements, Her Majesty's Government are prepared to consider the question of protecting tenants of mineral and other properties from confiscation of portion of their capital by the enforcement of fines by the landlords on the transfer of the leases, or to recommend the appointment of a Commission or Committee for the purpose of considering the question?

Mr. GLADSTONE: Sir, this is a Question which touches a matter undoubtedly of very great importance, to which it will be the duty of the Government to give its attention. If it were brought forward in such a way as to make them believe they were called upon to consider it with a view to immediate action, there might be reason for expressing an opinion; but I do not think it has yet been raised in such a manner, and to such a degree, that we could be properly called upon at this time to declare any intention on the part of the Government.

EGYPT—"ADMINISTRATIVE ANARCHY."

Mr. ASHMEAD-BARTLETT asked the First Lord of the Treasury, What steps Her Majesty's Ministers, who are in military occupation of Egypt, propose to take in order to put an end to the administrative anarchy which prevails in Egypt? He also wished to ask another Question, of which he had given private Notice—namely, why steps have not been taken by Her Majesty's Government to avert the sufferings which had fallen upon the Egyptian people from this administrative anarchy?

Mr. GLADSTONE: Sir, the last Question is one of which I have had no Notice until the present moment. But with regard to the Question on the Paper, I will say it has been, and it will be, the duty of Her Majesty's Government to offer to the Egyptian Government—and, perhaps, they may do so in the future more promptly and with less regard to official forms than it has been their duty in circumstances less urgent—such suggestions as appeared to them likely to improve the condition of Egypt under its present difficult circumstances. I do not wish to be understood as subscribing to the assertion of the hon. Gentleman that "administrative anarchy" prevails in Egypt. I think it rather hard upon the Egyptian Government that it should be tested by the higher organization which prevails in the West. The Egyptian Government is doing its best to cope with a calamity which Western Governments have not always been able to cope with effectually; and it is unfair on that account to disparage it in the terms of the Question.

Mr. ASHMEAD-BARTLETT gave Notice that he would, on the Vote for the salary of Major Baring prove that administrative anarchy existed in Egypt, and that it was due to the action of Her Majesty's Ministers.

ARMY (INDIA)—THE INDIAN MEDICAL SERVICE.

Mr. O'SHEA asked the Under Secretary of State for India, Whether the only official information furnished to candidates for the Indian Medical Service regarding their pay and allowances when in India is contained in a Memorandum supplied by the India Office; whether paragraph 18 of that Memorandum states that the pay of a surgeon in charge of a regiment, who has passed the "lower standard" language test, is, if under five years' service, 450 rupees, and, if over five years' service, 600 rupees, a month; whether it is a fact that, although, with five exceptions, the surgeons in Bengal are qualified, not one of them having less than five years' service is now in receipt of the rate of pay laid down in the above-mentioned paragraph 18; whether, on the first of January last, only four of the eighty-four surgeons appointed to Bengal within the previous six years were in receipt of the rates therein specified; and, whether any mention of "officiating pay," which is substituted for the rates promised under the conditions of paragraph 18, occurs in the Official Memorandum inviting candidates to compete?

Mr. J. K. CROSS: I think my hon. Friend assumes that paragraph 18 of the India Office Memorandum guarantees to all surgeons of five years' service who have passed the language test the substantive charge of a regiment, which alone commands the pay of 600 rupees per month. The first and governing qualification for the receipt of 600 rupees a-month is that the "five years' service language test man" shall be in substantive command of a regiment. Till then he is only strictly entitled to unemployed pay. The Bengal *Army List* shows that on the 1st of January, 1883, of the 84 surgeons appointed during the six previous years, 21 were holding substantive or acting civil appointments at varying rates of Staff pay, and eight had not passed the language test. Of the remaining 55 only four were in substantive charge of regiments, and therefore entitled to the full rate of salary prescribed in paragraph 18; but 24 were officiating for the actual holders of the appointments, and were drawing acting allowances, which, though less than the full rate of salary, is more than the unemployed pay. The 27 remaining officers held no charge, either substantive or acting, and were drawing only unemployed pay as notified in the Memorandum. This Memorandum is the only official information furnished to candidates for the Indian Medical Service. It mentions only the salaries of the substantive appointments tenable by medical officers, and does not refer to the rates of officiating pay, which are not substituted for the rates laid down in the Memorandum, but are supplementary to them, being payments to officers who do not come under the conditions of the Memorandum. I have several times explained the causes of there being a temporary excess of medical officers who do not hold the substantive appointments which command the higher rates of pay.

CONTAGIOUS DISEASES ACTS—DETENTION IN HOSPITALS BILL.

Lord EUSTACE CECIL asked the Secretary of State for the Home Department, Whether, in view of the abandonment of the Detention in Hospitals Bill by the Government, and of the great increase of contagious disease, recently stated to be over fifty per cent. by the noble Lord the Secretary of State for War, he can now state what steps the Government propose to take in order to protect the health of our soldiers and sailors, gravely menaced by his refusal to allow the Metropolitan Police to assist in carrying out the provisions of the Law in those seaport towns where the Contagious Diseases Acts are in force? He would add the further Question, whether the right hon. Gentleman had addressed any official communication to the local authorities of the town in which the Acts had been enforced, calling attention to the withdrawal of the Metropolitan Police Force, and insisting that they should carry out the law; and, if so, what reply he had received?

Mr. HOPWOOD said, he desired to ask, whether it did not occur to the Government that the State had a right to require our soldiers and sailors to take the same means to protect their health as were demanded of all other members of the community—namely, temperance and self-restraint?

Sir WILLIAM HARCOURT: I hardly think my hon. and learned Friend the Member for Stockport (Mr. Hopwood) will expect me to give an answer to that Question. With reference to the more definite Question of the noble Lord, the connection of the Home Office with this question is of a very indirect character. It is not called upon to administer these Acts, nor to address the local authorities regarding them; they are administered by the Admiralty and the War Office. The only connection of the Home Office with the Act is that the Metropolitan Police are recommended as an alternative agency in the working of the Act; but they are not essential to it. Generally speaking, of course, the Metropolitan Police should be employed in preserving law and order in the Metropolis; it is only in exceptional circumstances that they are to be employed elsewhere; and, in my opinion, they are already employed too much elsewhere. It is no part of the duty of the Home Office to instruct the local authorities as to what they should do in the matter.

Lord EUSTACE CECIL said, that, in consequence of the very unsatisfactory answers given that evening, he would ask the Prime Minister whether they were to understand that, whilst the Government was contemplating a change in the law, our soldiers and sailors were to be allowed to perish by disease?

Mr. GLADSTONE requested that Notice might be given of the Question.

Captain PRICE wished to know whether it was permissible for the local authorities to employ the local police to carry out the Acts, and whether the Home Office would not lend the local authorities a sufficient number of Metropolitan Police to augment their force if they required them?

Sir WILLIAM HARCOURT said, he could give no opinion on the first part of the Question. He had stated over and over again—though he had never succeeded in conveying that impression to the minds of hon. Members—that the Home Office had no control over the local police; still less had the President of the Local Government Board.

Sir H. DRUMMOND WOLFF: Is the right hon. and learned Gentleman right in saying that the Acts can be carried out by the local police? The local authorities at Portsmouth have doubts whether they can employ the local police in the matter.

Sir WILLIAM HARCOURT: I have offered no opinion at all on the subject, and must refer the hon. Gentleman and the local authorities of Portsmouth to the Statute.

Sir H. DRUMMOND WOLFF: That says the Metropolitan Police are to be employed.

ARMY—ARMY ENTRANCE EXAMINATIONS.

Colonel MILNE HOME asked the Secretary of State for War, If, having regard to his promise on the 28th of June to consider the subject of Army Entrance Examinations, he can now state what modifications, if any, it is proposed to make in the educational tests required of candidates for first Commissions in the Army?

The Marquess of HARTINGTON: Sir, this question is one of great importance, and requires the most careful consideration. No unnecessary time will be lost in coming to a decision.

ARMY HOSPITAL NURSES.

Baron HENRY DE WORMS asked the Secretary of State for War, Whether it is the case that the pay of a female Army nurse is stopped when she is in hospital owing to her having caught an infectious disease from a soldier whom she has nursed, while an orderly of the Army Hospital Corps treated in hospital, under precisely the same circumstances, loses his extra pay; and, if so, whether steps cannot be taken to remedy this anomaly?

The Marquess of HARTINGTON: The pay of a female nurse is not stopped under the circumstances stated in the Question. I have already undertaken to inquire into the case of the Army Hospital Corps.

PUBLIC HEALTH—CONSTRUCTION OF A THOROUGHFARE THROUGH PEEL GROVE BURIAL GROUND, BETHNAL GREEN.

Mr. FRANCIS BUXTON asked the Chairman of the Metropolitan Board of Works, Whether it is the intention of the Board of Works to construct a roadway through the Peel Grove Burial Ground in Bethnal Green; and, if so, under what powers the Board propose to take this step?

Sir JAMES M'GAREL-HOGG: Sir, I am happy to assure the hon. Member that the Board has no intention whatever to construct a road through the burial ground in question. An application under the Building Act was made to the Board a short time ago for approval of a plan of such a road, but the Board was of opinion that the appropriation for building purposes of a burial ground, where human remains have been interred in large numbers, should be opposed by every possible means, and the application was accordingly refused.

IRELAND—ALLEGED DISTRESS IN ROSCOMMON.

Mr. O'KELLY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is true that great distress exists, and has existed, in the three townlands of Meelick, Kilcruthaun, and Urris Auken, in the disrict of Loughglynn, county Roscommon; and, whether the Government has received any report as to the existence of distress from the Poor Law inspector; and, if so, whether such report is based on a personal examination and inquiry into the condition of the families claiming to be distressed, and what was the date on which such personal inspection and inquiry was made?

Mr. TREVELYAN: Sir, an Inspector of the Local Government Board had quite recently been in the Loughglynn district for the special purpose of inquiring into representations made with regard to alleged distress there. His last visit was on the 9th and 10th of this month. On that occasion he passed through Meelick, where he found one person on outdoor relief. The other two townlands referred to in the Question could not be identified with certainty, and are probably mis-spelled. The Inspector took with him a list, emanating from the local committee of the National League, containing the names of a number of townlands and of persons residing therein. In his Report he stated that he visited nearly all the townlands named in the list, accompanied by the relieving officers. The Report showed that there was a great deal of poverty in the district, but that there did not appear to be any reason to doubt that any distress which prevailed could be relieved without any special provision being made for the purpose. There are not more persons receiving either indoor or outdoor relief than there were at the corresponding period of last year.

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL — MUNICIPAL AND SCHOOL BOARD ELECTIONS.

Mr. JACKSON asked Mr. Attorney General, Whether the Parliamentary Elections (Corrupt and Illegal Practices) Bill will apply to Municipal and School Board elections; and, if not, whether the Government will accept an Amendment making the Bill applicable to such elections?

The ATTORNEY GENERAL (Sir Henry James) said, he had already explained that the Bill did not apply to municipal and school board elections, which could only be dealt with in a separate measure.

Sir R. ASSHETON CROSS asked when the Report on the Bill would be taken?

The ATTORNEY GENERAL (Sir Henry James) would be glad to take it at the earliest date. He hoped the Amendments would be on the Paper on Thursday.

Mr. JOSEPH COWEN inquired whether the Bankruptcy Bill or the Corrupt Practices Bill would have precedence?

Mr. GLADSTONE said, he could hardly answer this Question at present; but, without giving a definite answer until he had had an opportunity of looking the matter over carefully, he was inclined to think that the Report on the Corrupt Practices Bill would probably better bear postponement than the Bankruptcy Bill.

EGYPT—THE CHOLERA—MEDICAL OFFICERS.

Dr. LYONS asked, Whether, should, unhappily, further medical aid be required to meet the visitation of cholera in Egypt, an opportunity would be afforded to the Medical Schools and Colleges in Ireland to send a contingent to share in this important and distinguished service; and why some such step was not taken in the first instance?

Lord EDMOND FITZMAURICE: Sir, the 12 appointments were all made on the recommendation of Sir Joseph Fayrer. There was no distinction made as between Irishmen, Englishmen, and Scotchmen; but preference was given to those with Indian experience. Three of the 12 gentlemen appointed were members of Schools of Medicine in Ireland; and to one Doctor of Medicine of the Queen's University an appointment was offered, but declined on private grounds.

PARLIAMENT—PUBLIC BILLS—PROVISIONAL ORDER BILLS.

MR. W. H. SMITH asked the President of the Board of Trade, If in future, on the introduction of any Provisional Order Bill, he will cause to be circulated with the Votes a short abstract of the powers intended to be conferred by the Bill?

MR. CHAMBERLAIN said, he had carefully considered the right hon. Gentleman's suggestion, but was afraid he could not do precisely what was asked. If the "short abstract" to which the right hon. Gentleman referred was to be a complete abstract, and set forth all the powers which Provisional Orders sought to confer, it would be nearly as bulky as the Bills themselves. If, on the other hand, the Board of Trade were to make a selection of the principal powers sought to be conferred, it would be a very invidious duty, which could hardly be satisfactorily performed. He might, however, point out that this year the Provisional Order Bills were more than usually bulky, owing to the Electric Lighting Bills; but he hoped that another year he might be able to pass a Consolidation Bill, which would take out of these Provisional Orders the greater part of their substance, and then there would only remain the special clauses, to which they could affix a table of contents, which would attain the right hon. Gentleman's object.

REGISTRARS OF COUNTY COURTS.

SIR CHARLES FORSTER (for Mr. HARDCASTLE) asked the President of the Board of Trade, In what manner he proposes to compensate those Registrars of County Courts who are deprived of their right to practise in Bankruptcy outside their own Courts conceded to them by "The Bankruptcy Act, 1869," section 69?

MR. CHAMBERLAIN: This is a matter of some importance, which engaged the attention of the Standing Committee on Trade. An Amendment to restore the right of Registrars of the County Courts to practise in Bankruptcy outside their own Courts did not commend itself to the Committee; and it was negatived, after some discussion, without a Division. At the same time, I do think that the matter is one which may deserve a little further consideration. If, however, the House should see fit to support the views of the Standing Committee on Trade, I do not think any case can be established for compensation.

METROPOLITAN IMPROVEMENTS.

MR. FIRTH asked the Chairman of the Metropolitan Board of Works, Whether it is true that the Board has now under consideration schemes of London improvement involving an outlay of ten millions sterling; and, whether, before proposing such expenditure to Parliament, the Board propose to obtain the sanction or ascertain the opinion of the inhabitants of London who are to find the money?

SIR JAMES M'GAREL-HOGG: The Metropolitan Board of Works has now under consideration schemes of several important and much-needed improvements, which, if carried out, will, no doubt, involve a large expenditure; but nothing, I trust, approaching the amount named by the hon. Member. One of the schemes relates to communications across the Thames below London Bridge, which has been pressed upon the Board by numerous memorials from local authorities and others, and by deputations representing the wants of about 1,500,000 people residing East of London Bridge. Another scheme is that of new and improved approaches to the New Law Courts, which has been supported by numerous memorials and deputations; and I may add that this, together with the third scheme—the improvement of the approaches to the Houses of Parliament by the widening of Parliament Street—meets with the hearty approval of the First Commissioner of Her Majesty's Works. In addition to the evidences of public feeling which have been received, the elected representatives of the inhabitants have expressed their views as to the improvements; and the Board does not, therefore, I apprehend, intend to take further steps to ascertain the wishes of the inhabitants; but it is open to those who desire to do so to express their opinion by memorial or otherwise, and careful consideration would be given to any such expression.

MR. FIRTH: Will the hon. Gentleman say whom he means by the elected representatives of the inhabitants?

[No reply was given to the Question.]

SUEZ CANAL COMPANY (FUTURE NEGOTIATIONS)—SIR STAFFORD NORTHCOTE'S MOTION.

MR. CALLAN asked the Leader of the Opposition, If it was true, as reported in the morning papers, that he intended to withdraw his Motion on the Suez Canal in favour of that of the hon. Member for Greenwich?

SIR STAFFORD NORTHCOTE: No.

EGYPT—THE CHOLERA.

SIR WALTER B. BARTTELOT asked the Secretary of State for War, Whether he had received any telegram from the General Officer commanding in Egypt confirming the announcement in the newspapers as to the increase of cholera among the British troops?

THE MARQUESS OF HARTINGTON: No, Sir; I have not received any statement to-day; but I have telegraphed to-day to request that during the prevalence in an acute form of cholera among the troops in Egypt I may receive a telegram every day. Everything that has yet been received has been published in the newspapers.

MR. J. LOWTHER asked the Under Secretary of State for Foreign Affairs, Whether any communication had been received from the Government of Italy or any other Foreign Power in regard to the alleged want of adequate precautions by England to prevent the spread of cholera?

LORD EDMOND FITZMAURICE said, he thought it would be better for the right hon. Gentleman to give Notice of the Question, and then he would state what communications had been received on the subject.

ORDERS OF THE DAY.

Ordered, That the Orders of the Day be postponed until after the Notice of Motion relating to Future Negotiations with the Suez Canal Company.—(*Mr. Gladstone.*)

MOTION.

SUEZ CANAL COMPANY (FUTURE NEGOTIATIONS).

MOTION FOR AN ADDRESS.

SIR STAFFORD NORTHCOTE: Mr. Speaker, I rise to submit to the House a Motion of which I have given Notice; and I wish, in the first place, to say that there is nothing that I should deprecate so much as anything in the nature of an irritating debate upon a delicate question; and I earnestly hope that as I shall myself abstain from anything that I am conscious can bear an irritating character, so others who may follow me will reserve themselves, and use careful language upon the subject. I do not see why there should be any occasion for us to import irritating topics into the present discussion. The question to which I wish to draw attention is one of a business and commercial character; it is one which I think may be, and ought to be, discussed in a manner in which we usually discuss important questions of that character; and my belief is, that those who are anxious and profess themselves to be nervous with regard to the consequences of any discussion on such a subject are entirely in error, and are even conducing to cause the danger which they seem to apprehend. For my part, I admit there is a responsibility, which, of course, lies upon every Member of the House, whatever may be his position in the House, in discussing questions which affect our foreign relations; but if there is a responsibility in speaking, so also, I believe, there is a responsibility sometimes in silence; and I cannot help thinking that there is nothing which conduces more to misunderstandings than what may be called half-understandings. Often and often we have seen that where there is thought to be a necessity for practising reserve, and for not communicating all that might be communicated to the public and to Parliament, it has happened that mischief—the very mischief you wish to avoid—has resulted from that reserve.

What I wish to do on the present occasion is to obtain, if I can, from the House such a clear expression of opinion as shall release the House from the embarrassment which would result from its tacit acceptance of the language of some

Members of our own Government. Certain Ministers have given us to understand that they recognize as legal and binding a right which is claimed on the part of the Suez Canal Company to entire command of the waterway, or to any water communication across the Isthmus of Suez. ["No, no!"] On the part of the House of Commons I wish to put in a disclaimer to that contention. I heard words of dissent just now. If I am wrong in my view—if it is not the case that Members of the Government have used such language, or if they did not intend the language which they used to bear the significance I have put upon it, then we should have a disclaimer and correction from the Government, and we should obtain, in the best possible form, the object which I myself seek. My object is not one of a Party character. It is not intended to fasten any reproach upon the Government; it is intended to obtain a practical object, and to release the House from what I think may be a difficult and embarrassing position. Hon. Members who sit on that side of the House may, I think, do us who sit on this side of the House the justice to remember that if we had desired to make Party capital out of this business, and if, regardless of every consideration, our object had been to throw blame on the Government, we might have caused very great embarrassment to the Government, and we might have caused very great danger, I think, to the interests of the country at the same time, by moving in this question at the time that the public mind was not as calm as I am happy to think it is now. We most cautiously abstained from bringing forward the question at a moment of irritation, and all I am anxious for is, that we should not allow, on the other hand, the proper time to slip by, and then find ourselves in such a position that it would be too late to take what we may hereafter think would have been necessary steps.

There has been some doubt expressed as to the exact meaning of the terms of my Motion. I do not profess to be a master of language, and I am not at all proud of the construction of my sentences; but I confess I do not myself share—I do not exactly understand—the difficulty which seems to have presented itself to the minds of a good many Gentlemen on this subject. The object and intention of my Motion will be realized very clearly, if we consider what the actual facts of the case are. At the present time the Suez Canal Company have in existence a Canal, which they have made in pursuance of a concession made to them by the Rulers of Egypt; and I say, once for all, that I use the expression "Rulers of Egypt" in order to avoid the introduction of any difficult questions as to the relative rights of the Porte and the Khedive. I may have to say a word of distinction hereafter; but the principal object I have is to call attention to the relations of the Government of Egypt, whatever that Government may be, and the Directors and Company of the Suez Canal. Now, the Suez Canal Company hold, under a concession from the Rulers of Egypt, a certain Canal which they have cut from Port Said to Suez. There is no question whatever as to their having an exclusive right to the use and management of that Canal; and there is no doubt also that they have certain rights, limited territorial rights, on either side of the Canal—at least, I assume that is so—which would enable them somewhat to enlarge that Canal. Nobody doubts for a moment that they have an exclusive right and control over their own undertaking; but beyond that it is suggested that they have not only a right over their own Canal, but that they have a right to forbid other persons from taking steps to make another Canal within the same district, which they claim to have a monopoly in—that is to say, as they describe it, across the Isthmus of Suez. I maintain—and I think I am supported by a very considerable authority—that they have no such right of exclusion. I maintain that their right is a positive right only—a right to the Canal, and within the limits to which I have referred to, and that they have no right either to forbid other persons to take steps for forming Companies or for making operations, always with proper authority, in any other part of the world, in any other part of Egypt, in any other part between the Mediterranean and the Red Sea, or, in fact, as contained within that region—within the Isthmus — across the Isthmus of Suez itself. The hon. and learned Gentleman the Member for Brighton (Mr. Marriott) has put down a Notice of Resolution, in which, in substance, he takes exactly the same view as I take. But my object in making my Motion in this general form was not to make it unnecessarily blunt and, perhaps it might be thought, offensive; and I was anxious to couple it with an acknowledgment, as a matter of course, of the distinct right of the Company within the limits of their own concession. I desire to challenge the claim which has been made; and I desire to challenge it, because, in the course of the transactions which have recently taken place, it is undoubted that more than one of Her Majesty's Ministers have in public, and in discussions in this House, in replying to deputations and otherwise, stated it to be their opinion that the claim of the Company to this power of exclusion was well-founded. I venture to think that if we do not clear ourselves from acquiescing in that view very serious inconvenience may be produced.

The circumstances of the case are these. It is acknowledged—indeed, it has recently been pressed upon attention by many shipowners—that the commerce has become too large for the Canal to carry, and some steps are being taken and are urged upon the consideration both of Her Majesty's Government and of the Direction of the Canal itself—steps are being taken or urged upon those authorities for the extension and the increase of the facilities which the Canal is now able to afford. Whatever your view may be of the exclusive power of the Company, this at least is clear—that technically, at all events, the Company cannot get the land and powers which are necessary for the construction of an additional Canal without going to the Rulers of Egypt for that purpose. What I wish to point out is, that if they so go with this claim of theirs still remaining, and with the endorsement which it has received, or appears to have received, on the part of Her Majesty's Government, the Rulers of Egypt, to whom the application will be made, will be placed in a very serious dilemma, because if the Khedive, on being applied to for the purpose of giving additional concessions, should say that he was indisposed to give them and would grant no more, he would be regarded, and would feel that he was regarded, as a sort of dog in the manger, as one interfering with the development of commerce and as guilty of an unfriendly action. But, on the other hand, if he were to grant those concessions—with the claim of the Company to this exclusive monopoly still to the fore—without making some conditions for the benefit of commerce, he might be equally reproached for having sacrificed interests which ought to have been protected, and which there was an opportunity of protecting. It is, therefore, important, on all grounds, that he should know whether or not this claim is admitted as a legal and technical claim. I hope the House will bear in mind the great distinction between a legal and technical claim and a moral claim. I should be the last person to dispute, or try to water down, the strong moral claim which the promoters of the Suez Canal Company have upon the consideration of all the world, and not least upon the people of this country. I do not wish, in the slightest degree, to disparage the Company, and certainly not M. de Lesseps; but I am anxious that we should try to test, and should not lightly admit, this claim to a legal and technical right, which seems to me a most embarrassing claim to acknowledge, and one which, if admitted, would render it much less likely that we should come to an amicable conclusion. The right hon. Gentleman has stated to-night, as he has on more than one occasion, that as matters now stand, time should be left to shipowners and members of the commercial community to consider the position in which they are placed, and the best course to be taken to attain the object they have in view. I desire also that time should be given for consideration, and that it should be given fairly. But let us not go into that consideration without knowing how we stand in the matter of our legal position. I do not think it would be possible for shipowners and others fairly to consider this question, and exercise what the hon. Member for Hull (Mr. Norwood) calls "freedom of judgment" in this matter, if it is left without any further explanation than it has now received. The hon. Member for Hull must allow me to remind him—for I suppose I may assume the correctness of the report of the deputation of shipowners to the Chancellor of the Exchequer—that he made a claim very similar to that which he now proposes to make in his Amendment to my Resolution—namely, that the question of the legal and technical position of the Company, and its right to exclude other persons from the Isthmus, should be left an open question, and that he was immediately answered by the Chancellor of the Exchequer, who said—"Yes; but it cannot be left as an open question. It is a question which we have decided in our own minds; it is a question which must be considered as concluded." There is an assumption that the legal right exists. Both the Chancellor of the Exchequer and the Prime Minister have, on more than one occasion, stated that this Provisional Agreement was an Agreement which they should not have thought of recommending, were it not for the legal and technical right they recognized in the Company. And, therefore, I say that it is of great importance that we should endeavour as far as possible to clear our minds, and to be actually free in our judgment upon this matter.

Now, Sir, I do not mean to detain the House with any lengthened review of the history of the Suez Canal and its transactions. I shall be very brief. The first concession was made in November, 1854. It was made by the then Viceroy of Egypt to M. de Lesseps, and it is in that concession that in the first instance are to be found the two words upon which so much stress has been laid, and upon the meaning of which so much argument turns — I mean the words "*pouvoir exclusif.*" That was the form of words used by Said Pasha in the concession conferring upon M. Ferdinand de Lesseps the exclusive power of constituting and directing a Company for the piercing of the Isthmus of Suez. It was followed by some general provisions intended to form the basis of the whole design. Remember, that at the time when that concession was granted, the question of the great work of cutting a Canal through the Isthmus was one which had been discussed in general by others, and in particular between M. de Lesseps and the Viceroy of Egypt. There had been other proposals which had been more or less advanced—not, perhaps, fully advanced then—but there were other ideas and projects afloat at the time, and which had been brought more or less to the notice of the Viceroy, especially the scheme of M. de Talibot, the distinguished French engineer, for making a communication between the Sweet Water Canal and the Nile. It was the intention of the Viceroy to show that he gave his confidence entirely to M. de Lesseps. After hearing M. de Lesseps' views of the possibility and importance of the enterprize which he contemplated—that is, of cutting through the Isthmus—and having concluded that it was a matter which ought to be undertaken, he entrusted M. de Lesseps with the whole power of proceeding with the undertaking, to the exclusion of all other persons. And that was a most important concession, because it dealt with the real difficulty which M. de Lesseps felt he had to contend with. I imagine that M. de Lesseps, having considered the engineering obstacles of the project, and got the best advice he could, and having himself studied it carefully for a long time, was not greatly alarmed by the physical difficulties he had to encounter. He would feel that if he was once in plain sailing, and if he was once able fairly to grapple with his task, he would be able to accomplish it. But what he did feel to be a difficulty, no doubt, was the difficulty of getting the means that he wished to employ fairly to work. He proposed to proceed by the establishment of a Company. But by what means was he to get that Company into existence? What difficulties had he to contend with? He had to contend, first, with the general incredulity with which his great plan was met. He had to contend with the direct opposition of great and powerful influences, and among them no less an influence than that of the Prime Minister of England himself. He had to contend, of course, with the rival schemes which might be afloat, and with all those difficulties of a financial character which must necessarily attend the launching of so great an enterprize; and that to which M. de Lesseps—we have plenty of evidence of it in his own words—attached by far the greatest importance was this—that he should have such plenary power given to him to construct and work his Canal that he could resist and push aside any interference that might be put in his way after the Company had been formed. Now, I have various proofs that that was his view; but there is one to which I may, perhaps, be allowed especially to draw attention. I take this as an extract from a letter which was written by M. de Lesseps on the 2nd of January, 1855, He, speaking then to a confidential friend—a relative of his own in Paris—says—.

> "My ambition, I confess, is to be the only person (*le seul*) to manage the threads of this immense enterprize up to the moment when it can go on freely of itself. In a word, I do not wish to accept conditions from anyone; my object is to impose them all."

Writing a few months later, in April, he uses some very remarkable expressions. He says—his correspondent was in Paris—

> "You tell me of the agitations and the pretensions of some financiers. What constitutes my chief strength against them is my position as the holder of the exclusive powers (*chargé des pouvoirs exclusifs*) of the Viceroy. In the face of certain movements (*agissements*), I have always to support me the Prince, who after all (*en definitive*), is the master of the house (*le maître de la maison*), whereas if he had made me grantee (*concessionnaire*) before the formation of the Company, he would have, so to speak, abandoned his rights, and I should have had less strength to resist the encroachments of Governments and speculators. When I conceived the idea of getting powers given to me instead of a concession, I was not aware that the same idea had occurred to Prince Louis Napoleon," &c., &c.

Now, Sir, I consider that an extremely important piece of evidence, and I could quote other phrases and passages to the same effect. It is clear and significant evidence as to what he meant by the *pouvoir exclusif* for which he had applied, and which was granted him. It was a power to set aside all interference. How did he do it? By showing all who attempted to interfere that they were not interfering with him, because he was not the *concessionnaire*, but with the Ruler of Egypt, "the master of the house," as he expressed it, and in whose name M. de Lesseps claimed to act. I need not go at all into the steps which M. de Lesseps took in order to push forward the constitution of his Company. Suffice it to say that it took four years from the time of the concession in November, 1854, until in November, 1858, he was able to say that the Company was constituted. Anyone acquainted with the movement from M. de Lesseps' account of his own proceedings, or from the records of others, will see that he was constantly under difficulties, and constantly obliged to take sudden decisions upon his own responsibility, and if he had not had the *pouvoir exclusif* he could not have called the Company into existence. I have dwelt upon that point for some time, because it has been said that it is incredible that such great power could have been given or would have been necessary for the mere purposes of constituting a Company, and that, therefore, it must have had reference to something else. Let me tell the House what is the effect and meaning of the claim which is now put forward to a monopoly. It does not merely mean that M. de Lesseps and his Company, of which we are ourselves members, and among whose Directors we have representatives, have a right to say to any body of gentlemen associated for the purpose of forming another Canal—"You must not come here; we have nothing to do with you; we have an exclusive right to this land, and we keep you off." No; it does not only mean that; but it means that the Khedive himself has parted with his right of giving to any body, or of executing himself, any work which he may think necessary, or that may be proved necessary, for the extension of the Canal, without the consent of the Suez Canal Company. That is a very serious contention, for the rights affected are not as between one body of capitalists and another; but you are claiming that a particular body of capitalists shall have the right to control and limit the Ruler of a country himself in a matter deeply affecting the interests of that country. Such a claim ought not to be maintained, and cannot be supported, except on the clearest evidence showing that it was the intention of those who made the concession to grant this vast power. Not only must you have evidence that it was their intention; but you must have some evidence that they had the right — the moral right, at least—to give such a power. But the evidence to which I have called attention, and the relations which existed between M. de Lesseps and the Khedive at the beginning of the negotiations, seem to prove conclusively that the Viceroy never intended to part with his own power of making a new Canal, when he gave M. de Lesseps this power to form a Company for the execution of a particular project. You may say, and say truly—"The possibility of a future extension of the Canal being required was a question not contemplated at the time;" but you have no evidence to show how the difficulty was to be met if such a case should arise. According to the doctrine of the Government, it could not be met by the existing Company, because they have not the necessary concession; and it could not be met by anybody else, because the existing Company stops the way. So you come to this—that the Porte, or the Khedive, or whoever you may treat with as the Ruler of the country, is entirely in the hands of the Directors of the Suez Canal Company, and cannot, by any possibility, take any independent action. That is such a state of things that, before you can admit it, you want the clearest possible evidence that it was intended to exist. But do you find anywhere in any of the concessions any negative words whatever? You find powers given in more than one document as to what the Company may do; but nowhere, though grants are made to them of lands, and though powers and every sort of facility are given for carrying on their operations—never anywhere do you find even a suggestion that there was an intention to give a monopoly. Nor do I think that in any of the prospectuses which M. de Lesseps issued at the time, and in which he naturally set forth the advantages of the Company in the best colours he could, nor, I say, in those prospectuses do you find any claim of this sort advanced. We have certainly, in the absence of any negative words of the kind, in the absence of any claim put forward by those who naturally would put it forward, good grounds for hesitating before we admit a claim of which we never heard anything until about a year ago. It was not till last September, as far as I remember—I may be wrong—that M. de Lesseps made any claim of this kind. At all events, no such claim has ever been brought under the notice of Parliament until the present time; and that is what makes me so anxious that now, on the first occasion when we have the matter legitimately before us, we should not let it go by and slide without taking any notice of it, because our silence must necessarily be construed into an assent. We have the opinions of two Ministers, and I presume of the Government generally, in favour of this claim; and there is also, we are told, an opinion that has been given by the Law Officers of the Crown in support of it. I desire, of course, to speak with the greatest respect of the opinion of the Law Officers of the Crown; but it is impossible not to feel that, however right the practice may be, and however good the grounds for it may be, it is a very great disadvantage that the Law Officers' opinions cannot be brought forward and quoted in the House, because of the professional rule which prohibits their publication. We are, in consequence, left very much in the dark about their views. We do not know what was the case that was submitted to them, and we do not even know the time when their opinion was given. We therefore do not know whether, when it was given, there was still time enough to act upon it, or whether it was asked for after a decision had already been arrived at. But, as against the opinions of the Law Officers, which we have not seen, there are some opinions—and opinions of considerable weight—which we have seen, and of which we have an opportunity of judging. There is the very strong opinion of the hon. and learned Gentleman the Member for Christchurch (Mr. Horace Davey), who holds, I believe, as high a position among the legal authorities of this country as any man who can be named; there is the opinion of Mr. Underdown, who has a very high reputation in matters of this kind; there is the opinion of my hon. and learned Friend the Member for Launceston (Sir Hardinge Giffard), who was consulted by a body of shipowners quite independently of the other gentlemen to whom I have referred; and there is the opinion of Mr. Mark Napier, who has also considered this matter very deeply. Then I am in a position to state that my noble and learned Friend Earl Cairns takes the same view, and that he cannot consent to believe that this power exists in the Company. He very clearly states that which I have endeavoured to put before the House, that he cannot see in this concession anything beyond the grant of a power to constitute and form the Company, and that he cannot conceive it possible that the Khedive or the Viceroy could have given authority, or did by those words give authority, which would prevent him from proceeding himself with any other work of the kind that might be necessary.

I hope that those whom I am addressing will not suppose that when I use these arguments I desire to make a case against the Company in a hostile manner. I only wish to clear up our rights. It is much better that these rights should be cleared up; and when it is understood how far we are bound and how far we are free, let us act towards the Company in a spirit of wise liberality as our duty demands. My belief is that what has to be done had far better be done through the agency, and with the co-operation, and through the intervention of the Canal Company, which has such a position, such advantages, and such a credit in the country. But that is if you are able to obtain proper and sufficient security that what will be done is the right thing. But if you throw away your greatest weapon, your greatest lever—that is to say, the natural leverage of competition—if you sacrifice that in favour of monopoly, you must either get into some quarrel or difficulty with the Company, or submit to whatever terms they may choose to propose.

The history of the case is this. The first concession was granted in the year 1855. In 1856 M. de Lesseps made a preliminary Report to the Viceroy, laying down the principles upon which he would proceed. The Viceroy thereupon granted him a concession in detail, and at the same time sanctioned the Statutes which were intended to be Statutes of the Company. In one of the Statutes, among the objects for which a general meeting of the shareholders must be called is mentioned a power of "fusion with other enterprizes." That rather points in a direction contrary to the exclusive claim. In 1858 the Company was constituted. It must be remembered that the grants that were made under its original concession were grants of a very large and important character. These grants were, in fact, for a very different enterprize—for a very much larger and more important enterprize —than that which was ultimately sanctioned. Not only was there to be a Salt Water Canal from Port Said to Suez, but there was also to be a Sweet Water Canal, which was to connect the other Canal with the Nile; and power was to be given, and large concessions of land were to be given, to the Company in connection with that Sweet Water Canal. The result of that great scheme was, that strong remonstrances were made on the part of other countries against the step which was being taken, and it was pointed out that such a concession might lead to the most inconvenient political results. Representations were made on the part of the maritime nations interested in the Canal, in view of the proposed action of the Company, which ultimately led to the retrocession of the Sweet Water Canal to the Egyptian Government; and it then became necessary that there should be a revised concession. The revised concession was not made till the beginning of 1866; and when it was made by the Egyptian Government it was remitted to the Porte for approval and ratification, and ultimately it received the sanction of the Porte. That is the concession under which M. de Lesseps formed the Suez Canal Company, and under which the latter hold their lands and made the Canal. Now, that was a complete concession, and it was a concession in virtue of which certain powers were given to the Company by the Egyptian Rulers, which powers were confirmed by the authorities of the Porte. If I may be permitted to do so, I should wish to call attention for a few minutes to a matter which may not, at first sight, appear to be quite germane to the subject I am discussing; but yet, in my view, it has a considerable bearing upon it. The Suez Canal was opened in 1869. Just at first it seemed not to be going on very well; but after a short time the attention of this and of other maritime nations was more particularly directed to the route, and they began to build ships expressly constructed to pass through the Canal. The result was that a very great increase in the traffic through the Canal took place. Notice was then taken that the Suez Canal Company were making exorbitant charges upon the vessels that passed through the Canal; and a dispute arose as to the correct method of measuring the tonnage of the ships upon which the charge for the use of the Canal was based. Upon that the Company claimed to have a right to make the charge they did under the terms of their concession, and they maintained that right. At that time the right hon. Gentleman opposite and Earl Granville were in Office, and they had a great deal of correspondence with the Company and with our Ambassador at Constantinople upon the subject. The dispute, which threatened to become a serious one, led to the calling of a Conference of the Representatives of the maritime nations at Constantinople; and that Conference arrived at a certain decision with regard to the right mode of measuring the tonnage and of fixing the amount of the charge to be made under the terms of the concession. There are two passages in the despatches sent by Earl Granville at that time to which I should wish to call attention. One is comparatively unimportant; but in it Earl Granville states that the British Government could not admit the claim of the Company to construe the terms of its own concession. To the second and the more important despatch I desire to call particular attention, for this reason. Some little time ago my noble Friend Lord Salisbury, in the course of a discussion upon this subject in "another place," spoke of the Suez Canal as a highway of nations, and questioned the power or right of any nation to stop or impede the traffic through such a highway under any pretence without the consent of other nations. My noble Friend was thereupon immediately taken to task very sharply by the Lord Chancellor, who remarked that the case of an artificial Canal cut through a piece of land by a private Company was very different from the cases suggested by my noble Friend. The passage I am about to read occurs in a despatch sent on the 3rd of March, 1873, by Earl Granville to our Ambassador in Constantinople, in which the question was raised as to the right of the Company to construe their own concession, and to determine the method in which the tonnage should be measured; and reference was made to the suggestion that had been made, and which was rather approved at Constantinople, that it was in the power of the Porte to authorize the Company to make whatever charge they pleased. Earl Granville, in referring to these claims, said—

> "Her Majesty's Government do not in the slightest degree impugn the right of the Porte to increase the dues. . . . The Company is, as Her Majesty's Government consider, Egyptian, and the rights over it of the Porte are undoubted. Her Majesty's Government, however, feel confident that the Turkish Government cannot but be sensible of the equitable consideration which is due from the Porte to the great maritime interests which are concerned. By the Firman of 1866 the Porte solemnly endorsed the concession of 1856, on the faith of which numbers of vessels have been constructed in France, England, and elsewhere, for traffic through the Canal, which has thus become one of the highways of the world"—Lord Salisbury's own expression, borrowed, perhaps, from this—"the obstruction of which, by the imposition of an excessive toll, would be an injury to commerce, which Her Majesty's Government cannot believe that the Porte would willingly inflict, and against which every nation would be driven to protest."

My object in calling attention to these observations is this—I think that we cannot look upon this matter as one that can be laid at rest, as being entirely between the Egyptian Government and the Suez Canal Company, irrespective of the interests of the maritime nations.

My object in calling attention to this matter to-day is, that I am very earnestly desirous of impressing upon Her Majesty's Government the great importance of so conducting any future negotiations in reference to this subject as to avoid, by being early wise, any possible collision taking place hereafter in connection with a protest from maritime nations. My belief is, that in these matters the first loss is the best, and that the earlier the point is cleared up the better for all parties, and that this idea of leaving the question to stand over, in order that time may solve it, is not the best mode of dealing with it. Depend upon it that this is not a matter which we can afford to trifle with. In my opinion, it is possible at this moment to bring about a satisfactory settlement; and I am sure that all classes and interests in this country will combine to assist the Government in bringing about a settlement of a matter which so deeply interests us all. I am quite sure that such a settlement can be brought about without offending the sensitiveness or the susceptibilities of anybody. I do not think, therefore, that we should be taking a wise course if we were to neglect the opportunity, and were to endeavour to put the question aside for the moment. I have placed a Notice upon the Paper, which I think puts the case in a satisfactory manner. I do not, however, say that there may not be other ways of attaining the object I have in view. My first object is to invite Parliament to pass a Resolution denying the right claimed by M. de Lesseps, and the other is to make a declaration which shall fully and effectually reserve our freedom of judgment in this matter. What is the object of the Amendment of the hon. Member for Hull (Mr. Norwood), which the Government tell us they mean to accept? It will not leave us our freedom of judgment in the matter; it will merely maintain the freedom of action of the Government; and, therefore, I can fully understand why they give their assent to an Amendment which might actually have been drawn by one of themselves. I cannot understand the hon. Member for Hull placing such an Amendment on the Paper after the rebuke which he received the other day from the Chancellor of the Exchequer, who told him that there was no freedom of judgment possible in the matter, and that we were tied hand and foot in reference to it. How the hon. Member can be satisfied by simply negativing my Resolution, which declines to recognize the validity of the claim of M. de Lesseps, and, in substitution for it, to say—

> "This House desires to maintain its entire freedom of judgment in regard to all matters connected with the question of water communication between the Mediterranean and the Red Sea; and this House, in consequence, declines to pass any Resolution as to future negotiations or proceedings respecting the same,"

is a matter that really puzzles me very much. What is the meaning of that Resolution? I do not understand why we should pass a Resolution to say that we will not pass a Resolution. It would have been much simpler to have moved an Amendment of a different character, such as the Previous Question; but I must point out to the hon. Member that his present Amendment is totally inconsistent with his former protests against the action of Her Majesty's Government. I do not wish to detain the House longer, and I hope that I have succeeded in stating what my anxiety is in this matter without saying anything that is offensive or irritating—a thing which it is far from my wish to do. My desire is earnestly to impress upon the Government that they should take this matter into consideration, and that they should do their best, as far as they can, to relieve us from the difficulty in which they themselves have placed us, so that we shall no longer run the risk of the same thing happening again which happened, or rather which so nearly happened, the other day. Do not let them, in any future negotiations in reference to this subject into which they may have to enter, enter into them with this clog round their necks, or, if they do, let it be made clear that it is a clog which the nation and the House of Commons are not content to place upon them; because, if we do not do so, we shall find ourselves in exactly the same difficulty as that in which we were a short time ago, and we shall be driven into making a bad arrangement because of a claim which we do not accept, and yet which we admit is binding upon us. I beg to move the Resolution which stands in my name.

Motion made, and Question proposed,

> "That an humble Address be presented to Her Majesty, praying that, in any negotiations or proceedings with reference to the Suez Canal Company to which Her Majesty may be a party, She will, while respecting the undoubted rights of the Company in regard of their own concession, decline to recognise any claim on their part to such a monopoly as would exclude the possibility of competition on the part of other undertakings, designed for the purpose of opening a water communication between the Mediterranean and the Red Sea."—(*Sir Stafford Northcote.*)

MR. NORWOOD, in rising to move, as an Amendment—

> "That this House desires to maintain its entire freedom of judgment in regard to all matters connected with the question of water communication between the Mediterranean and the Red Sea; and this House, in consequence, declines to pass any Resolution as to future negotiations or proceedings respecting the same,"

said, that he had listened with much interest to the speech of the right hon. Gentleman, because he had been greatly exercised in his own mind to discover the real scope and meaning of the Resolution. The question he had put to himself was—Why should the House be called upon to rush into the presence of Her Majesty with advice in reference to a state of affairs which did not exist, and which there was no likelihood of existing? Why should Her Majesty be asked to preserve the rights of the country in respect to claims which had never been preferred? When and where had M. de Lesseps asserted his exclusive right to create water communication between the Mediterranean and the Red Sea? He was aware that M. de Lesseps claimed the exclusive right of constructing a Canal through the Isthmus of Suez; but he had not learned that he had claimed the right to make a Canal through the Delta or through Palestine. Although he did not agree with every statement of the right hon. Gentleman, much of what he said met with his approval, and it appeared to him that his own Amendment attained similar results to the Motion of the right hon. Gentleman, but by different means. But the great distinction between the two was that, whereas the right hon. Gentleman's Resolution asked the House to do something, his Amendment called upon them to do nothing. No doubt the right hon. Gentleman was in a widely different position from that which he occupied. The right hon. Gentleman was the Leader of the Opposition, while he, a private Member, represented a constituency of merchants and shipowners; and, though not unmindful of higher considerations, he confessed that the object which he sought was, in the main, a commercial object. He said, on behalf of the commercial community of England—"Give breathing time for the relations between this country and France to settle down; allow us to consider our position; permit misunderstandings to be removed; allow time for mercantile men of both countries to arrive, if possible, at a solution." Therefore it was that he asked the House to abstain from committing itself to any opinion whatever on the question of communication between the Mediterranean and the Red Sea. The right hon. Gentleman had said that the question was one of great delicacy, and ought to be approached with great care. Yet the right hon. Gentleman had gone into a hypercritical, historical, and argumentative examination of the position which M. de Lesseps and the Company held since the first concession was given. Now, that was exactly the course of argument he declined to follow, because it was precluded by the terms of his Amendment. He contended that this was not the time for the discussion of the disputable questions raised by the right hon. Gentleman. The right hon. Gentleman had accused him of inconsistency. But he had been guilty of no inconsistency. He had carefully protected himself, both when he headed a deputation to the Chancellor of the Exchequer and in his Amendment, from expressing an opinion as to the rights of M. de Lesseps. The right hon. Gentleman said that the House was compromised in the matter; but he contended that it was not compromised in any way whatever. When had the House expressed an opinion on the subject, or when had the Government submitted any step taken in the late negotiations to the judgment of the House? The House ought carefully to abstain from pronouncing a decision on the question. He was anxious to take that opportunity to remove certain misconceptions which appeared to have grown up, not alone in England, but in France, and had caused a special feeling of irritation in Paris. He believed that the true feeling of the English mercantile community had been altogether misunderstood. People talked as if the controversy were one which only affected shipping and shipowners. But it ought to be remembered that though shipowners were brought into immediate contact with the Canal, the charges imposed did not fall ultimately on the merchants and manufacturers, but on the consumers. When the first disappointment as to the Agreement came upon us, a very injudicious tone was adopted by certain gentlemen and traders on the subject. There were two meetings in the City to which he would especially refer—namely, at Lloyd's and the Chambers of Commerce. Very tall language was employed; and even the worthy Alderman who sat for the City of London (Mr. Cotton) expressed himself in terms which he was sure his hon. Friend had since regretted. Reference had been made at those meetings to the position this country occupied in Egypt—as though that position would justify them in disregarding the rights or property of the Suez Canal Company. He wished at once to repudiate the slightest desire on the part of any honest British merchant to acquire by any means, except the fairest and most honourable, any control over, or interference with, the property of the Suez Canal Company. What had been the actual course of events? When a deputation of merchants and shipowners waited on Lord Granville, the shipowners went one step further than the merchants, and expressed their desire for a second Canal to be constructed with British money and under British management. Lord Granville replied on that occasion that when a definite plan was submitted to the Government they would consider it. The shipowners immediately called a meeting, appointed a

Committee, and raised £10,000 for surveys and preliminary expenses. But, before taking a single step, they decided to ascertain the precise position of M. de Lesseps, and a case was submitted to eminent counsel, who advised that M. de Lesseps had no exclusive right to pierce the Isthmus with a Canal. At that time there was a rumour that the Government were negotiating with the Canal Company; and he (Mr. Norwood) addressed Questions to the right hon. Gentleman at the head of the Government, asking him whether the rumour was true, and requesting him to give a definite assurance that no binding arrangement should be made without due consultation and the approval of the House. The moment the Prime Minister's reply was made known to the shipowners they suspended further action. When the Agreement by the Government was laid before the House and the country, no doubt a strong feeling of disappointment was generally expressed throughout the commercial community. But that feeling was not of the uncompromising character which had been attributed to it. The resolutions passed at the Council of the Associated Chambers of Commerce and at public meetings in the great towns were couched in moderate language. At Liverpool, for example, the Chamber of Commerce urged the expediency of re-opening the negotiations with a view to better terms being secured, and similar resolutions were passed by Chambers of Commerce at Edinburgh, Wolverhampton, Birmingham, and Newcastle. The principle of making the reduction in charges dependent on increase in profits was approved, subject to amendment of detail; and the chief objection to the Agreement was the absence of British representation and control commensurate with our interest in and the assistance to be given to the new Canal. It had been said that the issue of this matter in the withdrawal of the Agreement between the Government and the Suez Canal Company was now bitterly regretted by the shipowners; but he differed altogether from that opinion. Indeed, he thought the Government showed much wisdom in the course they adopted, and also great dignity in the manner in which they announced their decision to the country and the House. The Government took up their position with the universal concurrence of mercantile men; but the right hon. Gentleman made much of the point that the Government committed themselves and the country, when they announced their belief that M. de Lesseps had an exclusive right with reference to the Isthmus of Suez. In that House he occupied the position of a private Member. He was not in the confidence of the Government; but it struck him that possibly the Prime Minister might consider that the position of the Government of a country like England was not precisely that of a mere "honest broker." He could imagine the Government reasoning that this great country, interested more than any other in the world in the maintenance of good faith, ought to be extremely careful when they disputed the validity of documents. Their merchants held property in every clime. Many held concessions of the greatest importance embodied in written language. Might there not be something higher and more important than a mere temporary advantage over the Suez Canal Company?—that of holding up a standard of the highest commercial morality, and declaring our unwillingness, except on the clearest reasons, to challenge unnecessarily the validity of the acquisition held by our neighbours. He thought there was considerable force in the view he had expressed. It might, however, be entirely disavowed, and he might say it was a view which he, as a private Member, should not hold or ask the House to adopt. He wished the House to reserve to itself complete freedom in this matter. He thought Government would have been wise had they not negotiated through their own British Directorate. These gentlemen had been long under the influence of M. de Lesseps, and scarcely understood the mercantile feeling of this country on the matter. They might, too, have taken into their confidence such mercantile gentlemen as they could trust. He wished to point out how much was lost by successive Governments in not sufficiently consulting their followers of the rank and file. He had watched proceedings in the House for many years, and he was of opinion that one-half of the time of the House had been wasted, and one-half the blunders committed, because Gentlemen in high Office had not consulted sufficiently with those beneath them. In the serene heights of Office, and surrounded by all the talent of their Party, Ministers too often overlooked the scattered grains of experience which might be found on the back Bench of both sides. He did not consider that the commercial position of this country in reference to the matters in question was at all of a hopeless or unsatisfactory character. Indeed, he believed that the negotiations and that very debate would clear away misconceptions, and would really tend to bring about a fair and honourable understanding. Whether they were able to make a bargain with M. de Lesseps and the Canal Company was one thing; but what he did say was that they were not helpless and hopeless in the event of his exclusive right being maintained. In the first place, there were no fewer than three schemes for communication between the Mediterranean and the Red Sea. One was a scheme for starting from Alexandria and passing by Cairo to the Red Sea; another would start from Damietta; and the third, which he was himself inclined to favour, would effect a communication through Palestine from Acre to Akabar. There were other solutions. Was it altogether impossible for the British nation to buy up French interests in the Canal and make it British? Would it be impossible to persuade the maritime nations of Europe, who had an interest in this Canal, to purchase shares in proportion to their interest in such a scheme, and to place the Canal under international management and control? No doubt the Canal was a wonderful convenience to the trade of the East, as a short cut, especially to Bombay and other Indian ports; but so far as the Australian Colonies—the trade of which would develop enormously — were concerned, with sufficient coaling stations, they could be reached almost as speedily by the Cape route. When they had these coaling stations, a proper class of ships, and proper engines, it would be perfectly possible—the difference in the two routes being only a few hundred miles—to carry on the communication without going through the Suez Canal at all. Again, by piercing the Isthmus of Panama M. de Lesseps would provide an alternative route to a portion of our Eastern trade. They were not, therefore, so much at the mercy of the Company as some were inclined to think; but were they still without hope that a rational and satisfactory agreement with the Company would be arrived at? He was not without hope. He knew something of M. de Lesseps, and he believed no man was better able to comprehend the advantage which must accrue from the co-operation of England. Suppose the mercantile voice of this country said to M. de Lesseps—"We respect your genius; we admire your determination, and the pertinacity which overcame great difficulties. We admit that to France must belong the honour of the inception of the Canal. We admit we declined to join. Do not force us into an alternative route, because British commerce must and will find that, if there are not proper concessions. Let us second your efforts; let us put another garland upon your brow. Admit us into full partnership. Give us one-half of the administration, and one-half of the responsibility." He had little doubt as to the response. He could see bases for a fair arrangement. Why should not M. de Lesseps continue President for life, and an Englishman and a Frenchman alternately succeed him? Then, the Committees should be partly French and partly English. England and France had stood shoulder to shoulder on the Alma heights, and it would be a grander sight to see them jointly protecting a maritime highway that would last as long as the fabric of the Globe. He doubted whether the question of M. de Lesseps' exclusive right could be decided by English lawyers solely; and considered that if it was to be decided at all it must be done by an international body of jurists. We were disposed too much to ignore the interest of other maritime countries in the Suez Canal. It was true we owned four-fifths of the ships passing; but by no means four-fifths of the cargoes. Odessa, Trieste, Venice, Genoa, Marseilles, even Havre, were greatly benefited by the opening of the Canal, and a large amount of the cargoes carried in English bottoms were owned by France, Russia, Italy, and Germany. As a merchant anxious to secure the interests of his constituents and his countrymen generally, he recommended the House not to follow the advice of the Leader of the Opposition, for, to use the irreverent language of a Conservative journal, as well might a claim be asserted to the monopoly of the North

Pole as to the territories referred to in the Motion of the right hon. Baronet.

SIR STAFFORD NORTHCOTE: Of course, the Motion includes the Isthmus of Suez.

MR. NORWOOD said, he was bound to examine the Motion in the terms in which it stood on the Paper. He trusted that he had made out a case to show that in the highest sense of international politics the House should adopt the Amendment he begged to propose, and refuse to bind itself by an expression of opinion on this matter.

MR. CHARLES PALMER, in seconding the Amendment, said, he thought this question should be left at rest for a period. The Resolution moved by the right hon. Baronet had his support in almost every particular; but he could not approach it from his point of view, in that he had endeavoured to impart into it a Party feeling. The mercantile and shipping interests throughout the country had expressed a strong opinion that whatever might occur this question should not be permitted to fall within the region of politics. Some Gentlemen were, however, trying to rouse the country from a political point of view, and the fact was to be deeply regretted. An endeavour was being made to throw blame on Her Majesty's Government for the proposed Agreement into which they had entered; but he, on the contrary, thought the commercial and shipping interests were deeply indebted to Her Majesty's Government for having taken up this great question. They had been told that the withdrawal of this Provisional Agreement would be regretted throughout the country. He, however, ventured to hold an entirely different opinion. He was quite sure they would be much better without any such Agreement. In the first place, the prolongation of the concession was a question of a most serious character. Then, again, the enormous charges for pilotage and dues on the shipping now were such that if the Canal Company did not take counsel and advice in moderation, they would very soon discover that we should find some means of carrying on our vast trade by other means than the Canal, and in another direction. The Canal Company were exacting rates for pilotage and other charges, and for passengers which the concession granted to M. de Lesseps did not entitle them to demand. Then, as to the control on the Board, he might say that the concession itself, if he mistook not, required that the whole of the nations interested in the Canal should be represented on the Board of Direction. That had not been so. The door had been shut, and we in this country had been carefully and zealously excluded from all control. He, however, did not wish to enter upon the question of the monopoly, which he understood, and always had understood, M. de Lesseps had never claimed. He had a pamphlet written by M. de Lesseps himself, in which that distinguished Frenchman repeated, over and over again, that the concession granted to him was the power exclusive to make a universal water communication between the Mediterranean and the Red Sea. He (Mr. C. Palmer) believed this country was anxious to remain on the most friendly terms with the French nation; but the question was, how far was the shipping and commerce of this country to be prejudiced by the question of the susceptibilities of the French nation? The French nation, he would like to remind hon. Members, did not consult the susceptibilities of this country when their Government paid a bounty to shipowners with the object of destroying our trade. But what would the French Government say if we paid a bounty to our ships that went round the Cape? Why, if we were to adopt some such course as that, we should soon almost empty the Canal. The susceptibilities of the French Government would, of a certainty, be very severely taxed if we were to follow the policy of which they themselves had set the example. It would, however, be found that the Canal Company had not entirely their own way on every point. But what he would ask was, did this susceptibility extend beyond the Government of France and the shareholders of the Suez Canal? If he was correctly informed, at Marseilles, and in the South of France, and at Bordeaux and in the West of France, there existed a strong feeling against the Canal Company because of the onerous dues they levied. Before sitting down he would venture to bring before the House the question of whether or not a Commission ought really to be appointed to investigate the whole matter, and whether it ought not to be made an international affair. For his own part, he would at once say that he did think it was the only solution of the situation—the one way of meeting the susceptibilities of the French nation and of all other nations. At one time the Company offered to sell the Canal for £13,000,000, and a yearly payment of £400,000. He supposed it would go up to £40,000,000 or £50,000,000 at the present time; but that would be a small matter as compared with the enormous advantages to be derived from seeing this Canal placed in the hands of administrators who were desirous of reducing the dues levied on the ships passing through, instead of making as much revenue as they could for their shareholders. He hoped that Her Majesty's Government would either examine into the whole question for themselves or authorize others to do so on their behalf. The shipping interests of this country could not stand still. They must go forward, and another Canal had become an absolute necessity. Finally, he would say that he did trust the Suez Canal Company would approach the whole question with greater moderation than they had previously done, and that before long a satisfactory conclusion would be arrived at between all parties.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House desires to maintain its entire freedom of judgment in regard to all matters connected with the question of water communication between the Mediterranean and the Red Sea; and this House, in consequence, declines to pass any Resolution as to future negotiations or proceedings respecting the same,"—(*Mr. Norwood,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. GLADSTONE: Sir, I am in complete harmony with both my hon. Friends who have last addressed the House, as to the course which they advise us to take on this occasion; and I think that the manner in which they have stated their case, and the reasons which have led them to their conclusions, must carry much weight with the House. But, of course, it must happen that the Government, from its point of view, while it has less occasion to dwell upon certain aspects of the question, has an anxiety to bring into view other aspects of the question which do not so readily, or so forcibly, present themselves to the minds of those who, like my two hon. Friends, stand towards the House rather in the character of independent and unofficial Members not connected with the Executive of the country. I shall only notice one observation of the Mover of the Amendment, the hon. Member for Hull (Mr. Norwood). He stated that he thought it was an error on the part of the Government to employ in these negotiations the agencies of the British Directors of the Company. I can understand the considerations which dwelt in the minds of my hon. Friends upon that subject, and I am not about to enter upon that argument; but I should be very sorry, indeed, if it were to be supposed for a moment that on the part of my hon. Friend there was any intention in making that remark to depreciate the services, character, or ability of the British Directors. [Mr. Norwood: Hear, hear!] The fact is that since they were appointed some seven or eight years ago they have had to discharge duties of very great delicacy and great importance; and they have discharged those duties in such a manner, I think I might say without exception, according to the evidence of all those who from immediate contact with them are best qualified to judge, as to establish a very high claim to the respect and even to the gratitude of the Government. But, Sir, I do not enter on the question whether we judged rightly or wrongly in calling in their aid on the present occasion. I think we should have found a difficulty in employing any other aid, and I am not willing to accept the proposition of my hon. Friend. Well, I leave him in full possession of it, without entering into controversy upon the matter, at this moment. Sir, the House will feel, I think, that the time has now come, after the Motion and the Amendment have been placed before the House, when it ought at once to be informed what is the view that the Government take on this matter. I have great pleasure in acknowledging that the right hon. Gentleman who has moved this Motion has in his speech done everything, that the nature of the case and the purposes of his argument admitted of, to eliminate from the discussion controversial and irritating matter. In giving him that credit I am sorry to say I am not able to recede from the opinion I have formerly expressed that there is far greater disadvantage than advantage attaching to a discussion of this nature. But the right hon. Gentleman cannot impose on others the reserve he himself maintains. He has expressed, partly to-night and partly on another occasion, with great freedom, the opinion that there is no danger in a discussion of this kind, that this is no international question, that it is a question simply between the British Government on one side, and what has hitherto been a private Company on the other. But, Sir, is that the fact? Is this simply a case on behalf of commercial interests alone—of the British Government dealing with a private Company? Has nothing been said and has nothing been done to a very different effect? Was this the language taken in 1875—that the purchase of the Shares then effected was a purely commercial transaction? Was this the language which was held, or apparently held—judging from the reports which, at any rate, passed without contradiction—by Lord Salisbury on a recent occasion, when Lord Salisbury said that Lord Beaconsfield had stated at the period of the purchase of the Shares that the transaction had a political rather than a commercial object. [Mr. Bourke: Hear, hear!] The right hon. Gentleman corroborates me in that assertion. But what, then, becomes of the assertion that this is a mere transaction between the British Government and a private Company? Does the right hon. Gentleman suppose that the British Government, of all Governments in the world, has a *pouvoir exclusif* in this matter—a power of interfering in the transactions of a private Company for a political object, and yet laying down the doctrine that no other Government can interfere? The right hon. Gentleman himself must see that such a doctrine is totally untenable. It is impossible to maintain that we are entitled, on national and political grounds, to associate ourselves with the transactions of this Company, and to deny that other Governments also may look to the interests, and, perhaps, the susceptibilities, of this Company; and to have a certain position and certain rights is a matter for their direct consideration quite as much as it can be for the consideration of the British Government. And, Sir, has any language been held which must tend to quicken the susceptibilities which may exist upon this subject? I refer again to the most recent indication; I refer to the speech of Lord Salisbury. In that speech there was laid down a docrine which, if I understand it, amounts to this—that upon commercial grounds, for the convenience of uniting any point severed by a neck of land, territorial rights may be overridden by nations interested in the commerce of the world, and that those interests justify an invasion which would put down the rights of the Government, and the rights of the people who inhabit the particular place. Not only so, Sir; but the language held by Lord Salisbury appears to have been this—that at present—I beg the House to mark my words—that at present there are diplomatic complications in the matter in Egypt, and that these diplomatic complications may pass away this year, next year, or a short time hence. Is that language relating to our position in Egypt likely to allay any susceptibilities which foreign countries or foreign Governments may entertain? The right hon. Gentleman has cautiously avoided such language. But he cannot prevent, he cannot neutralize its effects when used by others. And then there is a declaration that there may be an opportunity shortly—and here I quote the words as they are reported—"by the aid of British capital to secure a British Canal from sea to sea." There is no such thing as a British Canal except in British territory, and that is the language so indiscreetly, and so unfortunately used, by Lord Salisbury on a very recent occasion. Therefore, there is, no doubt, the greatest reason for caution in this matter; and the most ably conducted and most powerful journal connected with the interests of the Opposition in this country well and wisely observed, no later than this morning, that in this debate Ministers must impose upon themselves, and upon their own language, the severest reserve. I thank the right hon. Gentleman for having given us the best assistance in his power; but I am afraid he cannot answer for others that the experience of the past is a lesson in that respect for the future. Well, Sir, I turn from the right hon. Gentleman's speech to his Resolution; and here, undoubtedly, I am confronted by a contrast such as has never within my recollection met my view before—the contrast, I mean, between the speech of the right hon. Gentleman and the Motion of the right hon. Gentleman. The right hon. Gentleman has spoken of some supposed ambiguities in his Motion, and as to his readiness to remove them. There are no ambiguities in his Motion, Sir, whatever. Clearer language could not be held. Let it stand as confessed that the Motion is as clear as words can make it, and it goes simply to the point of asking the House to address the Crown to the effect that the powers of the Executive are to be used in such a way as to decline recognizing any claim on the part of the Suez Canal Company to such a monopoly as would exclude—what? The possibility of a Canal across the Isthmus of Suez? No. The possibility of a Canal from Alexandria to Suez? No. But—

> "Such a monopoly as would exclude the possibility of competition on the part of other undertakings designed for the purpose of opening water communication between the Mediterranean and the Red Sea."

So that the monopoly which is excluded by the right hon. Gentleman's Motion is the monopoly asserting, on the part of the Suez Canal Company, an exclusive claim to the water communications between the Mediterranean and the Red Sea.

Sir STAFFORD NORTHCOTE: Their Canal is between the Mediterranean and the Red Sea.

Mr. GLADSTONE: Certainly it is. But what the right hon. Gentleman asks us to exclude is a monopoly which shuts out all communication between the Mediterranean and the Red Sea; and, consequently, any Government that might admit the possibility of a communication through Palestine, but should accord to M. de Lesseps and his Company the exclusive right across the Isthmus of Suez and the whole of Lower Egypt, would satisfy the terms of the Motion of the right hon. Gentleman. All he asks is that some door should be left open for some possible method of communication between the Mediterranean and the Red Sea. If the possibility of a Canal through Palestine were admitted, the terms of the Motion would be satisfied, and M. de Lesseps would be welcome to his exclusive claims so far as the Isthmus of Suez and the whole of Lower Egypt were concerned. The right hon. Gentleman says the words of this Motion are not clear. I think they are clear, and I think the House bears me out in the construction I have just put upon them. I am obliged, I am sorry to say, to draw a distinction between the speech of the right hon. Gentleman and the Motion of the right hon. Gentleman. They are not one thing, but two things. I will suppose, now, that the argument of the right hon. Gentleman has carried conviction to some minds, and that, in consequence of that conviction, the Motion will be carried by this House. Well, Sir, nothing whatever would have been done towards sustaining the argument of the right hon. Gentleman, because the argument of the right hon. Gentleman refers to the claim to an exclusive right over the Isthmus of Suez; but the speech leaves everything open, providing you leave one door open for a communication between the Mediterranean and the Red Sea. However much we may respect the general position of the right hon. Gentleman or his particular argument, there cannot be a doubt that the right hon. Gentleman would be the first to admit that if such an event were to happen, as I do not expect, as the adoption of his Motion, foreign countries, becoming cognizant of the transaction of to-night, would have to interpret that transaction by the words of the Motion, and not the argument contained in the speech of the right hon. Gentleman. On the argument, therefore, I shall dwell but very shortly indeed; it is not necessary for me to dwell upon it at length. The right hon. Gentleman has satisfied himself that the documents obtained by M. de Lesseps receive a rational construction by interpreting them to mean that they conferred on M. de Lesseps an exclusive right to form a universal Company. But, Sir, the Khedive had no power to give exclusive right to form a universal Company; and M. de Lesseps could form a universal Company without the authority of the Khedive. I or anybody else could form such a Company, if we had the necessary resources, without the authority of the Khedive or anyone else. Unfortunately, when one exclusive Company is formed, there is nothing to prevent my hon. and learned Friends the

Attorney General and the Solicitor General, or anyone else, forming any other exclusive Company by my side; these exclusive Companies might be multiplied without limit. In fact, in order, as I understand, to give consistency to the construction of the right hon. Gentleman, you must convert into mere shadow that which the Khedive by these important concessions conferred on M. de Lesseps, and you must suppose that the Canal Company was satisfied with receiving that shadowy concession. But I will not enter upon the argument of the right hon. Gentleman. It is rather my duty to turn to the Motion before the House. I will not enter upon it beyond one point, which I think somewhat important. The right hon. Gentleman used this language. He said that the claim of M. de Lesseps in September last was limited to a published letter giving the exclusive right over the Isthmus of Suez, and that the claim made in September last was one of which we never heard anything until about a year ago. I was, I confess, surprised when I heard the right hon. Gentleman make that declaration; for what I have heard is this—that the claim of M. de Lesseps to an exclusive right, and to a larger claim to an exclusive right than that which he advanced in September last, was in the knowledge and possession of the Government to which the right hon. Gentleman belonged at the time when they purchased the shares in the Suez Canal. In the year 1872 a plan was formed and brought before the Khedive of Egypt for constructing a Canal from Alexandria to Suez—from Alexandria across Lower Egypt—I do not know whether the exact point was Suez; but, at any rate, it was at that end of the Red Sea, and M. de Lesseps protested against that Canal as an infringement of his monopoly. He has since seen cause, and, I think, wisely, to limit his claim; but what I wish to state, and to state without the possibility of contradiction, is this—that this claim of his to a larger monopoly was made in the year 1872, and was not contested by Her Majesty's late Government at the time they purchased the shares in the Suez Canal. It was not admitted by the Khedive of Egypt; but it was asserted by M. de Lesseps, and was within the cognizance of the late Government at the time I have mentioned.

MR. BOURKE: The late Government at that time—[*Cries of* "Order, Order!"] I know I am not strictly in Order; but——

MR. GLADSTONE: So that, at any rate, there is this to be said—that if the present Government, in their communications with M. de Lesseps, did not make any admission, but had in their own mind the belief that he had a valid claim so far as the Isthmus of Suez was concerned, they had before them the fact that a much larger claim was before the late Government.

MR. BOURKE: In 1874.

MR. GLADSTONE: No; in 1872.

SIR STAFFORD NORTHCOTE: We were not in Office in 1872.

MR. GLADSTONE: I beg pardon. You were not in Office; but were not the records in the Foreign Office? I assert it was in the records of the Foreign Office that a claim had been made by M. de Lesseps and had never been retracted.

MR. BOURKE: I never saw it.

MR. GLADSTONE: You never saw it? Unfortunately, Gentlemen who take Office in this country must be held responsible for knowing the information that is in their Department, and that bears on the great transaction which they advised and induced the country to make. Now, Sir, as I have said, it is the Motion now before us which is the subject of real importance. We may be compelled by the course of the debate to enter upon a vindication of our own conduct; yet we would willingly waive a discussion of that kind if we could. I will not now, at any rate, enter upon any detailed examination of our conduct, for I do not see that any public advantage would arise. But I come to the question whether it is wise that we should do that which the right hon. Gentleman invites us to do, and which my hon. Friend, by his Amendment, would dissuade us from doing? The right hon. Gentleman must allow me to say this. I can conceive no vote by the House of Commons giving an opinion upon any of the points connected with the Suez Canal Company and its rights which would not seriously increase the difficulties of the Government and gravely diminish the hopes they entertain, which are not otherwise than sanguine, of a favourable termination of these transactions. The right hon. Gentleman said it will be very desirable to clear up the rights of the case. But, Sir, it is not in the power of this House to clear up the rights of the case. It is, no doubt, in the power of this House to express an opinion upon the rights of the case; but this matter is not one within your jurisdiction. You cannot determine it; it is of a character wholly distinct, and I am bound to say that, if I understand the question aright, it appears to me to be one which it will be most unfortunate that Legislative Chambers should so attempt to deal with as to give a binding judgment upon it. This is a question of legal right. There may be a doubt in what way this legal right should be ascertained; but I think I am right in saying that it is a judicial matter. It is a matter which, probably, I suppose would have to be settled in the Courts of Egypt. I can hardly conceive that it could be settled, if it be a judical matter, in any other way than in the Courts of Egypt, or by some competent tribunal representing internationally the various countries which have been concerned in the Suez Canal, and which claim to be interested in it as a great waterway of the world. Now, Sir, is it desirable, if that be so, that we should attempt to deal with it by a vote in this House? What is to be gained by it? What is the advantage of what the right hon. Gentleman calls clearing up the rights, when you do no not clear them up at all except to your own satisfaction—when you do not establish any binding authority or any moral influence to weigh with anyone else in the world? Is the House bound at this moment? No, Sir; the House is not bound. Is the House bound by the opinion of the Executive Government, which opinion had never been submitted to them? Even had the agreement been adopted—even had the House voted the loan of money, it does not follow that the House would have been bound, because what we said on the Agreement had reference to a sentiment and a conviction in our minds; but there was no expression of that sentiment in the Agreement, and the Agreement itself in no way involved it. In point of fact, those who look at the case impartially should find that there was an Agreement, should find that that Agreement was made by a Government holding a certain opinion as to the Isthmus of Suez, and should find that, in consequence partly of the attitude of the House, that Agreement was withdrawn. Surely, they would say that if any inference is to be drawn on this subject—and I do not think any inference can be drawn—but if it could, it certainly would not be very favourable to M. de Lessep's right. But I think no such inference can be drawn; and most certainly I think it is an extravagant proposition to say, as was said by the right hon. Gentleman in terms of great moderation, that we should prevent the tacit acceptance by the House of the opinion of Her Majesty's Government. I think the right hon. Gentleman must feel and know that there is no such acceptance involved, and that the House remains totally and absolutely unpledged, and may, subject to the considerations of right and equity, which I am sure the right hon. Gentleman never will lose sight of, adopt whatever course it pleases in the future stages of this important matter. Is it merely on the ground of inutility that I would say, do not adopt the terms of this Motion? No, Sir; I contend that this Motion would be injurious and mischievous in ways not intended by the Mover—mischievous in more ways than one. Let us consider what the proposal is immediately preceded by. It has been fully admitted by Members of Her Majesty's Government that upon the best examination they could make of the facts, and upon obtaining the best authority at their command, both in the Foreign Office, which is very strongly armed on the subject of law, and likewise from their own Law Officers, and from the Lord Chancellor, they had adopted a certain opinion as to an exclusive right of M. de Lesseps over a limited tract of country. Upon that the right hon. Gentleman makes a Motion, in which he asks the House to affirm that it ought, in no respect, to admit a monopoly extending over an unlimited tract of land. [Sir STAFFORD NORTHCOTE dissented.] Of course, the right hon. Gentleman will understand the sense in which I use the word "unlimited"—namely, a tract of country not comprised within those limits. You have before you an admission by the Government of an exclusive claim in a limited tract of country, and then a Motion is made by a distinguished opponent of the Government, binding the Government not to acknowledge the claim over a tract of country extending to much wider limits. What inference will arise? The inference will arise that the House had no objection at all on the subject of an exclusive right to a limited tract of country; and the House would be led indirectly into doing that very thing which, I hope, it will on no account do—namely, committing itself on a matter that is not a matter for its opinion, and in which no Executive Government could support it by its authority. It appears to me that that objection is very strong; but, even apart from that objection, I will venture on one other topic before I close these remarks. Will the House take upon itself to set an example to other Legislative Chambers of the practice of laying down opinions and doctrines with regard to the rights of the Suez Canal Company over the Isthmus of Suez? Is the right hon. Gentleman ready to take upon himself that responsibility? I have great doubts whether he is. I do not feel at all sure that he intends to ask the opinion of the House upon the Motion he has submitted. Of course, he may do so; but whether he does or does not, I wish the House to consider what will be the force of that example. Can you make sure that other Legislative Chambers will not exercise their right in the same sense as you have done? Suppose you choose to lay down a particular opinion on this subject. Have not other Chambers as good a right to do it as you? Suppose that, in the exercise of that right, they chose to express opinions different from those which this House has expressed, I ask the House whether, in that case, you have not enormously increased the difficulties, at present serious and grave, but by no means desperate or insurmountable, which beset this question? Why, you will have such a mixture of national sentiment, national susceptibility, and national interest as, judged by each Party from distinct points of view, will constitute a state of affairs perfectly hopeless and impossible to contend with. If ever there was a question in which the general dictates of prudence and equity ought to be borne carefully in mind by the House, it is this. This question has not only a future, but it has also a past. We may, perhaps, be thinking of nothing but our present and prospective traffic; but in the memory of others there abides a lively image of what happened 15, 20, and 25 years ago, when the bold projectors of this Canal, who have earned for themselves an immortal name among the benefactors of mankind, were struggling with difficulties which we were doing everything in our power, by a combination of political Parties, to accumulate upon their path. These things are not forgotten. It is not for our duty, it is not for our interest, to revive and quicken such recollections. It is for our duty, and it is for our interest, to have some sense of regret and compunction for the errors into which I will not say this nation, I will not say the merchants of this nation, but undoubtedly the political authorities and the Government of this nation were led in that deplorable opposition to that great enterprize. The opposition was, in the first place, undoubtedly, confined to the action of the Executive; but, in 1858, I think a Motion in support of the scheme was made by Mr. Roebuck, who at that time had not ceased to act with the Liberal Party to which he originally belonged; but that Motion was, unhappily, put down by a great majority, formed of both political Parties, its supporters being those waifs and strays not looked upon as good company in any assembly of respectable politicians. When I reflect upon some of the declarations which we have had to read, either as spoken or written within the last few weeks, there is in me the most painful emotion. I am convinced we cannot support or strengthen national interests by such means. The ground upon which you tread is of the utmost delicacy. I have not a doubt or apprehension in my mind as to the future of this question, provided we act with prudence and equity. I am convinced that there is an absolute union of interests, that there is a substantial union of views; and it is impossible, in my opinion, unless by the perverseness of men, that the vast interests with which we are allied with the commerce of the world, and with the consumption of the world, should not find their way and should not receive a just and full satisfaction in the settlement of this important question. There is no cause for fear; but we can only dismiss fear from our minds when we determine to take prudence for our counsel. In a question of this kind, where at every turn and every step you have to steer among the nicest national susceptibilities, the gravest national interests. the dictates of prudence, when they are clear, are the dictates we are bound to follow. I own I have never seen a conclusion before me more stamped with truth and justice, than now when I entreat the House not to accept a Resolution which asserts nothing that any one of us desires to deny, which establishes nothing that any of us has occasion to question, and which is simply a vindication of a freedom that is at this moment absolutely unimpared, and which would set a pernicious example, fraught with the gravest inconvenience, were we, unhappily, to be led in a moment of weakness to give an affirmative voice on its behalf.

Baron HENRY DE WORMS, who had given Notice that he would move, as an Amendment to Mr. Norwood's proposed Amendment to Sir Stafford Northcote's proposed Motion, to leave out all after the words "this House" to the end of the Question, in order to add the words—

> "Having regard to the recent Correspondence between M. de Lesseps and the Prime Minister, thinks it necessary to declare that it maintains its entire freedom of judgment in regard to all matters connected with the question of water communication between the Mediterranean and the Red Sea,"

said, that he had some difficulty in convincing himself of the identity of the hon. Member for Hull (Mr. Norwood), on comparing the remarks which that hon. Gentleman made when he headed the deputation to the Chancellor of the Exchequer with his extremely ingenious speech to-night. As to the Prime Minister, though often charmed by his eloquence, he had never listened to a speech which, with greater subtlety and dexterity, covered the issue before the House. The right hon. Gentleman began by saying that this was an international question, and ought to be approached with a great deal of delicacy. But if it was an international question, as he was willing to admit, there was all the more necessity that the issues should be clearly defined. If the issues were merely of a commercial kind, explanations might be given which would, perhaps, remove them. One objection of Lord Palmerston to the Suez Canal, which objection the right hon. Gentleman did not quite appreciate, was that he feared the preponderance of foreign influence. That was a great and important consideration; but he held that it was still more dangerous to truckle to foreign nations, which might lead them to believe that we had not the strength or the power to carry out our convictions. He thought it was the duty of Members of the House to defend what they considered the interests of their own country, and he entirely demurred to the idea that it was extremely dangerous to enter upon questions of this sort because it was possible in so doing to wound the susceptibilities of Foreign Powers. He held that that was a dexterous way of getting out of the difficulty, but it was not a line of argument that could be accepted as affecting the real merits of the case. If such a policy had been carried out to its full extent when, some time ago, difficulties arose between France and this country relative to the Treaty of Commerce, it might have been maintained that, in order to avoid wounding the susceptibilities of France, they should have then sacrificed the commercial interests of England. He held that the Amendment which he had placed upon the Paper was preferable to that of the hon. Member for Hull, because it contained a special reference to the letter of M. de Lesseps to the Prime Minister, in which he asserted his exclusive right to cut a second Canal through the Isthmus, and because that letter was the only subject which demanded attention, now that the Agreement had been withdrawn. In that letter M. de Lesseps used these words—

> "Cet accord constant venait de se traduire par une entente écrite, qui donnait à ce double intérêt les justifications que comportaient, d'une part les obligations d'une compagnie jouissant du monopole exclusif, pour 99 années, de tout creusement de canal maritime dans l'Isthme Egyptien."

The claim of M. de Lesseps had been acknowledged as valid by the Prime Minister and the Chancellor of the Exchequer on the 12th and 13th of the present month, and the voice of M. de Lesseps, who claimed the monopoly, was said by so distinguished a man as M. Léon Say to be the voice of France. Under these circumstances, although he (Baron Henry De Worms) did not wish to introduce any Party spirit into the debate, he held that it was the duty of the House so to express itself that it might not be hampered in any future negotiations by the claim that had been made. It was a remarkable thing how Her Majesty's Government, who had so earnestly warned us against mixing ourselves up with the affairs of Egypt, should at other times rush into engagements with that country into which no sane man would dream of entering. They had entered into a contract in which France was to obtain a monopoly of the right to make waterways between the Mediterranean and the Red Sea for 99 years to come, and for the construction of which they agreed that the English Government should advance £8,000,000 sterling at a nominal rate of interest, while there would be no diminution of rates until the dividends of the Company reached, which they never would do, 21 per cent. Under these circumstances, it would be most impolitic for the House to permit the recognition by Her Majesty's Government of the right of France to this monopoly to remain upon record. He therefore thought that he had made out his case for proposing to amend the Amendment, and for asking the House to refuse to recognize the validity of the claim which the Government had so rashly and unwisely admitted.

MR. MONK said, the question of M. de Lesseps' sole right to construct a Canal across the Isthmus of Suez might be left to the Law Officers, and eventually to the international tribunals who would ultimately have to decide the question. Whatever difference of opinion there might be about the somewhat vague and colourless Amendment which had been moved to the still more vague and colourless Resolution of the Leader of the Opposition, the hon. Member for Hull (Mr. Norwood) was to be congratulated for his able speech in vindication of the Government's action with regard to the construction of a second Canal. He could not but wish, however, that the Amendment had been of a more pronounced character. On behalf of the Chambers of Commerce he desired to express his acknowledgments to the Government for the readiness with which they entered into negotiation with the Company; and although those negotiations had not resulted in the success desired, yet he believed the country had not adequately appreciated the value of the admissions and concessions which had been made by M. de Lesseps. Since 1879 the amount of tonnage which passed through the Canal had risen from 3,236,942 in that year to 7,122,125 in 1882, and 4,305,882 in the first half of the present year. During the same period the tolls had been successively reduced from 12 francs to 10½ francs a-ton, and at the beginning of next year the rate would be 10 francs. The Agreement provided for a reduction of 2½ francs on vessels in ballast next year, while M. de Lesseps offered to make large prospective reductions, contingent on an increase of profits, which contemplated a remittance of 50 centimes a-year, after the pilotage dues have been finally extinguished in 1886. It should not be forgotten that M. de Lesseps was now under no obligation to reduce the tolls below 10 francs at any time, or to take off the pilotage dues. Where he thought the Government scheme was most defective was in not providing definite reductions of tolls to take effect at definite periods; the uncertainty of the proposed reductions operated against the Agreement. Then a stronger British element on the Directorate ought to have been secured; and another essential condition was that there should be an office of the Company in London for the transaction of English business with the Canal. If we could come to terms with M. de Lesseps, no doubt it would be desirable and to the interests of Her Majesty's Government to aid him in obtaining a concession of further land adjoining the present Canal, through which a parallel Canal might be constructed at very much less cost than any other means of water communication between the Mediterranean and the Red Sea. He had no sympathy with those financiers and speculators who were eager for the construction of Canals by the Valley of the Jordan, or from Alexandria to Cairo. These schemes would not be remunerative, and they would bring no relief to the commercial community. Speaking on behalf of the Chambers of Commerce, he might observe that they, in concert with the Chamber of Shipping, first set this stone rolling, and that since their interview with Lord Granville on the 20th of April last that stone had certainly gathered no moss. He was ready to admit that their Association from the first took an independent line and advocated palliative, not hostile measures. He believed he interpreted the wishes of the vast majority of those Chambers when he said they had not that distrust which had been evinced in some quarters of M. de Lesseps. They looked upon him as a friend and an ally to whom the greatest consideration was due on the part of this country. M. de Lesseps had been most anxious to meet the wishes and requirements of the commercial community in this country as far as his duty to his own shareholders would allow. In conclusion, he would express a hope that the further negotiations between Her Majesty's Government and the Canal Company would not be indefinitely postponed.

Mr. ASHMEAD-BARTLETT : Sir, the right hon. Gentleman the Leader of the Opposition has received very hard treatment from the Prime Minister. Although the forbearance of the Opposition has been asked for by the Ministry, on account of the delicacy of our relations with France, the Premier has been very severe upon the right hon. Baronet (Sir Stafford Northcote) on account of his very temperate dealing. No one can say that the right hon. Gentleman's speech was other than extremely forbearing, though I confess to a preference for the Amendment of the hon. and learned Member for Brighton (Mr. Marriott). I am afraid that considerate and gentle criticism are thrown away upon the Treasury Bench. They always return bitter invective for moderation. A great deal has been said by the Prime Minister, both in this and his former speech, about the international gravity of this question; the danger of provoking irritation; the delicacy of our relations with the French Republic. To quote his own words—

> "A hostile issue formed upon an Agreement of this kind could not possibly take place without very serious international mischief. In this instance, in a very peculiar degree, undoubtedly, the handling of subjects of this kind requires the utmost delicacy in the forms of the proceedings, on account of the international interest, and, possibly, the international irritation which any miscarriage in such proceedings might have tended to bring about."

But, as the hon. Gentleman the Member for Greenwich (Baron Henry De Worms) has just put it, there was something for the Government and for Parliament to consider, on a question of this kind, more important than diplomatic delicacy, or than the sentimental feeling of a Foreign Power. The political interests and the commerce of Britain have the first, and infinitely the first, claim. The real question is—How would British interests have been affected by this extraordinary Agreement? Now, at the outset, it must be remembered that this is not a sudden suggestion flashed upon the Ministry within a few hours, or even a few days. It is not a hasty proposal from M. de Lesseps which Her Majesty's Ministers have not had time to examine, and on which they are now asking the advice of the Commons. It is a deliberate, long-considered arrangement, which, after full examination, the Cabinet formally approved and then submitted to Parliament. The Prime Minister himself confesses that the scheme has not been well received by the country. And no wonder! For so one-sided, so preposterous, so unprofitable an Agreement could not do otherwise than fall to the ground. The Government have shown wisdom and dexterity in so quickly withdrawing from their hopeless scheme. Never has so astonishing a set of proposals as this Suez Scheme been assented to, I will not say by any Government, but by any men of business. To lend £8,000,000 at 3¼ per cent to a French Company over which we have no practical control, and without stipulating for any further control, even for a fair *quid pro quo*, would be of doubtful policy; but in view of the fact that the present crushing tonnage dues were not to be lowered until the shareholders had received 25 per cent interest on their capital, the scheme is, indeed, without precedent. When to this ridiculous bargain is added the wanton concession to M. de Lesseps by the Prime Minister and his Colleagues of the sole right of making Canals across the Isthmus of Suez, and the fact that seven-eighths of the revenue of the French Company are derived from ships, we get a combination of astounding inaptitude for which it would not be easy to find a parallel. It is not for the Prime Minister to complain of the inopportuneness of this discussion, because it is he who is responsible for the controversy as to the legal and international questions, for he began by laying down the law in a wholly unnecessary and wanton manner. There would have been no dispute at all if the right hon. Gentleman had not deliberately surrendered the claim of an exclusive monopoly to M. de Lesseps and the French Company. It is all very well for the Prime Minister to deprecate the setting of an example to other Legislatures; but he has himself, by his uncalled for concessions, set an example to other Prime Ministers. Although three months have been spent in the secret and now abortive negotiations with M. de Lesseps, yet the Ministry seem to have taken no steps to consult those whose opinion would have been most valuable upon such a subject, and still less to ascertain the feeling of the country. Ministers might have asked the advice of some of those Liberal shipowners who have so gallantly come to their rescue to-night. But they were too self-confident; and so, after three months of negotiation, they produced an Agreement so grotesque and so detrimental to the interests of the nation, that it died still-born the moment it saw the light. No one appears to have been consulted who ought to have been consulted. The country was kept, to use the striking words of the Government of Victoria, "all in the dark" about this wonderful plan. The choice of negotiators was as unfortunate as the terms of the bargain. For the Ministry to leave such a matter as this in the hands of two Directors of the Canal Company, who are naturally much under the influence of M. de Lesseps' able and masterful spirit, was, at the least, injudicious. It is not surprising that the Prime Minister should describe M. de Lesseps as "sagacious." He has proved himself a great deal too sagacious for Her Majesty's Ministers. The Government could not admit their failure more absolutely than by their abrupt abandonment of this child of many hopes and of much scheming. They dare not submit the product of their labours to the judgment of Parliament. The precipitate and ignominious retreat of its authors from a scheme which had been heralded with so much ostentation is the most eloquent condemnation that can be passed upon it. It is pretty evident, however, that the Ministry have been acting under the influence of political motives throughout. They have been led to make these extreme concessions in the hope of conciliating the French Government and French feeling, which, in spite of all the Prime Minister's protestations, has been growing steadily more hostile to England. The right hon. Gentleman has said of even the discussion of this scheme, that—

> "(*c.*) On the one side claims would be made which would unquestionably be felt of an irritating character, and which might tend to the raising of questions in foreign countries that would not conduce to the maintenance of those cordial relations of good will and amity which it is our main duty to promote."

This, with my previous quotations from his remarks, will show that the abortive Agreement, whose premature decease we are now considering, was really intended as a bribe to France. It might have been thought that the prior experience of the Ministry as to Tunis, the Commercial Treaty, and the Egyptian War, would have convinced them of the futility of trying to buy over the French Republic. The hon. Member for Hull (Mr. Norwood) wishes the House to affirm that its hands are perfectly unfettered. His Amendment states that—

> "This House desires to maintain its entire freedom of judgment in regard to all matters connected with the question of water communication between the Mediterranean and the Red Sea."

He forgets that the Prime Minister has, without provocation and with gratuitous contempt for the interests of British trade, done his utmost to bind the country to an admission of the exclusive monopoly claimed by M. de Lesseps. In its general sense, no doubt, the hon. Gentleman's Amendment is a distinct condemnation of the concession of Ministers. To state that the House is not bound, after the declarations of the Prime Minister, is to place little value upon those declarations. Yet, though the Government may escape the direct censure implied in the Resolution of the Leader of the Opposition, their acceptance of the modified censure of the Member for Hull is a confession of the desperate nature of their cause. With the Agreement itself and its absurdities we need have little concern. It is gone. It has perished without hope of revival. But the statements of the Prime Minister and of some of his Colleagues, which have been made in connection with this question, are not to be so lightly treated. For by these statements they have most unnecessarily, and with a wanton disregard of political and commercial prudence, surrendered the whole basis on which British interests rest as regards M. de Lesseps and the French Company. The Prime Minister and the Chancellor of the Exchequer have, in the most public and emphatic manner, conceded to M. de Lesseps his novel claim to a monopoly of Canal-making across the Isthmus. It is sufficiently incredible that, under any circumstances, they should have allowed such a claim to be well-founded. Even if it appeared just to minds so constituted as always to favour other nations at the expense of their own, ordinary sagacity would have restrained them, as negotiators, from thus recklessly flinging to the other side the very keystone of the resistance to so injurious a monopoly. There is absolutely nothing to be gained by such thoughtless gifts, while everything may be lost by it—at least everything in the shape of British interests. What is it that the Ministry have conceded? On July 12, the right hon. Gentleman the First Lord of the Treasury stated in this House, to the universal astonishment—

> "M. de Lesseps is in possession of an exclusive right to make a Canal, as far as the Isthmus of Suez is concerned. That is the position of M. de Lesseps in our view and in that of our legal advisers. Upon that supposition all the money was subscribed for the making of the present Canal."

This last sentence is a purely gratuitous assumption, in support of which not the smallest evidence can be given. No such monopoly was claimed by M. de Lesseps at that time, nor dreamt of by anybody. But the Prime Minister was not satisfied with this personal concession to M. de Lesseps, for which there may be something, though little, to be said. On July 19, in reply to a Question of the hon. Member for Waterford County (Mr. Villiers Stuart), he declared—

> "The privileges referred to"—*i.e.*, the monopoly of Suez Canal-making—"do not, according to our view, determine with the life of M. de Lesseps, but pass to the Company formed by him."

These two serious statements of the utmost importance, involving, as they do, the whole case of British commerce, and indeed of the world's commerce, as against the French Company, were made, without any necessity, before the debate, and apparently out of sheer pettishness caused by the general condemnation of the scheme. What lawyer would thus jeopardize the case of his client? What guardian would thus imperil the future of his ward? What man of business would thus sacrifice the interests of those for whom he was negotiating? Yet the Prime Minister has in charge interests more extended and more sacred than any private trustee. He is guardian of the Empire of England. It is his duty, a bounden and paramount duty, to guard with unwearying care the splendid commerce of these Realms. He has to safeguard the vast shipping trade between Great Britain and the East; and especially is he bound to protect the avenue to our vast dominions in Hindostan. But, in face of these duties, he lays the rights of his country and the traffic of the world at the feet of a "sagacious" Frenchman, and enters into a financial arrangement which enables M. de Lesseps and his Company to continue for an indefinite period their extortionate imposts on British merchandize. This generosity on the part of the Ministry would be all very admirable if it was exercised at their own cost. Unhappily, British shipowners and Imperial interests have to pay for this vicarious liberality of the Government. On what, then, is M. de Lesseps' claim to a monopoly based? The wording of the first Concession—that of the Viceroy Said Pasha, dated November, 1854—is as follows:—

> "I give to my friend Ferdinand de Lesseps an exclusive power to constitute and direct a Universal Company for the piercing of the Isthmus of Suez"—throughout all the concessions and documents the words 'a Canal,' not 'Canals,' occur—"and the making of a Canal between the two seas."

Would any lawyer so phrase a concession which was intended to give the concessionnaire the monopoly of making Suez Canals? Would he not simply say "an exclusive power to pierce the Isthmus of Suez?" or "an exclusive power of making Canals through the Isthmus of Suez?" As a matter of fact, all that was promised to M. de Lesseps, in 1854, was the sole right of constituting a "Universal Company"—that is as opposed to a *Société en Commandite*—that is, an English, or French, or Italian Company—for the purpose of the Canal. It was intended to protect M. de Lesseps, on the one hand, against the

Viceroy, who was himself the great monopolist of all power in Egypt; and on the other hand, against any other "universal" concessionnaires. But this concession was never itself ratified by the Sultan, without which it could have no validity. It was not until 1860 that the Sultan gave his sanction to the convention dated the same year between the Viceroy Ismail Pasha and M. de Lesseps. Neither this Convention, nor the *cahier des charges*—or conditions of the contract—of January, 1856, nor the *compromis* of 1864, on which the French Emperor's first award was based, contain any reference to an exclusive right or power of Canal-making. Their language is very uniform and much less comprehensive than the Concession of 1854. They clearly specify what pecuniary benefit M. de Lesseps received from the Viceroy, and what he is, in turn, obliged to do. No exclusive powers can be claimed which are not set forth in the *cahier des charges*, or conditions of the contract. Under this document M. de Lesseps' obligations and privileges are distinctly and at length set forth. It also repeals all previous dispositions which are inconsistent with its conditions. He has to make a Canal suitable for general maritime navigation between Suez and Pelusium; also a canal of irrigation, (*i.e.*, the Sweet Water Canal), and two branch canals of irrigation. In return he obtains freedom from imposts, the right to work mines, the power of putting a maximum tariff of 10 francs per ton upon vessels. Furthermore, 10 per cent of the profits are to be divided among the founders. Article 20 of the *cahier des charges* states that—

> "M. Ferdinand de Lesseps shall preside over and direct the Society as first formed during 10 years from the time of the commencement of the first 99 years of the Concession (*i.e.*, from the completion of the works)."

So that the "power to construct a canal" would naturally be exhausted when it was finished; and by this Article the power "to direct" or manage the Company was limited to 10 years. These quite justify the conclusion of the hon. and learned Member for Christchurch (Mr. Horace Davey) and Mr. Underdown, that—

> "The only exclusive privilege was one personal to M. de Lesseps—viz., to constitute and direct the Company. The benefits which were to accrue to him for presenting the matter to the Khedive, and for acting as the agent and friend of the latter in forming the Company, are clearly set forth and have been enjoyed by him."

This opinion is also held by the right hon. Gentleman the Member for Launceston (the late Attorney General) and by Mr. Mark Napier. These eminent authorities will carry quite as much weight with the country as the Law Officers of the Crown. There is a very important Convention between the Khedive and M. de Lesseps, bearing date April 23, 1869, in which the Company, in consideration of the payment by the Khedive of a sum of 20,000,000 francs in addition to the 84,000,000 francs awarded them by Napoleon III., "renonce a toute exception faculte on privilege special et reutre dans le devoir commune." So that, even if they claimed a monopoly which was never given to them, the Company renounce any such pretension. Lastly, the Firman of the Sultan, which was not given until March 19, 1869, in confirming the Concession, expressly reserves "the sacred rights of the Porte and of the Egyptian Government." To deny now that the Viceroy and Sovereign of the Egyptian territory have no power to authorize the construction of another Canal, is as absurd as to deny that Parliament could give a concession to a second railway to construct a rival line between two districts because it had already given a similar concession to another Company. Let it be noted, too, how this claim of M. de Lesseps is growing. It was once the monopoly of making "a" Suez Canal. This was scouted by the Khedive and the Porte in 1872. It is now the monopoly of "any" Canal. It was formerly limited to the Isthmus of Suez. Now it has become the Egyptian Isthmus. The House should not overlook the remarkable letter addressed by M. de Lesseps to the Prime Minister on July 20. In it he claims for the Company "the exclusive monopoly of excavating any maritime Canal through the Egyptian Isthmus." This enlarged claim would cover the Canal suggested along the Nile to Cairo and thence to Suez. This letter is a State document. It crystallizes and enlarges the claims which the Prime Minister has granted. M. Leon Say states that M. de Lesseps' letter represents the voice of France. Yet, in his reply to M. de Lesseps, the right hon. Gentleman takes no exception to these exaggerated assertions. If they are not noticed and contradicted now, it may well be said hereafter that England is bound by the declarations of the Prime Minister and by the silence of the House of Commons. On a question of this kind it is perfectly fair to consider what benefits M. de Lesseps and his co-founders have actually reaped from the Canal. The Prime Minister has indulged in his usual vague and majestic language as to the gratitude due by the world in general, and England in particular, to this Company. No one will deny that M. de Lesseps has been a benefactor to the commerce of Europe and Asia. But where the interests of a great Empire are at stake, we are justified in examining thoroughly, in no grudging or narrow spirit, but fairly, what the Company and its founders have obtained in return for the benefits they have conferred. In the first place, the shareholders are now receiving 19 or 20 per cent—and this mainly out of British trade—on their investment; secondly, the founders, of whom M. de Lesseps is the Chief, divide among themselves this year, as their 10 per cent, no less than £125,000. In the third place, the Directors, of whom M. de Lesseps is the President, receive £25,000. These are well-deserved returns; but they are far from inconsiderable. They would never have been received by the Company but for British shipping, which furnishes seven-eighths of its revenue. I contend, therefore, that M. de Lesseps and his coadjutors are sufficiently rewarded for their enterprize without giving them a monopoly of Suez Canals for all time to come. The Prime Minister has stated that "large advantages have been gained by this Agreement" for British trade; and that his—

> "Arrangements would have led to a considerable increase in the practical influence of Englishmen over the Government and over the Direction of the Canal."

These are bold assumptions, which the facts of the scheme do not justify. What were the "large advantages" gained? When the interest paid on the shares amounted to 25 per cent, then 50 centimes, or 5*d.*, was to be taken off the present tax of 10 francs 50 cents (8*s.* 5*d.*) per ton. This reduction of 5*d.* would, on a ship of 1,000 tons, amount to about £15 out of a total charge of £435. When the interest had risen 27½ per cent, another 5*d.* was to be taken off, and a third 5*d.* at 30 per cent. These reductions were to be repeated at every 3 per cent rise of interest, till a minimum tariff of 5 francs was reached. Below this there was to be no further relief. What a magnificent boon! We were to lend £8,000,000, at 3½ per cent, that this French Company might therewith double the value of their property. In return, when the shareholders were getting their 25 and 30 per cent interest, these miserable fivepences were to be slowly and grudgingly taken off the tonnage tariff. Then, as to the changes in the Direction of the Canal. At present there are 24 Directors, of whom three are English. The defunct scheme proposed no increase of the English Directors. At present the Court de Direction, or Executive Committee, consists of five regular and three honorary members. One only, and he an honorary member, is English. It was proposed to make him a regular member, leaving the Committee seven foreign members to one English member. The Finance Commission has now nine members, of whom one is English. The late scheme would have given one more English member, making two out of nine. There was also to be one English Vice President out of three. There is something supremely farcical about the idea of these infinitesimal changes causing a "considerable increase of practical influence." A very just estimate of the practical value of these so-called advantages was made by the British public, no less than by the commercial community. They laughed the whole scheme out of existence directly it was made known. The contrast between the proposals of the present Ministry and the conduct of the late Administration deserve a brief notice. Lord Beaconsfield saved Egypt from bankruptcy, and the Khedive's shares from falling into the hands of a French Syndicate, by purchasing them at a cost of £4,000,000. British influence in Egypt was greatly increased by that statesmanlike act. At the time the right hon. Gentleman (Mr. Gladstone) scoffed at the transaction, and said the £4,000,000 had better have been divided among the Ministers who concluded the purchase. On those £4,000,000, which only cost England 3¼ per cent, interest at the rate of 5 per cent has been and is regularly paid by the Egyptian Government. Thus, in 36 years from 1875, even at 5 per cent, the whole sum, principal, and interest, will have been reimbursed to the English Treasury. We shall then hold the shares, which will, in 1894, become entitled to the full profits of the Canal, absolutely free of cost and burden. The whole £4,000,000 will have been paid off, probably by the year 1897, and England will be gathering the 20 or 30 per cent interest enjoyed by the other shareholders. Now, I beg the Treasury Bench to mark the difference. You lend £8,000,000, at 3¼ per cent, to a French Company for their gain, and for the development of their property. British influence is positively lessened by your weakness. The advantages to English shipping would have been, under your scheme, as I have shown, but trifling; the gain to the Exchequer would have been absolutely a minus quantity. When, in 50 years, the loan might have been repaid, England would not have owned a single fresh share, and would be receiving no interest for her liberal loans. What is our position as to Egypt and the Suez Canal? Our trade supplies seven-eighths of the shipping and seven-eights of its revenue. Our financial and industrial interests in Egypt itself are enormous. Our political and military interests are even greater. It is the high road to our Indian Empire. England owns over 40 per cent of the share capital of the Canal. At present we are in military occupation of the country, and must remain so for a considerable period, unless we are to abandon Egypt to anarchy, or to another European Power. The Prime Minister speaks of our "tempory and exceptional position" in Egypt, as if to imply that we have no greater interests there than other Powers, and that we are bound to scuttle out as fast as possible. If not in defence of British interests, I would ask why did we undertake the costly and troublesome "military operations" of last year? Why did we crush the efforts of the Egyptian people after self-government, and overwhelm Arabi and the National Party? Was it out of a spirit of pure knighterranty, and for hardly the worthiest of causes? Unless the Ministry wish to convict themselves of the purest folly they must admit that the Campaign of 1882 was undertaken to secure our interests in Egypt and the Canal. This being so, the Government are bound to see that our sacrifice of blood and treasure are not fruitless, and that the results of our labours are not thrown away. £6,000,000 and many precious lives have been given to the war in Egypt. Early in the century, the valour and genius of Nelson and Abercromby wrested Egypt from the grasp of the Great Napoleon. Forty years ago, the resolution of Lord Palmerston again saved Egypt from becoming a French Province. It is essential that British influence shall be predominant in Egypt. Our interests demand it, and the country expects it of the Government. During the past two years a great change has come over the Egyptian Question. Whereas, two years ago, both France and ourselves were satisfied and Egypt tranquil, since that time Egypt has been overwhelmed with troubles, and the greatest dissatisfaction is felt both in France and England. A perfect crop of troubles and ill-feeling has sprung up between the two States. Why is this? Because of the exaggerated delicacy our Government have shown in dealing with France in this and other matters, and because of the subservience they have evinced to French policy and prejudices. I assert, with perfect good feeling towards France, that the more our Government yield, the more they talk with bated breath, as the Prime Minister has talked, the bigger will be the demands of France, the greater will be the irritation, and the greater the certainty of future trouble. We should lose nothing by a courteous, but, at the same time, a firm attitude towards France. The Prime Minister has ridiculed the statement of the right hon. Gentleman the Leader of the Opposition that this is a commercial and not a political question. The purchase of the Suez Canal Shares had, no doubt, a political as well as a financial object—it was to prevent those shares falling into the hands of a French Syndicate—but the present proposal is simply to lend £8,000,000 sterling to the Suez Canal Company, without any chance of England reaping advantage, political or commercial. The policy of the late Government in purchasing the ex-Khedive's shares in the Canal was so wise, so far-sighted, and so beneficial to this country, it conferred upon us so much political and general advantage, as well as pecuniary gain, that I challenge the Government to show any parallel in the history of the financial transactions of the world. I am afraid that, in their late scheme, the main consideration which has guided the Government has not been the advantage of British commerce, nor the political interests of the British Empire, but a fair desire to conciliate the French Government by giving M. de Lesseps and his Company a good bargain. I will only say, in conclusion, that if anyone is responsible for this debate, it is the Prime Minister, for, without necessity or provocation, he has deliberately abandoned to this French Company an exclusive monopoly. He has thereby surrendered without cause the ground on which all international resistance against French monopoly must in future be based.

MR. ARTHUR COHEN said, the legal aspect of the question of monopoly could only be presented in a direct form by raising a suit in the Egyptian Courts. If the Egyptian Government granted a new concession to another Company to construct a Canal, the present Company could at once, under Article 16, apply to the Egyptian Court for an Injunction. In that way only could the question be brought to an issue; and it would be decided, not by English, but by Foreign law. That ought to be remembered when they considered whether the House should express an opinion as to what was the proper mode of interpreting this concession. He did not think the conduct of the Government ought to be determined solely upon the mode in which a Court of Law might decide this technical legal question. Let them put Her Majesty's Government in the position of the Government of Egypt of having granted a similar concession, and then he believed all the difficulty would be solved. He had arrived at the conclusion that the International Suez Canal Company had an exclusive privilege in the sense which he would afterwards explain. No doubt, if the only statement of an exclusive power were to be found in the Concession of 1854, it would be extremely difficult to understand how Her Majesty's Government could have received the advice which was given to them. The Concession of 1854 gave exclusive power to M. de Lesseps to form a Universal Company for the purpose of constructing a Canal; the concession was granted, not to M. de Lesseps himself, but in trust for the benefit of the Company of which he was the promoter. It was argued that the Concession of 1854 was revoked by the Concession of 1856; and, according to Lord Salisbury, it was of no validity, because it did not receive the sanction of the Sultan. But the last Article of the Concession of 1856 revoked only those parts of the Concession of 1854 which were inconsistent with the *cahier des charges*. And as for the Sultan's Firman of 1866, it just as much confirmed the Concession of 1854 as it did the Concession of 1856. It was asserted that the only object of the Concession of 1854 was to enable M. de Lesseps to announce that he was the sole *mandataire* of the Viceroy for forming a Company to construct the Canal. But, if that was so, why should the Concession of 1854 be treated as in force after the Company was formed; because, if the formation of the Company was the only object of the Concession of 1854, then when the Company was formed the concession was exhausted, and it had come to an end? If that was so, why was the Concession of 1854 treated as in full force in the Concession of 1866? M. de Lesseps was to have the exclusive power of forming a Company. No one else was to have the right of piercing the Isthmus and making the Canal. Probably no one thought then that another Canal would be constructed. But to what inference did that lead? Was it not to this, that at that time the work of piercing the Isthmus and constructing the Canal was considered an "indivisible unity," which was not to be split into fractions, but was to be the work solely of the Company formed by M. de Lesseps? It was not the granting of a monopoly at all. A monopoly was an exclusive power given to an individual to do that which, otherwise, every person would have a right to do. But this was strictly a franchise, like the right to build a bridge or the right of ferry. Seeing that there was an existing concession containing the words "exclusive power," and alluding to them as being in force as late as 1866, he could not refuse to give effect to those words. Although holding that opinion, he wished to observe that the proposition he had stated, like all general legal propositions, was subject to limitations and conditions, so that he did not consider this question of exclusive privilege was of much importance. And for this reason. It was established by incontestable authority that in every grant made by a Sovereign there was reserved the right of domain—that was, the right of resumption of possession of the thing granted on the ground of public utility or expediency. That being so, the International Suez Canal Company could not impose arbitrary terms upon the world. The true construction, therefore, to be placed on the Convention now occupying the attention of the House was this, that as long as the concession should exist the Ruler of Egypt could not grant to any other Company the power of constructing a Canal. But that concession might be taken away; and if the International Suez Canal Company would not construct a Canal on reasonable terms the Ruler of Egypt would be perfectly justified in resuming the concession, or constructing a Canal himself. M. de Lesseps knew very well that he could not abuse the power granted to him, and after negotiation he would doubtless yield. But we ought not, for the sake of our mercantile interests, to make use of our influence in Egypt for the purpose of inducing the Ruler of Egypt to act towards the Canal Company in a manner which we should consider unfair on the part of our own Government, if that Government had granted a similar concession in similar circumstances. In his endeavour to enforce that view upon the House, he was speaking, not against the interests of this country, but for her true interests, her honour, and her reputation.

MR. T. C. BRUCE said, he wished to point out that the contention of M. de Lesseps was that for the next 100 years the mercantile traffic between the West and the East was to depend upon the good pleasure of the Suez Canal Company. That, in his opinion, was a very monstrous proposition. What, he asked, was this Company? It called itself "Universal," and in the original concession there were provisions calculated to give it a character corresponding to its name. There was one provision to the effect that the Directors of the Company should be chosen from the different nations which had an interest in the affair; and another to the effect that the Chairman, after the lapse of the special powers given to M. de Lesseps, must be chosen by the Viceroy from among the largest shareholders. These provisions, if carried out, would give to this country a considerable control over the Canal; but, as a matter of fact, they had not been acted upon. Those who had an interest in the Canal, and who were entitled by the concessions to exercise power over it, were met by an obstinate determination on the other side to refuse to grant them their just share in its government. That was seen in the negotiations that took place in connection with the tonnage dues; and again last year, when, being obliged to occupy the Canal under the authority of the Egyptian Government, we were opposed by the agent of M. de Lesseps. In interpreting this concession the real point to be kept in view was that the words "exclusive right" attached themselves entirely to the right of M. de Lesseps to form a Company, while the rights of the Company must be determined by other considerations. It must be recollected that at the time M. de Lesseps obtained this concession it was quite possible that the Khedive, after having given one Company certain privileges at one time, might afterwards have given another Company other privileges which might have rendered those of the first Company valueless. Therefore it was that this concession conferring the very valuable privilege of forming this Company was given to M. de Lesseps. It was a striking fact that although M. de Lesseps had at one period of his career been in want of money, he had never set up this claim to the very valuable right he now asserted he possessed in order to raise the necessary funds. It had frequently been urged, with great force, that in dealing with M. de Lesseps and his Company, which had accomplished so much for us, we could not proceed upon the narrow considerations of strict legal rights, and this no one would be more willing to admit than himself; but, on the other hand, he thought that to hand over the exclusive control of the traffic of the East and of Australia for the next 100 years to a single Company, or even to a single nation, would would be paying too dearly for the services of even M. de Lesseps and his Company. He must remind the House that the conditions contained in the concession which M. de Lesseps actually obtained were very different from those contained in the original concession which was set aside. It was the opposition—unreasonable enough in many respects, as he readily admitted—to the scheme that had brought about a removal of some conditions contained in the original concession, which would have been most injurious to the world. There was another point to which he desired to draw attention. Since the successful attempt to form this Canal, this Company, which had originally been put forward as a Universal Company, had had its praises sounded as being exclusively a French Company; and political capital was sought to be made out of the so-called sacrifices which the French nation had made in order to benefit the commerce of the world. But was the House aware of the exact proportion in which the French nation had contributed towards the expense of making this Canal? In round numbers the French nation had contributed £6,000,000 towards the making of the Canal, while the Egyptian people had paid down in hard cash, or in money's worth, £10,000,000. Therefore, while we were called upon to admire the great work which the French nation had achieved, we were also called upon to ignore the services which the Egyptian people had rendered us. It was hard that, while we heard so much of the great sacrifices which the French nation had made, we should hear so little of the forced labour of the wretched Egyptian fellahs who had been dragged by force to do the work of making the Canal, and who had afterwards been compelled to pay compensation to the State for the loss which their absence from their homes had entailed. The Company, moreover, had obtained, under the award of the late Emperor of the French, the sum of £4,000,000 in respect of the withdrawal of the concession as to the Sweet Water Canal. The benefit derived by the Egyptians from the Suez Canal was absolutely *nil.* The result of the whole transaction had been that Egypt received 15 per cent upon the net revenue of the Company in consideration of having given the latter the concession, the land, and 65 per cent of the outlay incurred. This was, perhaps, not a reason for doing away with any legal rights which the Company might possess; but it was a good ground for not being over-sympathetic with the Company, nor investing the work it had accomplished with a halo. In addition to the facts to which he had referred, it must be recollected that the shares of the Company had, for a considerable time, been at over 400 per cent premium. On the whole, therefore, the French shareholders had not suffered very greatly in consequence of entering into this very successful speculation. It must not be forgotten that the real master of the Suez Canal was the Khedive, acting under the Porte. The terms of the concession not only limited the amount of land to be acquired by the Company, but rendered a further concession from the Khedive and the Porte necessary before a second Canal could be constructed. The question was too great a one to be determined on so narrow an issue as the interpretation of two words in a concession. It was our right and duty—especially as we occupied so strong a position in Egypt—to regard the question as one affecting the commerce of the world. We ought, no doubt, to use our influence, in the first instance, to effect a reasonable arrangement with M. de Lesseps, if such an arrangement could be made. The questions for the consideration of the Government were—first, whether a second Canal was necessary; secondly, a reduction of the rates; thirdly, how Great Britain, as the Power most concerned in the welfare of the Canal, should be more adequately represented; and, fourthly, it ought to be borne in mind that in the view of the Government the question was so important that, in defiance of all ordinary rules, they were prepared to lend £8,000,000 at a very low rate of interest. He could not help thinking, therefore, that we possessed very valuable means of negotiation. There was one other point to which he would refer. He had heard with regret one or two Gentlemen on the Ministerial Benches speak of referring the Canal to an International Commission. He hoped we should have nothing of the sort. They had had enough of a Dual Control in Egypt. Unsatisfactory as the proposed Agreement was, he would rather accept it than hand the Canal over to a Commission composed partly of indifferent and partly of decidedly hostile elements. He hoped that we should have no repetition of such a

Commission as the Sanitary Commission, whose performances in Egypt had been so remarkable.

MR. HORACE DAVEY said, he did not desire to dwell on the purely legal aspects of the question; but he felt bound, out of justice to his learned friend, Mr. Underdown, and to himself, to say that he had very recently carefully gone through all the documents which had been submitted to his learned friend and himself, and, notwithstanding the adverse opinions given by persons of far higher authority than himself, he had seen no reason to alter in the slightest respect the opinion which his learned friend and himself had expressed on the subject. In fact, if he was not aware that there were other lawyers who were more likely to be right than he, and who had given a contrary opinion, he should not have for a moment doubted the accuracy of his own. He was surprised to hear the Prime Minister say that if the Provisional Concession of 1854 did not give M. de Lesseps an exclusive right to make a Canal through the Isthmus of Suez it gave him nothing. At all events, that concession, in which M. de Lesseps was spoken of as the mandatory and friend of the Khedive, enabled M. de Lesseps to go with his concession to the capitalists of Europe and to found a Company on the strength of these documents which he possessed. It enabled him compulsorily to expropriate private owners, and gave him powers possessed by no other person. There was no doubt that after the great efforts of M. de Lesseps, in which it must be remembered that he encountered the opposition of this country, that gentleman was entitled to the highest moral consideration at our hands. But he had always considered, and he still considered, that the question which the shipowners, the merchants, and people of this country had to consider was a practical question, which was to be discussed as a matter of business among business people, and not to be determined by nice considerations as to the exact meaning of a curiously worded document. That question was, whether, in the first place, a second Canal was necessary, and then, if it was, whether it should be carried out under the present Company so as to insure uniformity of management for both Canals; or whether a British Company should be formed with British capital and under British management? It should be remembered, however, that if the latter alternative were adopted, a fresh concession from the Khedive would be required, and that concession would have to be ratified by a Firman from the Sultan. Even if these preliminary steps were got over, it was easy to perceive that the existence of a second Canal, side by side with that of the French Company, might bring about a state of collision and friction between the two countries. He desired now to explain the reasons why he proposed to vote against the Resolution of the right hon. Baronet the Member for North Devon. He conceived that the question for that House and for the country was not to be determined by mere conflict between lawyers as to the true interpretation of these documents. It was a question to be determined as a matter of business by men of business. He objected to the right hon. Baronet's Resolution on various grounds. It embodied an abstract proposition, which bore no relation to anything in Nature or in Art. It asked Her Majesty's Government to affirm a proposition which nobody had ever denied. In the next place, he objected to the House being asked to pronounce its opinion upon a legal question. With the greatest possible respect for that House, he ventured to say that there was no Assembly in this country less fitted to pronounce an opinion upon a question of law. If the question as to the monopoly claimed by M. de Lesseps were to be judicially determined, it must come before a judicial and, he presumed, an Egyptian tribunal, the operation of which, particularly under existing circumstances, might be seriously hampered by an opinion solemnly expressed by the House of Commons. Again, he thought it would be extremely impolitic, with a view to future negotiations, to affirm the Resolution of the right hon. Baronet; and he might here express a hope that the negotiations would be renewed and brought to a successful termination with the present Company. In his judgment, the Amendment proposed by his hon. Friend the Member for Hull (Mr. Norwood) expressed the view which that House ought to favour. If the House would wisely abstain from expressing an opinion on a question in regard to which lawyers differed, the House, the Government, and the country would be committed to nothing, and we should be able to renew the negotiations with M. de Lesseps in a much more favourable attitude.

Mr. GILES said, he desired to make a few remarks on the commercial bearing of this question; but could not refrain from first noticing some of the statements made by the hon. Member for Hull. The hon. Gentleman had spoken of the Resolution of the right hon. Baronet the Member for North Devon as meaning something, whereas he himself proposed to do nothing. The hon. Gentleman expended a good deal of time in endeavouring to persuade them to do nothing; but he observed that towards the close of his speech he asked—"Are we without hopes of a rational Agreement?" To that he answered—"No. Put it to the self-interest of M. de Lesseps, and we shall get a rational Agreement." Then the hon. Gentleman proposed that we should have one-half of the administration. Well, he thought that if we could obtain anything like that, we should be very well satisfied. A good deal had been said about French susceptibilities, but nothing about rousing English susceptibilities; and if friendly relations with our neighbours were to be so easily strained, it would seem almost better to be without friendly relations. The Prime Minister had said that the House could not determine a legal question. If that were so, why had the Government determined it? Of course, the House would not be likely to stultify itself by voting £8,000,000 if it were not satisfied with the Agreement. It would be to the mutual advantage of the shipping interests of this country and M. de Lesseps that they should make some bargain that would be acceptable to both parties. He would show by figures what was the difference in cost to a ship between using the Canal and going round by the Cape, and he said the amount of the tolls was enough in many cases to make shipowners hesitate to use the Canal; and, indeed, he knew cases in which they found it to their advantage to send round by the Cape, when, if the tolls had been lower, they would have used the Canal. For instance, the traffic for the last six months was 4,306,000 tons of shipping, and the charges thereon were 35,329,000 francs, or 8·2 francs per gross ton. A ship of 3,000 tons gross would, therefore, pay £1,000 to go through the Canal. Now, the distance round the Cape to Bombay was 4,450 miles longer than through the Canal, which, at 10 knots an hour, would occupy 18½ days. Deduct from this 2½ days—being the average time in getting through the Canal—and the extra time was reduced to 16 days. The question, therefore, arose — Was it worth while to spend £1,000 to save 16 days? It certainly could not be to the advantage of the Canal Company to drive away traffic; and as traffic was being driven away the sooner there was a reduction of the tolls the better would it be for all parties. The shortest route between the two seas was that between Port Said and Suez. That in itself was an argument in favour of the present Canal; and his recommendation, as an engineer, was that they should widen it, as he considered one wide Canal would be more useful than two narrow ones. The present traffic equalled about 12 vessels per day, so that it was really idle to talk of the necessity for two Canals. The widening, too, of the existing Canal could be effected at less than one-half the cost of constructing a new Canal, and that idea he recommended to the careful consideration of the Government.

The CHANCELLOR of the EXCHEQUER (Mr. Childers): Although I rose after the hon. Member for Portsmouth (Mr. T. C. Bruce), I was glad to give way to my hon. and learned Friend the Member for Christchurch (Mr. Horace Davey), considering the important part which he has taken outside the House upon this question; and I am glad to add that the remarks which I had the pleasure of listening to from him were very valuable, and I have further the satisfaction of knowing how he intends to vote on the present occasion. I have also had the advantage of listening to the remarks of the hon. Member for Southampton (Mr. Giles), whose speech, if acted upon, would demolish the whole of the present controversy, because the hon. Member says it is a mistake to make a second Canal, and that all we have to do in the interests of commerce is to widen the present Canal, at an expenditure of £2,000,000. Whatever controversy there may be as to the power of M. de Lesseps to make a second Canal within his present concession, there is no controversy at all as to his power of widening the present Canal. If, therefore, the proposal was to do that, *cadit quæstio* altogether, the Canal would be widened at once by M. de Lesseps, and there would be an end of all controversy. There are, however, very excellent reasons why nothing of the kind should be done; and, with every respect for the views of the hon. Member for Southampton, who is eminent in matters of this kind, the opinion of the mercantile world, and especially of the shipping world, is that one great disadvantage of the present Canal is that ships coming in opposite directions have to wait a long time at the sidings in order to pass each other. Therefore, if you were only to widen the Canal that difficulty would practically continue; whereas, if you have two Canals—and I am speaking almost the unanimous opinion of the mercantile world—if you have two Canals, so as to have an up line and a down line, none of the present delay would take place, and the passing of the ships in both directions would be easy.

MR. GILES: I have estimated for double the width of the present Canal, so that ships could pass each other without difficulty.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): Now, let me say a word as to the speech of my hon. Friend the Member for Portsmouth (Mr. T. C. Bruce). I am always glad to follow my hon. Friend, because he invariably speaks with knowledge, and a great deal of what he says ought to be well weighed, both by hon. Members who sit opposite to him and by hon. Members on the same side of the House. There is a great deal which my hon. Friend has said to-night that is well worthy of consideration by this House, if we are to carry on further negotiations upon this subject. I was particularly glad when my hon. Friend pointed out the extreme difficulty of what is known as the internationalizing plan—a plan which has a good deal of support in the country, but which, if it has to be taken in hand, will be found to be attended by enormous difficulties. My hon. Friend, in a very few words, I think, summed up those difficulties, and I wish to point out to the House how just his observations were. My hon. Friend also made some remarks as to the character of the concessions and privileges granted in Eastern countries, and pointed out that they are not to be weighed in the same scale with similar concessions and privileges granted in Western countries. Every word of his remarks on the subject appeared to me to be of the greatest value; but when we come to the legal question as to the rights of M. de Lesseps, both in respect of the construction of the Canal at the Isthmus, or a second Canal at the Isthmus, or the construction of Canals in other parts of Egypt, I shall follow the careful warning of my right hon. Friend at the head of the Government, and ask the house to excuse me altogether if I decline to go into those controversial matters. It is perfectly right that Gentlemen learned in the law should, up to a certain point, discuss these matters; but for us who have been, and will be, responsible for conducting the negotiations, nothing could be more unwise, under present circumstances, than to carry on such a discussion. Therefore, I shall follow, most rigidly, the example set by my right hon. Friend and the precepts which fell from him, and in the few words I may have to say to-night I shall endeavour to say nothing that can in any way compromise this House, or rather the Government, for we could not compromise the House, in future discussions beyond what we have already stated in debate—already stated in debate this evening. I am particularly anxious to make reference to what has fallen from hon. Gentlemen during the last few hours as to the conduct of the recent negotiations ending in the Provisional Agreement. It has occurred to me, having read a good deal on the same subject outside the House, that there is much misapprehension as to the nature of the origin of the negotiations which have been carried on; and I think it will be for the public advantage, not only with respect to the past, but still more with reference to the future, that it should be understood how these negotiations arose and what their general character was. The history of these negotiations is simply this. In 1876 an arrangement was made by the late Government with the Suez Canal Company, which is commonly known as the Lesseps-Stokes Agreement, under which the Canal Company were bound to expend 30,000,000 francs, or £1,200,000 sterling, in making the Canal on capital account, irrespective altogether of the casual improvements on revenue account, and that expenditure was to be spread over a series of years. Last year it appeared that the Company had expended, roughly, £300,000 out of that sum of £1,200,000, and the Government were warned by their Directors in the Company that it was contemplated by M. de Lesseps and the French Directors to expend at once the remainder of that £1,200,000—the exact sum being, I believe, 23,000,000 francs. In answer to that communication, Lord Granville instructed the Directors to take care that due provision was made for the widening of the Canal, to which they replied on the 17th of November last that, in their opinion, the widening of the Canal as proposed in two different ways by the French Engineering Commission was not the only method which could be used for improving the Canal. They said there were two ways in which that widening might be made; but they added that, in their opinion, it would probably be better to make a second Canal altogether, and they asked leave to discuss that question with the French Directors. The leave for which they asked was given on condition that they were not supposed to advocate any particular system, and on the 5th of December they reported to the Government that the preliminary examination for the expenditure of the 23,000,000 francs had been already carried out; that this examination had reference only to the two alternative methods of widening the Canal; but as the construction of another Canal had been mentioned as an element worthy of consideration, instead of carrying out the smaller work during the next four years, they urged that their brother directors should provide for the much greater work of constructing a new Canal. They reported, as the result of that discussion, that there was much difference of opinion among the Directors, although, on the whole, the majority of the French Directors were in favour of forming a second Canal. M. de Lesseps himself said that he was of that opinion, because it was plain that the commercial world looked urgently for something of the kind to be done, and in December last he said that if the Company were to carry out so enormous a work as that it would require some consideration and compensation; and at the time it was mentioned that they would expect an extension of their concession, and, of course, an extension of the grant which had been given to them in 1854. The result was that the case was well considered by us at the time, and we came to the conclusion that it would be wise that neither Her Majesty's Government nor the Directors should stand committed to any such plan, but that the matter should remain over for further consideration. There was some disappointment on the part of the French Board of Directors at this decision. However, the matter did stand over, and the 23,000,000 francs were ordered, in the meanwhile, to be expended on the improvement of the existing Canal. The French Directors pointed out that they were quite prepared to meet the views of the English Directors, provided they got the compensation alluded to, and also received the support of the English Government. That was how matters stood on the 9th of January last, and about that time there was a strong pressure put on Her Majesty's Government by the commercial and shipowning class of this country to take even more vigorous measures in regard to the Isthmus. The first proposal of much importance was made on the part of a gentleman in August last, and it will be found at page 2 in the preliminary Papers. That proposal was to construct a new Canal through the Isthmus of Suez; and it was stated by the gentleman in question that he was ready with £4,000,000 for that purpose. On the 19th of December the Chamber of Shipping of the United Kingdom asked Her Majesty's Government to promote the construction of a new Canal under British control. Two or three days afterwards the General Shipowners' Society asked the Government to promote an alternative Canal through Egypt to Suez, and they said that it was a favourable opportunity for securing for this country power amounting to control over any second Canal, owing to the position of affairs in Egypt at that moment—alluding, of course, to our occupation of Egypt. A few days afterwards, on the 19th of December, the Clyde Steamship Owners' Association urged us to promote another Canal through Egypt, exclusively under British control; and on the 11th of January the North Shields Shipowners' Society urged us to promote another Canal through Egypt to Suez under the absolute control of the English Government. A few days afterwards Lord Napier and Ettrick presented to Lord Granville a Memorial from 298 representatives of Companies, representing 3,000,000 tons of shipping using the Canal, and more than one-half of the aggregate tonnage using it, asking for a new Ship Canal across the Isthmus parallel with the present Canal. They proposed to disregard altogether the claim of M. de Lesseps, for they used words which have since been freely employed, that the terms used in the original concession were simply intended to debar the Egyptian Government from dealing with other parties during the negotiation of the work, but that they were never intended to prevent the construction of another Canal. Being disappointed with the reply they received at the time, they returned to the charge, and asked for the active interference of Her Majesty's Government in favour of this rival Canal. Finally, on the 26th of April, the Associated Chambers of Commerce asked for greater facilities and an increased share in the management of the existing Canal; and Lord Granville received two deputations, one from the Associated Chambers of Commerce, who said they took no antagonistic position in regard to the existing Canal, but they only wanted more British Directors and more facilities for passing through the Canal; and another deputation from the Chamber of Shipping, saying they wanted another Canal, made by the British nation, and that advantage should be taken of the British Government being in Egypt at the present moment in order to obtain an alternative right. This is a summary of the views of the deputations, and of the opinions expressed in the letters and Memorials addressed to the Government between January and April pressing upon them to do something, and all of them, with one single exception, in favour of the construction of a second Canal. The result was that M. de Lesseps, who read the reports of what had occurred in the newspapers, said it appeared to him, particularly after the double deputation to Lord Granville, that the whole situation was changed; that any concession would be attended with pressure, but that he was willing that negotiations should be re-opened upon the basis of the discussion between the English and French Directors, and he added, for the first time, that he was prepared to make some reduction of tolls in proportion to the increase of traffic. Her Majesty's Government had then to decide what course to take. They had been blamed for being precipitate; they had been rather severely blamed, slightly in this House, but rather severely outside; but I think they had shown that they had not been precipitate, seeing that they had held their own carefully from January to April in reference to these all-important Memorials, and the pressure brought to bear upon them with the view of finding out the proper course to take. It was quite evident that no further delay could take place, and that we had to make our choice between two things. We had either to repudiate the position of M. de Lesseps or his claims, whether they were real or not. That was not the advice of the late Government, because, in their letter to M. de Lesseps, they said that they recognized the pre-eminent part taken by him in the foundation and construction of this great work, and that they would always be found ready to support him in any measure conducive to its welfare. We had, therefore, either to pass by M. de Lesseps and his claim and his position in regard to the Canal, and to take the advice of the Chamber of Shipping, and with only one exception for the whole of the representatives of the shipping interest who had addressed us, and to endeavour to make a new Canal under British control in rivalry to the existing Canal, or to take the other course of negotiating with the existing Canal Company as requested by one body of Memorialists—namely, the Associated Chambers of Commerce, who advised us to go in that direction. Now, there could be no doubt among ourselves as to the course we ought to take. I am not going to enter at all, as I have already said, into disputable matters connected with legal arguments; but we ourselves believed that the *pouvoir exclusif* prevented us from constructing a new Canal across the Isthmus unless M. de Lesseps should forfeit his right and privilege of making that Canal. We thought that the overtures which had been made to us on the 30th of April afforded an opportunity for opening further negotiations. Accordingly, on the 16th of May—that is to say, more than four months after the original overtures which were made in December and January, and after duly weighing and considering the whole position of matters, we determined to offer to the Company to help them to obtain the necessary land and concessions in reference to the Fresh Water Canal, and a longer extension of their concession, if, on the other hand, they would construct a satisfactory second Canal of a proper depth, suited to the requirements both of the present and prospective commerce; and if they would also reduce the dues and tolls on the existing Canal, and give us an increased share in the management. I think that a majority of those hon. Members who have spoken to-night, whether or not they considered that we claimed sufficient terms, will agree that that was the only course which Her Majesty's Government could take. The negotiations which followed are set out fully in the Papers before the House. On the 20th of May, on the 4th of June, the 5th of June, the 4th of July, and, finally, on the 11th of July, there were negotiations which will be found fully showing the differences between us. And now, if the House will allow me, before I say a few words as to the main points of the negotiations, let me again meet the criticisms which we have heard to-night, and which is embodied in the words—"Why did you not threaten M. de Lesseps with the construction of a rival Canal? Why did you throw away the only weapon you had—namely, the threat of a new Canal?" The reasons we did not use that threat were, firstly, because we thought it would have been dishonest to do so; and, secondly, because we thought it would have been impolitic to do so; because we knew very well that the first hint of such a threat would lead in a moment to the breaking off of the negotiations. Therefore, under those circumstances, we thought that it was our duty not to use that dishonest threat. Then we have been asked, why did we say that we went as a buyer eager to buy to a seller indifferent about selling? I made a statement upon that matter on the second day after the Agreements were laid on the Table, and I repeat now that that was the position in which we found ourselves. If hon. Members will refer to the Papers laid on the Table they will find what passed between the English and French Directors in the first part of the negotiations. If hon. Members will refer to page 32 of the Papers they will find these words in the Report of the British Directors—

> "In the discussion of these matters, which extended over four long interviews, the attitude of M. de Lesseps and his representatives were in substance firm. They disclared that if the second Canal was to be made by the Company, it was not out of any fear of competition. They were strong in the right of their monopoly for the construction and working of a Canal across the Isthmus, and were convinced that no rival Canal by any other route could successfully compete with them. In the interests of their shareholders, they would be perfectly satisfied to abide by the decision taken last January, which, in the judgment of M. de Lesseps, would sufficiently provide during a considerable period for the requirements of commerce. If, therefore, they now are willing to undertake this important new work, it would be entirely in deference to the wishes of Her Majesty's Government, and to meet the express demand of English merchants and shipowners."

That, therefore, was the position in which we met M. de Lesseps. It has either been expressly stated or implied that in the course of the negotiations we went into the question of the exclusive right of M. de Lesseps. There was nothing of the kind. We knew perfectly well what the view of the French Directors was as to their exclusive right; but neither here nor in the negotiations in Paris did we ever drop a word on the subject. All our anxiety was to obtain the best terms we could, and then it became our duty, after having got the best terms we could expect, to say whether or not they were worth the acceptance of the nation, or whether we ought to break off the negotiations. One or two words about the negotiation itself. We have heard a great deal about its inadequacy. The hon. Member for Eye (Mr. Ashmead-Bartlett)—but we are accustomed to very hard words from the hon. Member for Eye—and others have spoken of the inadequacy of the reduction in the tolls which was accepted. Now, let me tell the House what the amount of that reduction is when expressed in figures. I find some reference to it in these Papers; but this is not all. The proposal was pressed upon us at a time when a much less reduction of tolls was offered than that which we succeeded in obtaining subsequently. The reduction we did succeed in obtaining would have amounted, in eight years from the present time, to £1,170,000 a-year, and ultimately, in 11 years from the present time, to £2,550,000 a-year. When we hear mention made of 50 centimes, 55 centimes, and 37 centimes, it may seem a very small matter; but when we have to deal with millions of tons the sums become very large indeed, and I am bound to say that I think an arrangement which promises a reduction of some £1,000,000 a-year after eight years, and more than £2,500,000 a-year after 11 years, was not an arrangement which could be called a trumpery one, but an agreement which would succeed in effecting a very solid and substantial reduction. An hon. Member behind me thinks that £2,500,000 is not a substantial sum. I confess I think it is, although we are accustomed to deal with a great number of millions in this country. Allusion has been made to the low rate at which we offered the loan. It is quite true that a loan of £8,000,000 was offered at 3¼ per cent; but its immediate effect on our own interests in the Canal would have been to the extent of £45,000 a-year, in reference to the amount which would have to be paid in respect of ships going through the Canal, and in a short time that sum would have been increased to £120,000 a-year. I venture to say that these sums are not small sums. I do not think I should be justified, at this hour of the night, if I were to weary the House with fuller details. I should have wished, had I spoken earlier, to explain to the House the five separate points in regard to which we obtained an additional share in the government of the Canal—all of them substantial points—namely, the appointment of Vice President, the appointment of additional Members upon the Finance Committee, and the appointment of an Inspecteur de la Navigation, whose duties were to be defined. That was a very great concession in respect to British interests. All these are questions of detail, and it would not be reasonable for me, after the Agreement has been withdrawn, and in view, at some future time, of further arrangements being made, to offer to the House to enlarge upon these subjects. All I have to say is that we accepted the position which became necessary when it was made clear that Parliament and the country did not desire to be committed to the Provisional Agreement, and that there was so much opposition raised to it on the part of the shipping and mercantile interests of the country. We have thoroughly accepted the position which my right hon. Friend the Prime Minister laid down at the commencement of the debate; and we feel that further discussion would only do mischief. I have confined myself as much as I could to what has actually taken place. I have said nothing as to the legal question, and the House may rest assured that in any future transaction of this kind we shall adhere steadily to the principles which have now been laid down; and I firmly believe that before many months or years are over we shall succeed in making arrangements which will be satisfactory to the country.

SIR HARDINGE GIFFARD: I am not surprised that the right hon. Gentleman the Chancellor of the Exchequer should have thought it right to pronounce a funeral oration over the Agreement, which is now dead, and has been abandoned. But I think it material to observe that, upon the question now before the House, the right hon. Gentleman has said nothing whatever. It is true we have had an extensive view of all the Papers; but we have been told all that before. The question before us now is, How is it that we come to be discussing this question to-night, and what is the question before the House? One would suppose that the right hon. Gentleman was discussing and defending his Agreement; but that is not the question. The question in which the country is deeply interested is this—With what materials will the right hon. Gentleman's Government, or any other Government, enter into negotiations with the standing admission by him and by the Prime Minister that the rights of M. de Lesseps are exclusive, and that no other Canal can be made? That is the question we have to discuss, and I think I am justified in saying that the right hon. Gentleman has said not one word on that subject. The right hon. Gentleman, indeed, gave a most powerful argument against expressing an opinion; but I ask again—How is it that we come to be discussing this question to-night? It is because the Prime Minister and the Chancellor of the Exchequer have accepted the rights of M. de Lesseps. The Chancellor of the Exchequer, I must do him the justice to say—and in doing so I must retract an observation I made a short time ago—that he had said nothing relevant to the question before the House, did make the admission I have referred to. If he had not done so, one might have supposed that, in the course of the negotiations, Her Majesty's Government felt themselves compelled, as a matter of conscience and honour, to admit that M. de Lesseps had this exclusive monopoly; and if they had so said the right hon. Gentleman might have given some reason for repeating that admission to the House. But the right hon. Gentleman takes away that excuse, because he says that they never did make that admission. Nevertheless, the House is solemnly warned not to give utterance to opinions which may, peradventure, seriously hamper this country in negotiations hereafter. That is exactly what we have been complaining of, and is exactly why my right hon. Friend (Sir Stafford Northcote) has brought forward the Motion; and if some hon. Members who have spoken to-night had only been authorized by Her Majesty's Government to discuss with M. de Lesseps the questions which they had discussed, I cannot help thinking the result of the Agreement might have been very different, because I find that the hon. Member for Hull (Mr. Norwood) began by saying that with the language of the Resolution of my right hon. Friend he entirely concurs. He has not a word to say against it, and the hon. Member for North Durham (Mr. C. M. Palmer) tells us that, as a matter of fact, he cannot agree with any such Motion as that M. de Lesseps has the exclusive rights that he claims. Well, that is all that we say, and that is all we are asking the House to affirm. All that the Leader of the Opposition asks the House to say is that M. de Lesseps has no such exclusive rights. I observe that the Law Officers of the Crown, whose opinions have been vouched, and by whose opinions the Government claim to be supported, have not given us the benefit of those opinions to-night; but my hon. and learned Friend the Member for Christchurch (Mr. Horace Davey) and I have not had the same privilege of having our opinions concealed in obscurity. Our opinions have been published, together with the case submitted to us and the date; and, although I do not intend to discuss the question whether our opinions are right or not, I must certainly say that I have seen no reason to assume from anything that has occurred since they were wrong. Yet the Law Officers of the Crown are put forward by the Government before the House as justifying their action. Nevertheless, they neither tell us what the Law Officers have said, nor when they said it, nor upon what case they gave their opinion. I give both of my hon. and learned Friends credit for believing that they gave their opinions with perfect independence, and that they did not act simply as Officers of the Government, because I believe that every Member of the Bar, when appealed to for an opinion, is entitled to the credit of giving his real opinion. At the same time, it is impossible to know how much the opinion of my hon. and learned Friends may have been affected by the nature of the case presented to them and the materials afforded to them; and, certainly, if it is part of the regular course that the opinion of no Law Officer should be put forward in this House, then I should have thought that it would not have been regular to have referred to it. Certainly, my experience is that some Law Officers' opinions have not only been asked for, but circulated, and even somewhat freely canvassed in the House. That was my experience during the existence of the late Government, when I was a Law Officer myself. If the Prime Minister is right on a question of this sort in justifying the action of the Government by the opinions they received, it certainly seems that the right hon. Gentleman is treating the House somewhat cavalierly when he calls on hon. Members to swallow whatever the Law Officers have been pleased to say, without affording the House an opportunity of knowing what the opinions themselves were, or the *data* upon which they were pronounced. Their only supporter in this matter has been my hon. and learned Friend the Member for Southwark (Mr. Cohen). If the Government had said that the pretensions of M. de Lesseps were doubtful matters admitting discussion, the present Motion would not have been made. But that is not what they have said. What they have said is that which will be in the mouth of every negotiator on M. de Lesseps' part against every negotiator on the part of Her Majesty's Government whenever this question comes to be negotiated again—namely—"Your Chancellor of the Exchequer and your Prime Minister have admitted that you are absolutely in our power; and, therefore, you must take whatever we please to give." That being so, I would ask the hon. Member for Hull (Mr. Norwood) what he means by the suggestion that we are to preserve our independence of opinion? The independence of opinion is gone by the recognition on the part of the Executive Government of the basis of the question in dispute. What the hon. Member for Hull says is that he wants to preserve our future independence of opinion. It is all very well to shelter the Government; but how will that prevent the country, or any Government which follows the present Government, having that matter put before them as no longer a question of negotiation, but as a matter which is entirely settled? My hon. and learned Friend the Member for Southwark (Mr. Cohen) was compelled to admit that, even if the concession were as clear and absolute as I believe it to be doubtful, it is a question not between private persons; but of a concession by a Sovereign; and if the Sovereign, having made a concession to a particular trading Company in the interests of the country and of his subjects, finds it necessary to recall that concession, it is quite within his power to do so. That is a very familiar principle of law, which I am sure neither of my hon. and learned Friends on the other side of the House will dispute. It simply becomes a question of compensation, and is not a matter of absolute right in the sense of a monopoly between private persons engaged in trade, where one can restrain the other by an injunction if he considers that the monopoly he has acquired is being invaded. This is a question of international right, and if it is found for the advantage of the people of Egypt, or for the interests of the Government, that the concession should no longer be treated as a monopoly—and I am using the language of the Chancellor of the Exchequer when I say monopoly—the concession could be withdrawn, compensation being granted. I understand that some question has been raised as to what is meant by the use of the word "monopoly." It is language which admits of a doubtful interpretation, and is a very convenient phrase to employ. No statement is made as to the conditions under which a monopoly has been granted; but the Chancellor of the Exchequer says that M. de Lesseps has a monopoly. Then I say that if it is for the advantage of the Sovereign or of the people that that monopoly should be withdrawn, as a familiar principle of law, it becomes simply a question of compensation, and not a question of absolute right. What I would venture to submit to the House is this—that if the Government would see their way to admit that it is a question in dispute, that it is a question actually to be debated, and that they were not to be precluded in future negotiations by the statement made to the House from entering into the matter because that statement was inadvisedly made—made, perhaps, after they had rashly entered into an engagement; but if, at all events, they can see their way to retract, to that extent, what at present I believe this country regards as a serious peril to future negotiations in a matter that affects all the commercial interests of the country, everybody would be satisfied. But that is what the hon. Member for Hull says we are not to do. We are not to express an opinion; we are not to do anything to interfere with that which, if unchallenged, is a serious and unfit admission by the Executive Government, and may prevent any future negotiations from being entered into at all. What are you going to do with your future negotiations? I understood the Prime Minister to express a sanguine belief that all would come right, and that we should have something in the end that would satisfy everybody. That would be very delightful; but can the Prime Minister give us any assurance that M. de Lesseps has waived the claim which gives him the absolute mastery of the situation? We heard from my hon. Friend the Member for Portsmouth (Mr. T. C. Bruce), and from my right hon. Friend the Member for North Devon (Sir Stafford Northcote), how M. de Lesseps and his Company have treated English commerce, and with what confidence we may rely upon him in the future. We are informed by the Prime Minister that he has confident belief that, some time or other, all will come right; and the Chancellor of the Exchequer a little enlarged that idea. He said that in the course of a few months—but, thinking he had been rash, he added, "or years"—matters might be satisfactorily settled. But, in the meantime, British commerce will suffer in a way everybody on both sides of the House has admitted. Then, what is the condition of things at which we have arrived? The Prime Minister and the Chancellor of the Exchequer have given utterance to opinions which are seriously compromising to us in our future negotiations. Everybody desires that the negotiations should take place on a basis which will allow of a fair and reasonable agreement being arrived at; and all that my right hon. Friend says is, at all events, let M. de Lesseps understand that the negotiations which are to go on will require the sanction of the British Parliament. That is the effect of the Resolution of my right hon. Friend; and he wishes it further to be understood that the rash utterances of two Members of Her Majesty's Government do not bind the British Parliament. I believe that if this debate has done nothing else, it has been of infinite value in eliciting from the Prime Minister himself that the utterances of the Government do not bind this House. At the same time, all my right hon. Friend asks of the House is, that it should be so understood and resolved in order that foreign negotiators may understand when they enter into negotiations that that which was rashly said by two Members of the present Government was not binding on the British Parliament, and that any agreement the British Parliament can be asked to sanction is not one that can be based on an assumption which the British Parliament negatives.

THE ATTORNEY GENERAL (Sir HENRY JAMES): I am sure the House will give me credit for saying what I feel when I say that I am speaking this evening under very great difficulties, not only because the hour is late, and because I know that hon. Members wish to bring the debate to a conclusion, but because of the interests that are involved. I do not forget that the Amendment which we are about to support asks us not to debate the question, nor do I forget the speech of the Prime Minister calling attention to the evil effect of discussing the question in a hostile spirit. I, therefore, ask the House to bear witness that I have been dragged into the debate by the speech of my hon. and learned Friend the Member for Launceston (Sir Hardinge Giffard), who has alluded with a sneer to the silence of the Law Officers, and who told us that we have not been prepared to stand by our opinions. My hon. and learned Friend has even gone further, and has told us that we dare not meet the House, but are compelled to keep silence. [*Cries of* "No!"] My hon. and learned Friend certainly used words to that import. He taunted us with not having spoken, and he asked us why we had not spoken, and he challenged us to speak. Is that not very nearly daring us to take part in the debate? If we had remained silent, would not the inference have been that all my hon. and learned Friend said was correct, and that we were afraid to meet the House and support our opinions? I shall be as brief as I can, and as little technical as I can; but I must answer my hon. and learned Friend when he says why are we discussing this question to-night? We are discussing it because a meaningless and colourless Motion has been submitted to the House—a Motion which no one has disputed in its terms. [Sir HARDINGE GIFFARD: Then why not accept it?] It is a Motion, the terms of which the Government have never disputed; but they are not prepared to accept it, because they do not think it desirable that it should be passed by the House. I say that the Government have never disputed it. More than that, I say that M. de Lesseps has never disputed it. On the 27th of September in last year, M. de Lesseps wrote his views of the question, and he said—

> "With regard to the construction of a second maritime Canal, you can choose any other point but that of the Isthmus of Suez."

What does the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) suggest? He suggests that you should prevent the possibility of any other undertaking being accepted. He suggests that competition shall be prevented between any portion of the Mediterranean and any portion of the Red Sea; and, thereby, we are not denying or accepting the exclusive power of M. de Lesseps in regard to the Isthmus of Suez. It is practically clear, according to the Motion, that exclusive power does exist, because the right hon. Gentleman says—"I will be satisfied with conceding the exclusive power in the Isthmus of Suez, so long as you give communication by another route between the Mediterranean and the Red Sea." That is what the Government have not disputed, and what M. de Lesseps has not disputed either. Therefore, so far as that point is concerned, the Resolution is meaningless. But we have to deal not only with the terms of the Resolution, but with the speech of the right hon. Gentleman, which is far within his Motion. He has departed from these vague terms, and he has confined his speech, not to the question of making a Canal by way of Alexandria, or by way of Cairo, to any portion of the Red Sea, or by any other route such as Palestine; but he contests the exclusive power of M. de Lesseps to supply canal accommodation, through the Isthmus to Suez, to the Red Sea. That is his speech, and not his Motion. Let me take the right hon. Gentleman's suggestion. He says—"Turn to the Concession of 1854." I understand the right hon. Gentleman to treat that as a concession giving M. de Lesseps exclusive power, but nothing to this country. Now, it is not a matter purely for lawyers; but it is a matter upon which the common sense of the commercial world may be exercised. You cannot give a concession to a Company until that Company exists, and yet you cannot call a Company into existence until you have a concession. What is the course that is usually taken? In forming a Company of this nature, it is customary to give a concession to someone on behalf of the Company, and the benefit of the concession goes to the Company when it comes into existence. In every line of the concession it is a grant to the Company which is being carried out and acknowledged up to the very last moment in every transaction between the Egyptian Government and the Company, and the whole of these words form the basis of the contract. Will the House forgive me if I refer to what those words are? In the first place, Article 4 provided that the works are to be executed at the exclusive cost of the Company. The next clause speaks of 75 per cent of the profit of the Company; and, passing on from that, you will find that the land is to be given to the Company—*à la compagnie concessionnaire.* What Company? Why, the proposed Company when in existence. Then 15 per cent of the profits are to be paid by the Company. What does all this lead to? To the term for which the concession is made to M. de Lesseps. It is to be a term on behalf of the Khedive for 99 years. Was 99 years considered to be the duration of M. de Lesseps' life? Of course it was not. Then how could it be regarded as a personal contract? It is a contract which necessarily is to cover a long period; but it was a concession to the Company, and as soon as the Company was formed the concession would go to them. It will be found, by a further Article, that at the end of the term so granted, the Company are to surrender up the Canal and works in working order to the Egyptian Government. That is to take place at the end of the term for which the concession is made, and yet it is said to be a personal concession to M. de Lesseps, notwithstanding this stipulation, that at the end of 99 years the Company are to surrender up the whole of the works to the Egyptian Government. I will not weary the House with further details upon this matter; but the right hon. Gentleman will see that the words of the concession are throughout "the Company," and the Company are treated in the document itself as being the *concessionnaires.* What was the object of the second concession? It was to start afresh and give a new concession to a Company then coming into existence. From first to last throughout all these documents, every benefit was given to the Company as the original *concessionaires* of 1854, although it is now said that there was simply a personal concession to M. de Lesseps. Let me give an instance. It is said that the concession was only made to M. de Lesseps. Now, there is an Agreement which was entered into in 1866, under which the Company gives up certain rights. It gives up its rights to certain lands taken under the 7th and 8th Articles of the Concession of November 30, 1854; it renounces all the benefits which the Company took under that concession, and which it did not take under the Concession of 1866, and in that document, in the 2nd Article, there is this expression, that "the Company" renounces all the benefits that it took under the Agreement of 1854, and all the land which the Company took under it. The right hon. Gentleman says that the Company took nothing under the Convention of 1854; but that it was purely a personal grant to M. de Lesseps; but, passing hurriedly over a variety of details, the clause I refer to in the Convention of 1866 distinctly states that the Company renounces the benefits taken under Articles 7 and 8 of the Act of Concession of the 30th of November, 1854. Yet the right hon. Gentleman's argument is, that at that very date the exclusive concession to M. de Lesseps came to an end, because he then formed the Company. My hon. and learned Friend the Member for Launceston does not go to that extent. He uses the phrase "when the Company came into working order." But that gives up the whole matter. Let me remind the House that even later still, when a disagreement arose, and certain matters had to be submitted to the determination of the Emperor of the French, the award in the 5th Article dealt with the indemnity which was to be given under that concession, and decided what benefit the Company was to receive for giving up its rights. Yet the right hon. Gentleman says that the Company had no rights under the Concession of 1854, but that they were given to M. de Lesseps, and that no power was given to the Company at all. Let me ask any man of business in the House, when once you admit that M. de Lesseps was contracting for the benefit of the Company, and that he undertook that the Company were to incur certain obligations under the original Concession of 1854, ought they not to have the privileges as well as be bound by the obligations of that concession? What was the use of giving M. de Lesseps the exclusive power of forming a Company if that Company was not to obtain any benefit when formed? If hon. Members read these documents carefully, and do not pass them over lightly as the right hon. Gentleman has done—["Oh, oh!"] Yes; the right hon. Gentleman dealt very lightly with these details—they will come to the conclusion that the Company is entitled to the benefit of the Concession of 1854, and that it is impossible that it could have been made personally to M. de Lesseps. But I am anxious to discuss the question in rather a broader manner than it has yet been approached. I am sorry I do not see my right hon. and learned Friend the Member for Dublin University (Mr. Gibson) here to-night. I do not know whether he is responsible for this colourless Motion; at any rate, he is not the man to fight under a colourless Motion. On Wednesday last he took the open field and addressed the Conservative working men of Portsmouth, attacking those concerned in making the arrangement; and I must say it would have been more in accordance with his usual habit if he had attacked those he wished to attack to their face in a place where an answer could have been given to him. My right hon. and learned Friend, however, chose to address the Conservative working men of Portsmouth. He read to them a Judgment of Lord Ellenborough, and his object in doing so was because he conceived that the opinion therein expressed was contrary to that of Her Majesty's Government. I am not going to discuss the question in the same spirit as my right hon. and learned Friend, for I believe no judgment is applicable to the matter we are discussing. Curiously enough, the name of that case was "Gladstone & Co. in error." [*Laughter and Opposition cheers.*] Hon. Gentlemen who cheer will, perhaps, allow me to say that the judgment of the Court was unanimously in favour of Messrs. Gladstone. But I do not think this question ought to have been argued as my right hon. and learned Friend argued it. He took a narrow view of it, whereas these matters should be looked upon according to the broad principles of English law; and the right hon. and learned Gentleman should have remembered that in 1879 Lord Cairns and Lord Selborne united to say that a case was misunderstood if it were not read in the light of common sense, and they put the case in question aside as nothing worth. If these matters are to be decided on the broad principles of English law there are some things which ought to have attracted the right hon. and learned Gentleman's attention, and which he should have conveyed to the Conservative working men of Portsmouth. If I can find an analogy for this in England it is nothing more than that which commonly happens here—namely, a grant from the Crown to a subject to do something which the subject cannot do without that grant. Technically, it is a franchise, and not a monopoly; if we apply English principles to this matter it is a franchise. I regret that my right hon. and learned Friend is not here, for he is acquainted with these subjects better than I am. He knows full well that in this country, if the Crown grants to a subject the right to hold a fair, or a market, or a ferry, it cannot possibly grant a similar franchise within the same limits to any other person. A similar grant, if made, would be void. In saying this, I guard myself with the statement that these principles ought not positively to apply in discussing this broad question. But if you lift it from the narrow view that was taken of it at Portsmouth to the broader view of the principles that govern English law, that broad principle will be against the construction my right hon. and learned Friend put upon it. Let us look at it in a broader view; let us lift this grant from the Egyptian Government to M. de Lesseps from mere legal considerations. It seems to me, if the truth must be told, that this is what the Egyptian Government said to the Canal Company—"We ask you to perform certain duties; construct this Canal at your own cost; spend many millions on it—be it a failure, or be it a success, the cost shall fall upon you; you shall undertake other obligations; you shall maintain the Canal in good repair for 99 years, and at the end of 99 years you shall surrender it to us, the Egyptian Government." That was certainly giving good value to the Egyptian Government. The Canal Company paid for what it was to get. What was it to get? It was to receive the tolls, if any, under certain limitations. If the Canal failed, it was to receive nothing; but if it were a success, it was to receive tolls, and tolls only. Let us apply the laws of this country, or the laws of every country which are governed by justice, to this case. Ought these tolls to be taken away, now that the Canal has proved a success? If the contentions of those who argue against the exclusive right are correct, we must translate the concession made by the Egyptian Government into very different language from that I have given. According to the right hon. Gentleman's contention, the Egyptian Government said—"We tell you, who are about to subscribe to this Company, we grant you this right; and we call upon you to find these £16,000,000 for the construction; we call upon you to construct the Canal; we call upon you to run the risk which eminent engineers see as a very great one; we call upon you to maintain the Canal for 99 years; and we call upon you to surrender it to us at the end of that period; but we tell you that, before the end of that period, when you have proved the possibility of making the Canal, if it pleases us, we will grant power to make a second Canal to someone else, and will grant to that Canal power of taking tolls similar to those you enjoy." If that had been said—and that is the contention of the right hon. Baronet—is there a sane man who would have subscribed one single farthing to that Canal? And yet that is the proposition the right hon. Baronet sets before us. If England had been before other nations in this undertaking, and had obtained a concession in similar terms, what should we have said if the French had, under like circumstances to the present, applied for a second concession? What should we have said to the Government of Egypt if they had said to us in effect—"You have obtained the money you required, and have constructed the Canal which has turned out successful; and now that you have proved what other men can do, we will rob you of your profit by granting a similar concession to someone else?" My hon. and learned Friend the Member for Southwark (Mr. Cohen) spoke of the doctrine of inherent domain, as though the Khedive had the power to take away the Canal from its constructors after its completion; but I would remind the House that that doctrine means compensation. No one denies that, if the present and prospective value of the Canal is paid to the Company, the Government of Egypt has the technical power, inherent in every State, of resuming possession of that which it has conceded. Nothing that Her Majesty's Government have said has gone the length of such denial; nothing has been said as to what may be the power of M. de Lesseps to form a second Canal, or the power of the Khedive in certain circumstances to form a second Canal, nor has anything been said as to what may be the new condition of things if the present owners of the Canal should fail in their duty. The right hon. Gentleman the Prime Minister has touched on none of these propositions. The proposition we had to deal with was this—Was the English Government in a position to support the claims of a new Company which would go to the Khedive, and ask for a concession for a Canal to run, within the limits of the Isthmus, side by side with, and as near as possible to, the present Canal, and with a power to charge only three-fifths of the present toll? I say the question was, whether that demand for a new Company to work in competition with the existing vested owners of the Canal was just, and whether we had power to say to M. de Lesseps that an exclusive right against that demand could not be claimed? It was of that exclusive power, and of that exclusive power alone, that the Prime Minister spoke. He said we could not assent to the proposal for a competitive Canal running parallel with the existing Canal. I say this because I wish to leave those other claims to which I referred open for future consideration. We had to deal with things as they are, and not with things as they may arise; and it is because we consider it undesirable to deal with matters which are not before the House for its consideration, and which may arise in the future, that we prefer the Amendment of the hon. Member for Hull to the Motion of the right hon. Baronet, which is a declaration of that which, up to the present time, no one that I know of has disputed. As to the position which my hon. and learned Colleague and I have occupied during the past three or four weeks, we have been more than criticized. We have been severely censured. We have been told, by those who do not know how long we took to consider the matter, that we gave a hasty opinion to the Government; and I, certainly, never before heard Law Officers of the Crown complained of on the ground that their opinions were given too quickly. It is said that we were partial; but we had no financial purpose to serve, no speculators to advise, and we had no juniors to come to us with doubtful opinions. We were asked to tell the Government what we thought was right, and we did so to the best of our judgment. I know that we need not care for these things which are now said of us. Whenever great interests are involved, much excitement is caused, and when there is great excitement you generally find extravagant language indulged in. Certainly, of such language there has been no absence in the discussion of the matters connected with the Suez Canal Company. When the excitement cools down the time for reflection will come; and, whatever interested persons may say, the judgment of commercial men will coincide with what has been said by my hon. Friends who proposed and seconded the Amendment. They will know, as they carry their trade amongst foreign nations, that there are things which stand them in better stead than quick communications and low rates and charges. They will know that in their dealings, however small and minute, that the character and honour of the nation to which they belong is a greater benefit to them than immediate pecuniary advantage. I am certain of this—that they would have been the first to blame us if we had set ourselves to work with ingenuity to find out flaws which our common sense could not discern, and if we had endeavoured with casuistry to argue in favour of that which we really believed to be unjust, because it would be of advantage to a large class of people. In giving that advice, which had been followed to the extent I have mentioned by Her Majesty's Government, I still believe, and I hope I am right in believing, that we did our duty not only to those who asked our opinion, but also to those whose material interests were most concerned.

Sir STAFFORD NORTHCOTE: At this time of night (12.35 A.M.) I will not detain the House with many remarks; but there are one or two things which I think it necessary to say after the discussion which has taken place. It would have been a great satisfaction if I could, from the course of the debate, have gathered such assurances from Her Majesty's Government as would have dispensed me with the necessity of asking the House to pronounce a decision upon my Motion. It is one that is brought forward with a practical purpose—with the view of obtaining some security for the independence and freedom of the judgment of the House; and I must own that when I listened to the speech of the Prime

Minister I was not altogether without hopes, from some of the expressions that he used, that I might attain my object without a Division. But I have listened to the debate as it has gone on, and, remembering the speech of the Chancellor of the Exchequer, and, still more, bearing in mind what has been said by the hon. and learned Gentleman who has just sat down, I find it is quite impossible for me to refrain from asking for the decision of the House, though I am very well aware what the decision is likely to be. In the first place, let me say a word to my hon. Friend the Member for Greenwich (Baron Henry De Worms). I do not see any distinction between his Motion and that which I submit to justify a second Division; therefore, the one Division that will be taken will be on the question of the substitution of the words of the hon. Member for Hull for those I have laid before the House. As to the speech of the right hon. Gentleman the Chancellor of the Exchequer, I will only make one remark. After all that he has said about the Provisional Agreement which was recently entered into, I cannot understand how it was that the Government refrained from bringing that Agreement before the judgment of the House. It does appear to me that if the Agreement was one which had all the advantages claimed for it, it was one which ought to have been brought forward and pressed upon the decision of the House. As far as I can understand, what has taken place amounted to this—that having made an Agreement which involved a concession of which very considerable use had been, and would in future be made, the right hon. Gentleman the Prime Minister had abstained, in consequence of objections which were made, from taking the judgment of the House upon the proposal of the Government. I think the conduct of the Government in the matter has been the main cause of the difficulty which has arisen. If they had had a discussion on the Agreement, and had been able to take the sense of Parliament upon it, we should not have had occasion to ask for any separate discussion of the subject; but the position in which we have been placed by the withdrawal of the Agreement without discussion has been that which has rendered it necessary for me to move my Resolution to-night. With regard to the observations of the hon. and learned Gentleman who has just sat down (Sir Henry James) on the subject of the wording of the Motion, I cannot help saying that if the hon. and learned Attorney General construes the documents which are submitted to him for his opinion in the same extraordinary manner to that in which he has construed my Resolution, I cannot wonder at any opinion the hon. and learned Gentleman may give. Not only have I distinctly stated in the House what the meaning of my Resolution is, but I contend that the language of the Resolution is perfectly clear, and is not at all open to the misrepresentation it has received at the hands of the hon. and learned Gentleman the Attorney General. Let me put this imaginary case. Suppose a Member of the House came down to Prayers and placed his card in a particular seat, everyone admits he had thus established a right to that seat for the evening. Supposing the same hon. Member were to claim that, in consequence of his having put his card into a particular place on one of the Benches, he had thereby obtained a right not only to that seat, but to exclude everybody else from the Bench except those whom he chose to admit there. Now, that is a good illustration of the meaning of the words of my Motion—

> "While respecting the undoubted rights of the Company in regard to their own concession, decline to recognize any claim on their part to such a monopoly as would exclude the possibility of competition on the part of other undertakings designed for the purpose of opening a water communication between the Mediterranean and the Red Sea."

Will the hon. and learned Gentleman the Attorney General tell us whether the Canal which is now in existence is not an undertaking designed for the purpose of opening communication between the Mediterranean and the Red Sea? It is absolutely childish to deny that such is the case. I never denied, for one moment, that a concession was made to the Company; but what I have said is, that the *pouvoir exclusif* was given to M. de Lesseps for a particular purpose. It was given for the purpose of enabling him to constitute a certain body which he was to form, and there was a provision made that that Company should have certain concessions. Those concessions alluded to M. de

Lesseps's exclusive power to enable him to form a Company, which Company should have certain concessions, which are there set forth. The hon. and learned Gentleman the Attorney General has spent a great deal of time in arguing a point which was never disputed. Those concessions were given in the several documents to which reference has been made; but they are altogether outside, and have nothing to do with, the *pouvoir exclusif.* I will not detain the House any longer. I know the views which were stated in regard to the celebrated case of "Gladstone and Company in error" will end very much in the same way; and whatever the error may be, I suppose it will be justified by a majority, judging from such indications as that given by the hon. Gentleman (Mr. C. Palmer) who seconded the Amendment. The hon. Gentleman surprised me not a little by the speech he made. We all know the hon. Gentleman to be a consistent and an able advocate and supporter of the shipping interest; and when I heard the hon. Gentleman say that he agreed with my Motion, and agreed with the arguments upon which it was founded, I must say I expected that I would have had the benefit of the hon. Gentleman's vote on this occasion. The hon. Gentleman is one of the many who, at the first blush, strongly opposed the agreement entered into. The hon. Gentleman now says, however, that he must, nevertheless, take a leading part in voting against the Resolution because it savours of a Party character. We must take the matter as we find it. All we can say is that we protest, and we will justify our protest by our votes; we protest against the doctrine which has been laid down, and the claim that has been put forward by M. de Lesseps on the part of the Suez Canal Company—a claim which has been too freely admitted by Her Majesty's Government. I shall have no scruple of conscience in the vote I am now about to give; and without any further delay I invite the House to go to a Division.

Question put.

The House *divided*:—Ayes 183; Noes 282: Majority 99.

AYES.

Alexander, Colonel C.
Allsopp, C.
Amherst, W. A. T.
Ashmead-Bartlett, E.
Aylmer, J. E. F.
Bailey, Sir J. R.
Balfour, A. J.
Barttelot, Sir W. B.
Beach, rt. hon. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bellingham, A. H.
Bentinck, rt. hn. G. C.
Beresford, G. De la P.
Biddell, W.
Birkbeck, E.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, rt. hon. R.
Brise, Colonel S. R.
Broadley, W. H. H.
Brodrick, hon. W. St. J. F.
Bruce, Sir H. H.
Bruce, hon. T. C.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Buxton, Sir R. J.
Callan, P.
Campbell, J. A.
Cecil, Lord E. H. B. G.
Chaplin, H.
Christie, W. L.
Clarke, E.
Clive, Col. hon. G. W.
Collins, T.
Compton, F.
Corry, J. P.
Cotton, W. J. R.
Cross, rt. hon. Sir R. A.
Cubitt, rt. hon. G.
Curzon, Major hon. M.
Dalrymple, C.
Davenport, H. T.
Davenport, W. B.
Dawnay, Col. hon. L. P.
Dawnay, hon. G. C.
De Worms, Baron H.
Dickson, Major A. G.
Digby, Col. hon. E. T.
Dixon-Hartland, F. D.
Donaldson-Hudson, C.
Douglas, A. Akers-
Dyke, rt. hn. Sir W. H.
Eaton, H. W.
Ecroyd, W. F.
Egerton, hon. A. de T.
Egerton, hon. A. F.
Elcho, Lord
Elliot, Sir G.
Elliot, G. W.
Emlyn, Viscount
Ewart, W.
Ewing, A. O.
Feilden, Lieut.-General R. J.
Fellowes, W. H.
Filmer, Sir E.
Finch, G. H.
Fletcher, Sir H.
Folkestone, Viscount
Foster, W. H.
Fowler, R. N.
Fremantle, hon. T. F.
Galway, Viscount
Gardner, R. Richardson-
Garnier, J. C.
Giffard, Sir H. S.
Giles, A.
Goldney, Sir G.
Gooch, Sir D.
Gorst, J. E.
Grantham, W.
Greer, T.
Halsey, T. F.
Hamilton, right hon. Lord G.
Hamilton, Lord C. J.
Hamilton, I. T.
Harcourt, E. W.
Harvey, Sir R. B.
Hay, rt. hon. Admiral Sir J. C. D.
Herbert, hon. S.
Hicks, E.
Hildyard, T. B. T.
Hill, A. S.
Holland, Sir H. T.
Home, Lt.-Col. D. M.
Hope, rt. hn. A. J. B. B.
Jackson, W. L.
Johnstone, Sir F.
Kennard, Col. E. H.
Kennard, C. J.
King-Harman, Colonel E. R.
Knight, F. W.
Knightley, Sir R.
Lacon, Sir E. H. K.
Lawrance, J. C.
Lawrence, Sir T.
Lechmere, Sir E. A. H.
Leigh, R.
Leighton, Sir B.
Leighton, S.
Lever, J. O.
Levett, T. J.
Lewisham, Viscount
Lopes, Sir M.
Lowther, rt. hon. J.
Lowther, hon. W.
M'Garel-Hogg, Sir J.
Macnaghten, E.
Makins, Colonel W. T.
Manners, rt. hon. Lord J. J. R.
Master, T. W. C.
Maxwell, Sir H. E.
Miles, C. W.
Mills, Sir C. H.
Monckton, F.
Mowbray, rt. hon. Sir J. R.
Mulholland, J.
Newdegate, C. N.
Newport, Viscount
Nicholson, W. N.
Northcote, rt. hn. Sir S. H.
Northcote, H. S.
Onslow, D. R.
Paget, R. H.
Patrick, R. W. Cochran-
Pell, A.
Pemberton, E. L.
Percy, rt. hon. Earl
Percy, Lord A.
Phipps, C. N. P.

Phipps, P.
Price, Captain G. E.
Puleston, J. H.
Raikes, rt. hon. H. C.
Rankin, J.
Ritchie, C. T.
Rolls, J. A.
Ross, A. H.
Ross, C. C.
Round, J.
St. Aubyn, W. M.
Salt, T.
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Selwin - Ibbetson, Sir H. J.
Severne, J. E.
Smith, rt. hon. W. H.
Smith, A.
Stanhope, hon. E.
Stanley, rt. hon. Col. F.
Stanley, E. J.
Storer, G.
Sykes, C.
Talbot, J. G.
Thomson, H.
Thornhill, T.
Tollemache, hon. W. F.
Tollemache, H. J.
Tomlinson, W. E. M.
Tottenham, A. L.
Walrond, Col. W. H.
Warburton, P. E.
Warton, C. N.
Welby-Gregory, Sir W.
Whitley, E.
Williams, General O.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wolff, Sir H. D.
Wroughton, P.
Wyndham, hon. P.

TELLERS.

Crichton, Viscount
Winn, R.

NOES.

Acland, C. T. D.
Agnew, W.
Ainsworth, D.
Allen, H. G.
Amory, Sir J. H.
Anderson, G.
Armitage, B.
Armitstead, G.
Arnold, A.
Asher, A.
Ashley, hon. E. M.
Baldwin, E.
Balfour, Sir G.
Balfour, rt. hon. J. B.
Balfour, J. S.
Barclay, J. W.
Baring, Viscount
Barran, J.
Bass, Sir A.
Beaumont, W. B.
Blake, J. A.
Blennerhassett, Sir R.
Blennerhassett, R. P.
Bolton, J. C.
Borlase, W. C.
Brand, H. R.
Brassey, Sir T.
Brett, R. B.
Briggs, W. E.
Bright, rt. hon. J.
Bright, J. (Manchester)
Brinton, J.
Broadhurst, H.
Brogden, A.
Brooks, M.
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Bryce, J.
Buchanan, T. R.
Burt, T.
Buxton, F. W.
Buxton, S. C,
Caine, W. S.
Campbell, Sir G.
Campbell, R. F. F.
Campbell-Bannerman, H.
Carbutt, E. H.
Carington, hon. R.
Causton, R. K.
Cavendish, Lord E.
Chamberlain, rt. hn. J.
Cheetham, J. F.
Childers, rt. hn. H.C.E.
Clarke, J. C.
Cohen, A.
Colebrooke, Sir T. E.
Collings, J.
Collins, E.
Colman, J. J.
Corbett, J.
Cotes, C. C.
Courtney, L. H.
Cowen, J.
Cowper, hon. H. F.
Craig, W. Y.
Cropper, J.
Cross, J. K.
Crum, A.
Davey, H.
Davies, R.
Dickson, J.
Dickson, T. A.
Dilke, rt. hn. Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duckham, T.
Duff, R. W.
Dundas, hon. J. C.
Earp, T.
Ebrington, Viscount
Edwards, H.
Edwards, P.
Egerton, Adm. hon. F.
Errington, G.
Evans, T. W.
Fairbairn, Sir A.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Fay, C. J.
Ferguson, R.
Ffolkes, Sir W. H. B.
Findlater, W.
Firth, J. F. B.
Fitzmaurice, Lord E.
Fitzwilliam, hon. C. W. W.
Fitzwilliam, hon. H. W.
Fitzwilliam, hon. W. J.
Flower, C.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Fry, L.
Fry, T.
Gabbett, D. F.
Gladstone, rt. hn. W. E.
Gladstone, H. J.
Gladstone, W. H.
Gordon, Sir A.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grant Sir G. M.
Grant, A.
Grant, D.
Grey, A. H. G.
Gurdon, R. T.
Hamilton, J. G. C.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Hastings, G. W.
Hayter, Sir A. D.
Henderson, F.
Henry, M.
Herschell, Sir F.
Hibbert, J. T.
Hill, T. R.
Holden, I.
Holland, S.
Hollond, J. R.
Holms, J.
Hopwood, C. H.
Howard, E. S.
Howard, G. J.
Illingworth, A.
Ince, H. B.
Inderwick, F. A.
James, Sir H.
James, C.
James, W. H.
Jardine, R.
Jenkins, Sir J. J.
Jenkins, D. J.
Jerningham, H. E. H.
Johnson, E.
Jones-Parry, L.
Kingscote, Col. R. N. F.
Kinnear, J.
Labouchere, H.
Lambton, hon. F. W.
Lawrence, Sir J. C.
Lawrence, W.
Lawson, Sir W.
Lea, T.
Leake, R.
Leatham, E. A.
Leatham, W. H.
Leeman, J. J.
Lefevre, right hon. G. J. S.
Lloyd, M.
Lubbock, Sir J.
Lusk, Sir A.
Lymington, Viscount
Lyons, R. D.
M'Arthur, Sir W.
M'Arthur, A.
M'Coan, J. C.
M'Kenna, Sir J. N.
Mackie, R. B.
M'Lagan, P.
M'Laren, C. B. B.
Maclver, P. S.
M'Minnies, J. G.
Magniac, C.
Maitland, W. F.
Mappin, F. T.
Marjoribanks, hon. E.
Martin, P.
Martin, R. B.
Maskelyne, M. N. H. Story-
Maxwell-Heron, Capt. J. M.
Meldon, C. H.
Mellor, J. W.
Milbank, Sir F. A.
Monk, C. J.
Morgan, rt. hon. G. O.
Morley, A.
Morley, J.
Mundella, rt. hon. A. J.
Nicholson, W.
Noel, E.
Nolan, Colonel J. P.
Norwood, C. M.
O'Beirne, Colonel F.
O'Brien, Sir P.
O'Shaughnessy, R.
O'Shea, W. H.
Otway, Sir A. J.
Paget, T. T.
Palmer, C. M.
Palmer, G.
Palmer, J. H.
Parker, C. S.
Pease, A.
Peddie, J. D.
Peel, A. W.
Pender, J.
Pennington, F.
Playfair, rt. hn. Sir L.
Porter, rt. hon. A. M.
Portman, hn. W. H. B.
Powell, W. R. H.
Power, J. O'C.
Price, Sir R. G.
Pugh, L. P.
Pulley, J.
Ralli, P.
Ramsay, J.
Ramsden, Sir J.
Rathbone, W.
Reid, R. T.
Rendel, S.
Richard, H.
Richardson, J. N.
Richardson, T.
Roberts, J.
Roe, T.
Rogers, J. E. T.
Rothschild, Sir N. M. de
Roundell, C. S.
Russell, Lord A.
Russell, C.
Russell, G. W. E.

Rylands, P.
St. Aubyn, Sir J.
Samuelson, B.
Samuelson, H.
Sellar, A. C.
Shaw, T.
Sheridan, H. B.
Shield, H.
Sinclair, Sir J. G. T.
Slagg, J.
Smith, Lt.-Col. G.
Smith, E.
Smith, S.
Smyth, P. J.
Stanley, hon. E. L.
Stansfeld, rt. hon. J.
Stanton, W. J.
Stevenson, J. C.
Stewart, J.
Storey, S.
Stuart, H. V.
Summers, W.
Talbot, C. R. M.
Tavistock, Marquess of
Tennant, C.
Thomasson, J. P.
Thompson, T. C.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, rt. hn. G. O.
Villiers, rt. hon. C. P.
Vivian, Sir H. H.
Vivian, A. P.
Walter, J.
Waterlow, Sir S. H.
Waugh, E.
Webster, J.
Whitbread, S.
Whitworth, B.
Wiggin, H.
Williams, S. C. E.
Williamson, S.
Willis, W.
Willyams, E. W. B.
Wilson, C. H.
Wilson, I.
Wodehouse, E. R.
Woodall, W.
Woolf, S.

TELLERS.
Grosvenor, right hon. Lord R.
Kensington, right hon. Lord

Words *added.*

Main Question, as amended, put.

Resolved, That this House desires to maintain its entire freedom of judgment in regard to all matters connected with the question of water communication between the Mediterranean and the Red Sea; and this House, in consequence, declines to pass any Resolution as to future negotiations or proceedings respecting the same.

ORDERS OF THE DAY.

CONSTABULARY AND POLICE ADMINISTRATION (IRELAND) BILL.

ADJOURNED DEBATE ON MOTION FOR LEAVE.

Order read, for resuming Adjourned Debate on Question,

"That leave be given to bring in a Bill to improve the administration of the Royal Irish Constabulary and the Dublin Metropolitan Police; and for other purposes connected with the said forces."—(*Mr. Trevelyan.*)

Question again proposed.

Debate *resumed.*

MR. TREVELYAN said, it would, perhaps, be courteous to the House if he made a short explanation as to the effect of this Bill. It was a Bill of considerable importance, but happily not a very large Bill. The scheme of the Bill had been very carefully considered and frequently revised; it expressed the matured decision of the Irish Government, and embodied the experience during many years of a system into which it now proposed to introduce certain changes and innovations. The present machinery for maintaining law and order in Ireland might be said to date from the Act of 1836, which gave birth to the Resident Magistrates and the Royal Irish Constabulary. It was, he thought, no small thing to say that the authors of that Act had done their work so well, that after half a century the Act did not require any very serious amendment. There had been full time to ascertain all the weak points of the system, and, although those weak points were not many, it was high time they were corrected. This Bill related to administration, and he could not conceive any more cogent or urgent argument in favour of the proposed changes, than the argument that the Government had been forced to introduce, by its own inherent power as a Government, and outside any legislative power, certain temporary changes which it was now proposed to make thorough and complete and permanent by law, if Parliament would give its sanction. That was exactly the case with regard to the machinery for the administration of the Criminal Law in Ireland. Some years ago it was ascertained that that machinery was not adequate to the wants of an exceptional period, and even that it might very well be amended for quiet times. The centralization of the criminal administration of Ireland had become a crying evil. The 90 Resident Magistrates had to report to the Under Secretary at the Castle; and all the 270 officers of the Constabulary, commanding 14,000 men throughout the length and breadth of Ireland, were obliged to report to the Inspector General at Dublin. The right hon. Member for Bradford (Mr. W. E. Forster) came to the conclusion that the time had arrived when the administration ought to be decentralized; and the time when he came to that conclusion was a time when he had no opportunity of calling upon Parliament for legislation. He did what it was in his power to do. [AN IRISH MEMBER: Buckshot! *and ironical cheers.*] If those cheers were otherwise than ironical, and if they came from other quarters of the House, they would express the gratitude of the nation to the right hon. Gentleman for the course he then took to preserve law and order. He did what it was in his power to do.

He appointed six Special Resident Magistrates, to whom he allotted six districts. He made those officers responsible for the administration of those districts, and charged them with the duty of preserving order, reporting to the Central Government, and tracking out crime, and gave them considerable authority over the constabulary in their districts. This arrangement was the best he could then make, and it turned out to be an administrative achievement of a very considerable character. As a permanent arrangement, however, it had certain defects, and this Bill proposed to remove them. In the first place, in the opinion of the Government, the time had come for drawing a deep and clear line between judicial and executive functions. A magistrate who had to sit on the Bench and adjudicate should not have his attention absorbed and his judgment warped, as in certain cases it might be, by the duties of administration, and still more by the duties of a detector and investigator. It was wonderful how impartial the Resident Magistrates had shown themselves; but the Government considered that that impartiality would be more established in the eyes of the public, if those officers were confined entirely to judicial duties. While it was very satisfactory to observe how little friction there had been between the Special Resident Magistrates and the police, still all likelihood of such friction would be removed when the police were entirely under the charge of their own officers. It was of no avail in itself that one part of the country should be under one system, and another part of the country under another. At the time when the Special Resident Magistrates were appointed, the duties to be performed were so great in one district, that, although there were six Special Resident Magistrates, they did not cover the whole of Ireland. The present Bill proposed to make five Divisions in Ireland, which were to cover the whole country, and to place each under a Police Commissioner, who would be responsible for the police in that district, and would naturally relieve the Resident Magistrates of the duty of detecting crime, and relegate them to their functions as Judges. Under the present arrangement, there was a Criminal Investigation Department and a Detective Department, and the duties were exercised at present under two distinct Departments—namely, the Royal Irish Constabulary and the Dublin Detective Police. It was considered necessary that there should be rapid and instant communication between the Detective Police and the Royal Irish Constabulary. At one time crime was increasing at such a rate that there were 50 undiscovered murders within a comparatively short period, and it had become necessary to place the Detective Force in Ireland in a position in which it could act promptly, and for that purpose it was found desirable to place the whole of the Police under one Head. As it was impossible, at the time, to apply to Parliament, the office of Assistant Secretary for the Detection of Crime was created. Seeing what had since occurred, in connection with the detection of the Dublin murders, he hoped that all sections of Parliament would allow that this new Department had been an entire success. The arrangement, however, was only a temporary one; but it was now proposed to affirm it by sanctioning the appointment of a permanent Head to the Royal Irish Constabulary and the Detective Police combined. He had given several reasons why it was most important the Bill should be pressed forward in the present Session; but he would now give one which he thought, in the eyes of many Members, would add weight to those reasons. The present temporary system was very expensive indeed. The cost of the Police and the Criminal Department was, at the present moment, £38,464 a-year. The present Bill would reduce that cost to £22,858, a very sensible reduction indeed, and one which, in the present state of administration in Ireland, would, he hoped, show that the time was come when the Government really believed that some attention might be turned towards economy. This, however, was not the only economy, because it confined the Resident Magistrates to their judicial functions. They hoped, at a period so short that he did not like to name it, lest he might be somewhat too sanguine, to reduce the number of Resident Magistrates from 89 to 72, which was their legally authorized number. With that additional reduction, it might be said that the economy produced by the Bill would come to £22,000 or £23,000 a-year. He wished it clearly to be understood that the Bill would make no difference at all with the great bulk of the officers of the Royal Irish Constabulary, and none at all to the men, except that they would be under the command of police officers instead of the Special Resident Magistrate—a change which, he had every reason to believe, they would regard with satisfaction. [*Cries of* "Oh, oh!"] Well, he thought they would. In fact, he felt so strongly they would that it was one very urgent reason why he asked Parliament to pass the Bill this year. Two, at least, of the first five Provincial Police Commissioners must, by Statute, if the Bill passed, be officers actually serving in the Royal Irish Constabulary; and, after that, the Government proposed a provision, which many Members of the House might think a wrong one, but which they disputed. He thought he should be able to produce arguments in support of—arguments which had often been urged in the House—the provision he referred to, which was one enacting that any vacancies occurring hereafter should, by Statute, be filled up out of the Constabulary. As the Royal Irish Constabulary became trained in administrative and effective duties, he felt certain they would be able to find the right men for the posts, responsible and important as those posts were. In the long run, all the good things of the Service ought to be filled out of the Service itself; and, from the very first, the Royal Irish Constabulary would lose nothing, but would gain something. There would still be the same number of County Inspectors, promotion would not be, in any respect, slower on account of the Bill; and, in the higher Departments of the Service, the immediate effect would be to give at least one more valuable appointment than now existed to the Royal Irish Constabulary, the ultimate effect being to give an addition of four valuable appointments. The general result of the Bill would be to separate the judicial from the administrative duties of these functionaries, and to make the maintenance of order in Ireland more thorough, more equable, and, he sincerely hoped and believed, less costly than it was at present. He begged now to renew the Motion for leave to bring in the Bill, and he earnestly hoped the House would give leave for its introduction that night.

MR. PARNELL said, he thought the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had adopted a very unusual course in asking the House to read for the first time a Bill of this contentious character on the last day of the expiring month before the commencement of the month of August, when the House would be entitled to conclude that the labours of the Government and of the House were about to draw to an end. Certainly he thought, in view of the fact that the Irish measures promised in Her Majesty's Gracious Speech from the Throne had not yet approached a second reading, that the Government might have fulfilled, or made some attempt to fulfil, the promises they had held out to the House of Commons and the people of Ireland before introducing, in the expiring days of the Session, a Bill of this contentious nature, and a Bill which, he thought, he should be able to show before he had done with it would be of an extremely mischievous character. The right hon. Gentleman must congratulate his Predecessor in Office upon the magnificent result of his labours, and it was a somewhat singular fact that the first speech which the right hon. Gentleman the present Chief Secretary had made on any really Irish question was a speech in which he took up the measures of repression, or, as the right hon. Gentleman called them, the measures of criminal decentralization, which had been adopted by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), his unfortunate Predecessor. He should have hoped that the right hon. Gentleman would have made his maiden speech upon constructive Irish legislation, and that he would have been able to find a more congenial topic than was afforded him by the present Bill—a measure which he was sure, if he could examine the innermost recesses of the right hon. Gentleman's heart, he must regard with extreme disgust and disapproval. The Bill was bound to work mischief among the members of the Constabulary Force in Ireland; but it also perpetuated a vicious principle and a vicious system, respecting the abolition of which they had the promise of the Irish Government from the mouth of the right hon. Gentleman the Member for Bradford, who, in the Session of 1880, said that he, for one, hoped to be able to put an end to them before long. That statement was made by the right hon. Gentleman in the debate upon the constitution of the Royal Irish Constabulary in the Session of 1880, and the right hon. Gentleman then informed the House that he trusted before long to be able to dispense with the services of the Royal Irish Constabulary. It was, therefore, not to be anticipated that in so short a time the Successor of the right hon. Gentleman would come down to the House to introduce a measure for the perpetuation of the Royal Irish Constabulary, and the retention of certain high places which would involve a permanent expenditure of some £26,000 a-year. The right hon. Gentleman told them that these high places were to be filled up for the present by two officers chosen from the Royal Irish Constabulary, and by three others not chosen from the ranks of the Constabulary; but upon the death of those gentlemen, or as vacancies were created by retirement, the posts would be permanently filled up by officers selected from the Royal Irish Constabulary. Such a declaration meant that the Government intended to keep up the Royal Irish Constabulary as a perpetual necessity. Now, they all knew what this Force of the Royal Irish Constabulary was; they all knew that it was a palpable and unblushing invasion of the Mutiny Act, a system under which the Crown in Ireland was able to maintain a force of soldiers in that country in excess of the nominal Force in the Mutiny Act—a system which would not be tolerated for a moment in Scotland or in this country, but which they were able to maintain in Ireland simply on account of the misinformation which existed in regard to every Irish question that was brought before the House. He thought it was the duty of the Irish Members to protest most strongly against the conduct of the Government in introducing a Bill of this contentious character practically speaking in the month of August, when in another three weeks, or a month at the outside, it might have been hoped that the Session would have been brought to a close. In point of fact, the Bill was a job. It was a job, and an unblushing job, for the purpose of providing places for Mr. Clifford Lloyd, Mr. Blake, Mr. Jenkinson, and one or two other geniuses who had been discovered by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), but whose value nobody during the right hon. Gentleman's ill-omened term of Office had ever been able to discover. But the right hon. Gentleman the present Chief Secretary said the Bill was justified by the success of Mr. Jenkinson in discovering the existence of the Invincibles in Dublin. Now, it was perfectly well known that neither Mr. Jenkinson nor any other member of the Executive Government had anything in the world to do with the discovery of the Invincibles; but that, in fact, the proceedings of that Organization were brought to light by a detective officer named Mallow, an Irish police officer, whose name was studiously kept in the background in order that that of Mr. Jenkinson might be put in the front. Mr. Jenkinson, Lord Spencer, and the right hon. Gentleman the Chief Secretary himself, were pushed to the front, and got all the credit for an achievement with which they had nothing whatever to do. He denied that Mr. Jenkinson ever knew anything about the matter, or that he was fit for his post of Assistant Secretary, or what the right hon. Gentleman called Secretary for Crimes in Ireland—an extraordinary appellation, but very suitable for an Irish Under Secretary. This Bill was a job for the purpose of providing places for the gentlemen he had named, all of whom, with two exceptions—namely, Mr. Blake and one other person—were not officers of the Police in Ireland. The right hon. Gentleman said the Bill made a provision that in future the Police Force of Ireland should be controlled by officers of that Force; but they would only be made officers of the Police by the Bill which it was now proposed to read a first time. They were not officers of the Police at present, or of the Constabulary in Ireland, and there were many officers of the Constabulary who felt much annoyed that their claims, and the claims of their superior officers, were passed over in favour of persons who had been brought from the four quarters of the globe on account of their supposed capacity, but whose capacity nobody, except the right hon. Gentleman and the Irish Government, had been able to discover. The right hon. Gentleman spoke of a reduction of expenditure which would be secured; but he did not point out that this expenditure was an expiring expenditure. It was an expenditure which was entailed by the creation of offices for temporary purposes by the right hon. Gentleman the Member for Bradford; and if those offices were now allowed to drop, instead of the Exchequer being burdened with an expenditure of £25,000 a-year, there would not be any expenditure at all. He submitted that, under these circumstances, the House might very fairly refuse to read the Bill a first time, and he was satisfied that he should be able to show a very strong case indeed against the Bill when it came on for second reading, if, indeed, it ever did come on for a second reading. He thought it was monstrous to waste the time of hon. Members by keeping them up at this late hour (1.40 A.M.) to do that which, obviously from the nature of the case and from the period of the Session, must be futile work and work of no utility whatever.

MR. HEALY said, he could not say he viewed the introduction of this Bill with much regret. He had been absent from the House of Commons for six months; but during the whole of that time there had been no Irish Business done worth calling Irish Business, and it was time that some should be done. It was true there had been one piece of Irish legislation this Session, just as, last Session, there was another Bill passed besides the Crimes Bill. It was a singular thing that both these additional Bills had been Police Bills. They had a right to think now that the Government would not be happy if they had not two or three Police Bills each Session. He rejoiced—with a sardonic rejoicement, no doubt—at this Bill, because it would be opposed by most of the Irish Members. Those hon. Gentlemen were away at present; but they had been enjoying relaxation and gaining fresh energy and strength, and they would be coming back directly like giants refreshed. He had expected to hear some apology for the introduction of the Bill, and had gone over in his mind those measures for the non-passing of which it was possible the right hon. Gentleman would have apologized. The Irish Members had been promised a Registration Bill, but it had not yet been introduced. They had been promised a measure for Local Self-government, but that had not been introduced; they had been promised a Bill for Parliamentary Reform, but they had not got it; they had been promised a measure for Municipal Reform, but they had not got that; they had been promised some kind of support for the Labourers' Bill, but they had not got that; they had been disappointed also in regard to the Poor Law Guardians' Bill; and now, at the end of the Session, they were told that they must content themselves with the last bad egg out of the Pandora's box of the Government. He would ask the right hon. Gentleman whether he really thought this treatment of the Irish Party and the Irish Nation reasonable? Did the right hon. Gentleman think the Irish Members would submit tamely to this kind of thing—did he think they would allow him to dandle his police baby on his knee at the end of the Session, and not only that, but that they would be delighted with the performance? The Government had Bills enough to pass; and if he had been in the place of the Chief Secretary he should have thought that hard lines enough, without endeavouring to carry through this extraordinary abortion. There was, he believed, a large measure of Bankruptcy for Ireland awaiting discussion; a few stages yet remained of a Bill they were all interested in—namely, the English Agricultural Holdings Bill—and it was likely that they would become more interested in it—and did the Government imagine that, at this period of the Session, the Irish Members were in a frame of mind to sit down and have this Bill flung in their faces? He could tell the right hon. Gentleman this was a very unfortunate undertaking for him, unless he wished to have a prolonged discussion of the police system of Ireland, and unless he wished to sit here until Christmas—and probably he would not care to do that for Mr. Clifford Lloyd, or even for Mr. Blake, who came over from Ireland yesterday, no doubt, to assist at the incubation of this egg, but who would have to wait a long time before the egg was completely hatched. He (Mr. Healy) had expected a much more definite statement from the right hon. Gentleman than that they had received. The right hon. Gentleman informed them there was to be but one Commissioner. But he did not tell them, as had been the case in the Irish Land Bill, who that Commissioner was to be. The right hon. Gentleman did not tell them that they would have an opportunity of expressing their opinion and voting on the name of this Commissioner. The right hon. Gentleman kept the names up his sleeve, as the Chinaman kept his 24 packs of cards, whilst playing the "game he did not understand." Would the right hon. Gentleman have any objection to giving them the names of these Seven Champions of Christendom? He invited the right hon. Gentleman to let them see his marionettes—let them see the names of the gentlemen which were to be so attractive to this House at this period of the Session, in the sweltering atmosphere of August, that they were to jump at the prospect of considering their merits. The right hon. Gentleman said that not only were the Royal Irish Constabulary to be under the Commissioner or Commissioners, but that—and it would be the first time in the history of Ireland—the purely Municipal Police of Dublin were to come under the control of the central authority, the Municipal Police for which the working men of Dublin paid £60,000 a-year. Had not a Cabinet been turned out of Office on the question of who was to have control of the Metropolitan Police in London? Would the Dublin Corporation get any value for their £60,000 a-year. Would the hon. Member for Leeds (Mr. Herbert Gladstone) join them in their attempt to pass a clause to relieve Dublin from this burden—if the Bill ever got into Committee? Would the Prime Minister support them? No; he would do nothing of the kind, for the right hon. Gentleman the Chief Secretary, who took admirable care to consult the wishes of the Prime Minister, had told them that it would be useless to make such a proposal. He did not charge the Chief Secretary with the suppression of the truth; but there was a certain artistic official way of putting facts, and the right hon. Gentleman was an adept at the art. He would ask the right hon. Gentleman whether this £60,000 which the Dublin Corporation had been paying hitherto was to be remitted or not, and, if not, why not? Why was Dublin to be singled out of all the cities of the Empire to pay for a thing which they had no voice or control over, and which to them would be bad value for their money? He would ask English Gentlemen, who now and then had occasion to go over to Dublin, whether they had not been struck with the style of the policemen? If ever it was necessary to summon a cab-driver or a person of that kind who might happen to leave horse-feed on the pavement, or if ever one was wanted to bring before the magistrates people guilty of breaking the municipal bye-laws by leaving vegetable or other refuse in the streets, the haughty policeman would stride nobly by, disdaining to look upon rotten cabbage. He would not allow it to come between the wind and his nobility. He would go to Dublin Castle to consult with the Lord Lieutenant and the Chief Secretary about the state of the country, but could not stoop to such small matters as the condition of the streets. Well, this Chief Commissioner and his assistants would go on sniffing out conspiracy, leaving foul smells to generate and pollute the air, to poison the inhabitants, to breed fevers, cholera, and all manner of diseases, and to fill the hospitals with patients. The Irish Members arraigned this system of looking after the affairs of Ireland. They denied the competence of the right hon. Gentleman to legislate for Ireland in matters of this kind. If he insisted on having his Chief Commissioner, let him pay for that official himself out of the Imperial Funds. If he thought a Chief Commissioner was such a valuable thing to have, let him pay for that Chief Commissioner as he would for any other article he might want. The right hon. Gentleman told them there was no friction between any of the parties concerned in this matter—that this Bill was designed to alleviate the condition of the constables—but that there was no friction between them and the Special Resident Magistrates who were to emerge from their present grub and chrysalis condition into the full-blown Chief Commissioner state. He (Mr. Healy) presumed the right hon. Gentleman was not in Ireland during what was called the famous "Police Strike"—he might have been, but, if so, he appeared to have forgotten it. Did the right hon. Gentleman imagine, when he told them to give such undiluted attention to the condition of the Constabulary this autumn, that Mr. Clifford Lloyd, who, when he was a police magistrate, produced nothing but mutiny, would produce peace and comfort when he became a Commissioner? Did the right hon. Gentleman think that by changing the name of Mr. Clifford Lloyd's office they would change that Gentleman's qualities—did he think that, like a leopard, Mr. Clifford Lloyd could change his spots? Whatever the right hon. Gentleman thought, the thing would be impossible. So long as Mr. Clifford Lloyd had to do with the police the men would feel the thong of his Burmah whip. Nothing could alter the *status quo* of Mr. Clifford Lloyd; he would just go on as he had done before. Therefore, he (Mr. Healy) would put it to the right hon. Gentleman whether he thought the Royal Irish Constabulary would be worse or better under the new system? The contention of the Irish Members was that the grievances of the Royal Irish Constabulary were the fault of the Government, because they arraigned and disputed the competency of the Chief Secretary to propose such arrangements as these. He would put this to the House—What was this Body on which so much time was spent, and which was being mollycoddled at the rate of three Bills a Session? So far as he had been able to see, it was a Body for the purpose of creating tumult, riots, and brawls in the lower ranks, and for making nice jobs for landlords' agents and landlords' sons in the upper ranks. He was glad that Irish Members would have an opportunity of speaking about the position of the police and the people on this Bill. What was the character of the Sub-Inspectors and of the proposed Royal Commissioners? Why, they attained their position, as he understood it, either by a system of examination or by a system of competition, subject to approval. As to examination, no one had a chance of obtaining a post by that means unless he were the son of a landlord, some petty agent, some ex-English official, or some broken-down public servant from Bombay, Burmah, Canada, Jerusalem, Madagascar, or anywhere but Ireland. That was the examination system; and then, as to the system of competition, to begin with, the right hon. Gentleman and his Government shut out from competition nearly everybody by preventing them from getting that University education which was enjoyed in England. The great mass of the people of Ireland were shut out by reason of religious disabilities from learning those things which were learnt in Universities, and which were necessary before a man could pass an examination for Sub-Inspector. The great mass of the Catholic people of Ireland, or all those who could not conscientiously attend the godless Colleges, or who could not afford to go to grinders to cram in special subjects, were shut out from competition. Who were those who were able to compete? Why, as a general rule, they were the younger sons of landlords, of the agents, and of the parsons. These were the gentlemen who officered the Force, and upon whom the whole peace of Ireland depended. And what did they get? Why, some underdone shoneen as a Sub-Inspector, and they sent him down to a place in the country to officer 12 or 14 men. What happened? Did he endeavour to sympathize with the people; did he mix amongst them in order to become an agent for the detection of crime? No; but he set himself out for getting as many invitations as he could to stretch his legs under the landlord's mahogany. Should a landlord have a case of trespass, a case about a bog rent, a case under the Crimes Act, or a case where a cow had strayed on to his land from the farm of a man to whom he owed a grudge, the tip would be given to the Sub-Inspector at the dinner-table, and the next day the "intelligent head constable" would be informed of the facts and would state the case before a magistrate. A summons would be issued, and the magistrate would come down, take his seat on the Bench with a grave face, and poor Paddy would be fined so much and costs. These Sub-Inspectors were thorns in the side of the Irish people, festering and annoying them from year's end to year's end; and it was to advance the interests of this class that the right hon. Gentleman asked them to sit through the month of August, and probably until Christmas, to pass the Bill. The right hon. Gentleman must have a very hopeful mind; and to him (Mr. Healy) it was a reproach to find that, after two or three years' experience of the Irish Party, the right hon.

Gentleman should be sanguine enough to bring forward such a Bill as this. It almost brought the virginal blush to his (Mr. Healy's) face to think that the right hon. Gentleman had such confidence in the soft-heartedness and soft-mindedness of the Irish Members that he could ask them, in the month of August, after he had failed in all his pledges to them in every other respect, to pass a Bill of this kind. Did the right hon. Gentleman mean to say that the Labourers' Bill was of less importance than this Bill? Could he say so? Could he have the well-being of the people of Ireland at heart while he neglected that Bill? Could he venture to ask for time for the promotion of a Bill of this vicious and irritating character? The right hon. Gentleman was very apt to take credit to himself because of his Bills; but he had never aided the Irish Members to get the Guardians' Bill of last year or the Labourers' Bill of this Session to a third reading. And yet he expected them to accept this as an instalment of his good intentions. In his relations with the right hon. Gentleman he had never experienced anything but courtesy—leaving the incident of Richmond out of sight—but he thoroughly believed that the right hon. Gentleman had less idea of the moral and material wants of Ireland than the right hon. Member for Bradford (Mr. W. E. Forster) had. There was, perhaps, no one who disliked the right hon. Member for Bradford more than he did; but he was bound to say that he believed that right hon. Gentleman had the prosperity of Ireland, so far as he understood it, at heart. He came into Office at the wrong time, and was not the man for the situation; but had he come into Office in quiet times, it would have given him pleasure to assist such a measure as the Labourers' Bill. The right hon. Gentleman the present Chief Secretary had come in in halcyon days—he must say hanging days. The Government had nothing to do but to hang people; and yet, in these piping times of peace, the right hon. Gentleman did not venture, while hanging people on the one hand, to do anything for the poor people on the other. There were still some people left in Ireland; they were not all hanged and transported; and although he seemed to think it was only police they wanted, judging by the number of police he had introduced, there were other people and interests besides the Constabulary; and he would appeal to the right hon. Gentleman on behalf of those considerations which ought to be at the heart of a good administrator. He would ask the right hon. Gentleman to drop this Bill, and to forget, for a moment, the existence of Mr. Blake and Mr. Clifford Lloyd; to think of the unfortunate Irish labourers in rags in their miserable cabins, or thrown out upon the roadside, and to forget that his only duty was to hang people or to put them into gaol. Why should the history of Ireland always be connected with the police? Were they never to have any Bills unless they bore the endorsement of some connection with the police? He would ask the right hon. Gentleman, once for all, to drop this system of nibbling at Constabulary Bills, and to try to help on other measures to promote the peace of the country. If he did so, he could promise him that, although his name might not be a fragrant memory among the Clifford Lloyds and in Phœnix Park, it would be remembered with gratitude by the masses of the Irish people.

Mr. O'BRIEN said, he was glad that the right hon. Gentleman had been so frank as to the purpose of this Bill, for, despite the thin veil and disguise as to economy, it was plain that the object of the Bill was to keep up the present police system in Ireland on its present war footing, and to make a partition of the country between Mr. Clifford Lloyd and Mr. Jenkinson. What was there in the present state of Ireland to justify this police system? If the object of the Bill was repression, the present system was doing that pretty well already. The Bill simply sought to perpetuate, under another name, one of the most disastrous blunders of the right hon. Member for Bradford—the parcelling out of the country under the Clifford Lloyds. The hon. Member for the City of Cork (Mr. Parnell) had mentioned that it was very likely that the diminution of crime had deluded the people of England as to the character of these men and their system; but so far from having any pacifying effect on the country, any effect they had had been to excite the people and encourage them to crime. The only power they had was under the Crimes Act, and he did not suppose the Government meant to preserve that Act. Mr. Clifford Lloyd was supposed to be a terrible detector of crime; but the period during which he had County Clare under his control, and was terrorizing the people right, left, and centre, was the very time when the greater number of crimes in that county took place. Neither there nor in County Galway, to which he had been removed, had he tracked the perpetrator of a single agrarian murder. When he was in Limerick what were his achievements? He succeeded in insulting the Mayor and Corporation, and in shooting down and bayonetting the people without cause. Another of his achievements was the organization of the police strike in Limerick; for it was notorious that it was their detestation of Clifford Lloyd and his ridiculous system of patrolling that created that strike. Then there was another gentleman, Mr. Jenkinson, of India, who had been kept in the background, but who was known to be in the forefront. He appeared to be playing the part of an Irish Fouché; but he had had a small share, compared with the man referred to by the hon. Member for the City of Cork, in tracing the Phœnix Park murderers. So far as the public knew, his only part in that matter was the offering of tempting rewards to informers. He discovered three independent witnesses in connection with the Phœnix Park murders—Dr. Cameron, Hand, the chairmaker, and his wife; but when the trial came on he found it judicious not to produce them in Court. This Mr. Jenkinson had such a passion for getting himself spoken and written about, that he actually allowed himself to be interviewed in Dublin Castle by the man M'Dermott, whom the police were looking for a few days afterwards, as a probable dynamiter. His only other achievement in Ireland was having assembled the newspaper reporters and delivered to them a speech, in which he libelled one of the most eminent physicians in Dublin, for which he had to apologize. These gentlemen might have been serviceable instruments for the work the Government wanted done; but if the Government wished to govern Ireland, the sooner they dropped these gentlemen the better. The right hon. Gentleman had very carefully kept these gentlemen in the background. He had not stated who the heroes of the Bill were to be; but they were perfectly well known. It was well known that it was for the benefit of these adventurers that the Irish Police was to be organized, or rather disorganized, in this way. This was a temporary crisis; and one of the best proofs of that was that the Government had been getting rid of the small fry—the unfortunate policemen and the marines—who had been dismissed without the slightest ceremony; and he did not see why these gentlemen, who only differed from them in the amount of their salaries, should not be treated with just as little ceremony. At all events, if the Government valued the interests of English government in Ireland, they would soon find that it would be cheaper to pay these gentleman sumptuous salaries to get out of the country altogether, and to drop this Bill, without putting the Irish Members to the trouble of killing it.

Mr. O'DONNELL said, he thought the House might well ask the meaning of the recommendation which the Chief Secretary had put in the forefront of the Bill—namely, that for the future the magistrates in Ireland would be dissevered from the detection of crime. He thought it was the experience of England that nothing could be better for the detection of crime than an active, sensible, kindly Magistracy, acting in co-operation with the responsible Police Force, for the detection of crime. Under this Bill the magistrates of the future in Ireland were simply to be reserved for judicial work; but that was a euphemism for condemning persons whose cases would be made up for them by this special 3rd section, which the right hon. Gentleman seemed to have borrowed from Russo-Poland for permanent application in Ireland. The hon. Member for Cork had correctly stated that the Police Force in Ireland was simply a Military Force. By this Bill this Military Force was to be extended and perpetuated; the local Force of Dublin was to be thrown into the general mass; and there were to be Cossack Police permanently settled in Ireland—responsible to a Central Authority, and having no connection with the magistrates, except in getting up cases upon which they would be expected to adjudicate according to the temper and disposition of the English Government of the day. In fact, this Bill contained the clearest indication to the magistrates of the future as to how they were to behave. At present they were 90 in number; and the Chief Secretary, while holding out a promise of increasing this number of valuable appointments in this absurd Police Force, said he intended to reduce the number to 72; and, of course, he would remove from the Magistracy, on one pretext or another, all those magistrates who had not succeeded in making themselves sufficiently agreeable to the Government of the day. So that the Bill was a measure, in the first place, to destroy the efficiency of the magistrates and to reduce them to the mere *rôle* of sentencing people who were brought before them by irresponsible police; and, again, it partly terrorized and partly bribed the magistrates, by warning them that their number would be reduced from 89 or 90 to 72—and, of course, all those men would be men who had least deserved the good opinion of the dispensers of patronage in Dublin Castle. He could not conceive any Bill more admirably suited to bring the Administration in Ireland into still greater contempt than the Bill now brought in by the right hon. Gentleman the Chief Secretary. It was very possible the Bill had been inspired by Mr. Jenkinson; but he (Mr. O'Donnell) could most heartily confirm the exposure which had been made with regard to this Act. Everyone knew that Mr. Mallon, an Irish policeman, deserved 99 per cent of any credit earned in the recent conspiracy trials in Dublin. Mr. Jenkinson had distinguished himself in Ireland by nothing but offensive displays; he had got into muddles which would certainly have insured his dismissal had he belonged to an English Force. In India Mr. Jenkinson was nothing but a swashbuckler and a complete failure. In this House he (Mr. O'Donnell) had heard every credit given to Mr. Jenkinson as a bold and courageous man; but there were plenty of such men in the English nation—[An hon. MEMBER: Every nation.]—and, as his hon. Friend said, there were bold and courageous men in every nation. But, in Ireland, they wanted a little more than simple bulldog courage. Mr. Jenkinson in India was nothing more than a leader of a band of Auxiliary troops, which were very efficient in cutting down the mutineers which the Regular troops had dispersed. As to his civil capacity, Mr. Jenkinson was one of the confiscating settlers in the district of Jhansi; and the three or four gentlemen who worked with him had brought about a most unhappy state of affairs in that unfortunate place. Mr. Jenkinson had got no career behind him except that of being a bold, determined rough-rider; and the introduction of such a man into Ireland was certainly not calculated to bring about peace in that country. But he (Mr. O'Donnell) was disposed to look at the Bill as a whole, and not in detail. He should regard the Bill, if it were accepted by the House, as a formal declaration of permanent hostility to national self-government in Ireland. Let the House understand the full responsibility which it must take upon its shoulders if it passed this Bill. All pretence of placing the Police Force of Ireland upon the basis of the Police Force in England would be given up. All pretence of raising the Magistracy in Ireland to the level of the Magistracy in England would be given up. The Magistracy in Ireland would be placed under the foot of the Police Cossacks who would be instituted by this Bill — the magistrates would be absolutely degraded into the mere executive officers of the Police. It was intended to make this Force of 15,000 men a permanent Force in Ireland; and it was proposed to do that in terms and in a manner which showed that they were resolved to keep in the hands of the present authorities all that over-centralization which was the abiding cause of the ill-will between Great Britain and Ireland. The Bill was, as he had said, a formal declaration of permanent hostility against national self-government in Ireland, because there was no pretence of meeting an exceptional crisis—there was no pretence of having to take exceptional measures against a state of affairs which it was hoped might pass away in a year or two. If a severe Coercion Bill were brought in, he (Mr. O'Donnell) and his hon. Friends might feel it their duty to oppose it; but, at any rate, there would be some excuse for such a Bill in the fact that it was brought in to meet an exceptional state of affairs. This Bill, however, was to create, as a permanent institution, this Military Police Garrison in Ireland; and all the existing evils were intensified by the fact that the control of the Police was to be more than ever centralized, and that whatever restraining or moderating influence an independent Resident Magistracy might be able to exercise over the zeal of this sort of Military and Detective Police—whatever sort of control and direction a wise Magistracy might be able to exercise upon the Police Force would be entirely done away with under this Bill, for, as the right hon. Gentleman the Chief Secretary had explained, the magistrates were simply to exercise—to use the right hon. Gentleman's euphemism—judicial functions. They were to know nothing of the previous history of cases; they were to know nothing of the points, either weak or strong, in the preparation of cases; but they were actually to be dependent entirely upon the view which the police would place before them, and, in that way, even supposing the magistrates wished to be independent, they would not have the means of being independent. A magistrate would be entirely cut off from all knowledge of the state of the country, entirely cut off from all knowledge of the crimes brought before him; and he was simply to be content with the direction he would receive from the new Centralized Police. He (Mr. O'Donnell) hoped the Bill would pass. He was glad it was brought in, because it gave the Irish Representatives an admirable opportunity of discussing several very interesting matters. He hoped the Bill would pass after a considerable and exhaustive discussion—after as exhaustive a discussion as its merits demanded. He was sure the Bill would only stimulate the resolution in Ireland for self-government, so that the people might get rid of the English Government and their Cossacks. It would stimulate the resolution of the Irish race all over the world, which was neither dead nor sleeping, to assist their brethren at home to get rid of the Jenkinson stamp of officials, who were the curse of the country.

Sir JOSEPH M'KENNA said, he regretted that the Government had brought in a Bill of such a formidable character as this at this stage of the Session. It was a serious matter, after so many years of conjoint action between the Constabulary and the Magistracy, that the two should now be separated. The Irish Government ought to have hesitated before seeking to bring in a Bill of this kind so late in the Session. Personally, he should give the Bill every consideration, without the least prejudice, because he knew great things could be done to improve the position of the Magistracy and Constabulary in Ireland, and to improve their relations one with the other, and to the country. He could not help thinking, however, that such radical changes as were now proposed ought not to have been sprung upon the House just on the eve of August.

Mr. T. P. O'CONNOR said, the manner in which this Bill was treated by the Government was characteristic of their system of governing Ireland. Was it respectful, was it decent, was it precedented in the history of legislation in this House that a number of Members should get up from one portion of the House, offer criticisms to a measure which had been introduced, and that no attempt at reply should be made from the Treasury Bench? Among the slumbering figures upon the Treasury Bench he noticed one distinguished Minister—the Chief Law Officer for Ireland—and the acting Leader of the House; but no attempt was made to reply to the damaging criticism of the Bill. He (Mr. T. P. O'Connor), however, did not believe that anyone on the Treasury Bench, save the Chief Secretary for Ireland and the Attorney General for Ireland, had the least idea of the contents of the Bill. Did the Secretary to the Treasury, for instance, know anything about the Bill? Was there a single Member on the Treasury Bench, with the two exceptions he had named, who had the least conception of the importance of the provisions of the Bill? One of the present misfortunes in the system of government in Ireland was that the Chief Representative of the Irish Government had no place in the House of Commons, and, accordingly, he could not be brought to task for what he did. If they brought the right hon. Gentleman the Chief Secretary to task, they must remember, at the same time, that he was merely the mouthpiece—if it were not disrespctful he should say, the mere tool—of the Lord Lieutenant. The House was asked to pass this measure, without any attempt being made to justify its provisions, or to defend those provisions against attacks. He was sorry the right hon. Gentleman the

Member for Bradford (Mr. W. E. Forster) was not in his place, because he (Mr. T. P. O'Connor) had on several occasions been under the unhappy and unfortunate necessity of indulging in criticisms of the right hon. Gentleman which were considered harsh; and now he desired to say that he much preferred the administration, bad as it was, of the right hon. Gentleman, to the administration of the present Chief Secretary. While the right hon. Gentleman the Member for Bradford brought in measures of coercion—measures which were responsible for all the crime and trouble of the last two or three years—while he brought in measures of coercion with the one hand, with the other hand he was always endeavouring, so far as his rights allowed him, to amelioriate the condition of the people. ["No, no!"] That was his opinion. His hon. Friend who interrupted him could express his opinion when he rose to his feet. What was the history of the present Government? What was the history of the present Chief Secretary? Courteousness of manner and geniality of temper might be very nice things in their way; but what was the Legislative and Parliamentary history of the right hon. Gentleman since he took Office? Why, two Police Bills, now followed by a third. Had the right hon. Gentleman done one thing to advance a single measure of reform in Ireland? Had he helped forward any single measure of relief for Ireland, with the exception of the Fisheries Bill and the Reproductive Loan Fund Bill, one of which measures was carried in spite of the Government? What was the history of Lord Spencer and the present Chief Secretary? These two distinguished politicians were now rising to the eminence of statesmen, owing to the detection of crime by a Superintendent of Irish Police. Mr. Mallon deserved all the credit for having detected and brought to justice the persons engaged in the Invincible Conspiracy. What was the history of the present Administration in Ireland? He asked them to show him a single measure they had brought in for the amelioration of the condition of Ireland. There was a Land Law (Ireland) Amendment Bill introduced by his hon. Friend the Member for the City of Cork (Mr. Parnell), and the right hon. Gentleman the Prime Minister had, over and over again, declared the tenants of Ireland had a fair right to claim emendation of the Land Bill; but that Bill received no support from the Government. The Borough Franchise Bill was shelved; the Municipal Franchise Bill was shelved; the Labourers' Bill was floated, but not advanced; the Registration of Voters Bill was dangled before their eyes. The introduction of this Bill might be characterized as a piece of monstrous audacity. It was quite characteristic of the present Rulers of Ireland; for, having watched their course for a considerable time, he was bound to declare Lord Spencer as by far the best Orangeman, and the Chief Secretary as the most efficient member of the Emergency Association, whom Ireland had ever seen. Two hundred and twelve Public Bills had been introduced in Parliament during the present Session, and now on the 1st of August they were to add another Bill to that already swollen list. Let the House reflect what was the state of Business. The present Session was to be a remarkable Session; it was to be a Session in which all the long-neglected wants of the people of this country were to be attended to. Was there ever a more extraordinary muddle, or a more unfathomable morass, than that in which the Government had now got into? Here they were in the month of August, and the only legislation the Government were able to boast of was an Explosives Act; that was practically the only measure that the Government, composed of such able men as it was, had been able to introdnce and carry. The Bankruptcy Bill had yet to pass through an important stage; the Corrupt Practices and the two Agricultural Holdings Bills were not yet fully disposed of.

MR. JONES PARRY rose to Order. He wished to know if the hon. Gentleman was now speaking to the Question before the House?

MR. SPEAKER said, he saw no cause at present to interfere.

MR. T. P. O'CONNOR, continuing, said, that the two Agricultural Bills were still in a critical position; and yet, in the face of this almost hopeless muddle, the Government came down on the 1st of August to introduce a new Bill. Already a large number of Bills had been withdrawn. The Criminal Law Amendment Bill had been dropped, and that was a

Bill which the Prime Minister himself had said was necessary for the protection of the young girls of this country from the infamous and appalling crimes to which they were exposed. That Bill was not considered fitting to pass the House of Commons while Mr. Jenkinson and a few other pets of the Irish Government were awaiting their acknowledgment. There was a Bill which was under the charge of the right hon. Gentleman the Secretary of State for War—a Bill which two or three of the right hon. Gentleman's Colleagues had declared to be absolutely necessary for the protection of the health of the troops; yet that Bill had been dropped. Then there was the Medical Acts Amendment Bill, a Bill which was intended to save the country from unlicensed and quack practitioners. That Bill was not to be proceeded with. And yet, in the face of all this absence of legislation, the right hon. Gentleman had the coolness to come down to the House with a Bill to give places to those whose only claim to recognition on the part of the Government was that in serving the Executive they had altogether disregarded the feelings and wishes of the Irish people. He told the right hon. Gentleman that the patience of the people of Ireland was well nigh exhausted, and that they would no longer bear with tranquillity the treatment to which they were subjected, and the total absence of Irish reforms or of legislation for the good of Ireland. The Irish Members made up their minds that they would meet this Bill with the most determined opposition, until they succeeded in forcing the Government to pass those remedial measures which, if the Government had so wished, they could long ago have passed. He strongly objected to the conduct of the Law Officers and of Lord Spencer in forcing such a Bill as this upon the House in the absence of any attempt to grapple with Irish Reform. The conduct of the Executive was nothing more nor less than shameful, and the *non possimus* attitude of the Government would never be maintained by the present so-called Liberal Rulers of Ireland, if it were not the result of a deliberate purpose. Their desire was to give to the people of Ireland police laws, hanging-gaols, and depopulation, in the hope that by this means they would exhaust the strength of the Irish people. He was afraid that the only result would be, as the Government would by-and-bye find to their cost, that the present Liberal Lord Lieutenant and the present Liberal Chief Secretary would be able to say that they had done more to kill Liberalism in Ireland than any measures which their Conservative opponents could possibly have devised.

MR. O'KELLY said, he had had no intention of taking part in the debate; but he wished to submit that if the Government persisted in thrusting these five new officers upon Ireland, their appointment and selection should be left to the Irish people. He contended that the laws under which Ireland was now governed were opposed to the wishes of the majority of the Irish people; and if the present so-called Liberal-Radical Government desired to act in the interests of the Irish people, then let them accept his proposition, and submit the five Magistrates, to whom they intended to give the administration of the Irish Criminal Laws, to the election of the people of Ireland. Upon that condition, and upon that condition only, he thought the Bill would be an acceptable one. But he understood from the statement of the Chief Secretary that these five gentlemen were to be appointed by the Crown; and, unfortunately, they knew in Ireland what appointment by the Crown meant. It meant placing over the people of Ireland men who were opposed to the well-being of the people, and whose main object would be to suppress the views and wishes of the people. He was satisfied that so long as English government in Ireland rested on appointments of this description there would be constant necessity for applications to Parliament for additional strength to carry out the law, whatever that law might be. No matter what measures might be passed in that House, it would be necessary for the Government to bring in new laws year after year, each more stringent than the other, to enable them to enforce in one year the laws which they had passed the year before. That would be the work of the English Government if they presisted in their endeavours to rule Ireland by the system they were now enforcing. If they wanted to rule Ireland well, they would have to govern her, as all other free nations were governed, in accordance with the wishes of the people.

That was the only system by which they would be able to succeed; and any other system they might endeavour to put in force, no matter what their material power might be for the moment, would only end in failure, and it might be that it would ultimately end in disaster. [*Cries of* "Order!"]

MR. SPEAKER: I must invite the hon. Member to address himself to the Question before the House.

MR. O'KELLY: I am addressing myself to the Question before the House. [*Cries of* "Order!"]

MR. SPEAKER: I must remind the hon. Member that there is a Standing Order of the House against tedious repetitions, and that that Standing Order may be applied against the hon. Member.

MR. O'KELLY: I am endeavouring to address myself to the House in accordance with my own views. Those views may not be in accordance with your views. [*Cries of* "Order!"]

MR. SPEAKER: The hon. Member has already been cautioned that he must not tediously repeat his observations; and now I must call upon him to discontinue his speech, and to resume his seat.

[Mr. O'KELLY thereupon resumed his seat.]

MR. KENNY said, he regretted that he was compelled to continue the discussion at so late an hour (3 a.m.). He had been of opinion that Police Bills for Ireland had pretty nearly come to an end. He had thought that the Government had completed, as far as possible, the present system of Police Organization in Ireland. He had thought that when they had resolved upon introducing Indians and Clifford Lloyds into the Police Service of the country, there was very little more left for them to do. But he found that Her Majesty's Government were still determined to press their policy of repression and oppression still further in Ireland. The position of Mr. Clifford Lloyd, when he was first appointed in Ireland, was arbitrary enough; but he had not long commenced the discharge of his duties before his services were duly appreciated by the Government, and he was transferred to another district with an increased salary. At the present moment, although he had only been seven years in the employment of the Government, Mr. Clifford Lloyd had been promoted to the position of a first-class Resident Magistrate, with salaries amounting altogether to something like £2,000 a-year — a most monstrous remuneration to give to a man for discharging the functions intrusted to Mr. Clifford Lloyd. But there was another man in Ireland even worse than Mr. Clifford Lloyd. There was one Special Resident Magistrate whose conduct recently in a particular district in the South of Ireland had been so unjust that his own fellow-magistrates would not sit upon the same Bench with him. Not long ago, the magistrate to whom he referred passed such an infamous sentence that gentlemen associated with him in the Commission of the Peace refused to occupy their seats on the same Bench with him, notwithstanding the fact that he was a Special Resident Magistrate sent down from Dublin Castle, and that he would probably be promoted now to the office of Police Commissioner for the purpose of detecting crime and punishing innocent people. The only reason the Chief Secretary had assigned for bringing in the Bill was that it would reduce the expenditure from something like £46,000 or £48,000 a-year to £22,000 a-year. It was quite true that the Bill would reduce the expenditure this year from what it was last year; but if this measure had not been introduced at all, the expenditure would have been cut down all the same. Certainly, the claim of the Government, in regard to the reduction of expenditure, was only on a par with all their other assertions. The Bill was introduced at an unusual time—at a time when, under ordinary circumstances, it would have been impossible to expect that it could become law this Session. His own opinion was, that it was introduced, not so much for the purpose of being passed into law, as for the purpose of preventing other measures of a beneficial character from making any further progress. At the present moment there were other measures which were looked forward to with interest by the people of Ireland, such as the Labourers' Bill, a measure that was calculated to elevate the position of the Irish labourers, to improve their dwellings and surroundings, and to make them a better people. The present Bill, on the contrary, was introduced for the purpose of strengthening, if possible, the system of iron-handed tyranny which existed in Ireland. It was introduced, furthermore, for finding nice and easy places for the sons of broken-down landlords. It would interfere in more ways than one with the welfare of the people of Ireland, and no man knew that better than the right hon. Gentleman the Chief Secretary. The right hon. Gentleman, although ignorant enough, could not be so ignorant of Irish affairs as not to know that the Bill was calculated to inflict damage and injury to the people of Ireland, and that the measure would be recorded against him and against his Government when the day of reckoning, which was looked forward to by the people of Ireland, came.

Mr. BARRY said, that, like several of his hon. Friends, he had had no intention of taking part in the present discussion; but he felt bound to say that when he saw the enormous arrears of legislation in regard to Ireland, it would require some strong and powerful reasons to justify a Bill of this kind, introduced on the last day of July being passed into law. He did not believe the right hon. Gentleman the Chief Secretary would venture to say that there was the least urgency for this particular Bill. Nobody in Ireland wanted the Bill, except, perhaps, some half-dozen gentlemen whose names had been most skilfully concealed by the Chief Secretary. Nobody else wanted the Bill, and it was monstrous, at this period of the Session, knowing the vast amount of work still to be got through within the next two or three weeks, to try and force so obnoxious a measure through the House. He had a clear recollection of the number of unhappy conflicts which within the last few years had taken place in Ireland between the people and the police, and he remembered most distinctly that whenever any conflict of evidence arose the Government took no steps to secure independent testimony. Their practice was to communicate with the Sub-Inspector of Police, who was, probably, the very person charged with some great offence against the liberties of the people. They received a telegram from that Sub-Inspector, and they were perfectly satisfied. Quite recently there had been a collision between the people and the police at an Irish election, in which a number of persons were injured. The question arose, who was to blame for the occurrence? And the only satisfaction the Irish Members could get from the right hon. Gentleman the Chief Secretary was that he would communicate with the Superintendent of Police, who was the very person charged with creating the disturbance, although it was quite possible for the right hon. Gentleman to have communicated with the Mayor of the town, who was present with the aldermen of the town, or with some of the most respectable citizens, and with two or three Members of Parliament who might also have been present. [*Cries of* "Oh!"] But the right hon. Gentleman never thought for a moment of securing independent testimony. [*Cries of* "Oh!"] He knew very well that hon. Members on the other side of the House were quite ready to sneer within those walls at the idea of independent testimony being given by Members of Parliament; but they would be very careful not to sneer elsewhere. All he could say was, that he should like very much to hear that sneer repeated elsewhere. What he had to complain of was, that if any conflict arose between the police and the people of Ireland, it was the Bashi-Bazouks of the Clifford Lloyd character whose testimony was taken, and that the Government took no means whatever to secure independent testimony. It was something monstrous to find, as they did find, by the introduction of this Bill, that there was a deliberate intention on the part of the Government to render this system permanent. There was neither pleasure nor profit at that hour of the morning in bandying words with the right hon. Gentleman; but he took up this position, that if the right hon. Gentleman persisted in forcing the Bill upon the House, the Irish Members would consider it their duty to oppose it at every stage, and they would feel it strictly within their right to exhaust every means the Rules of the House provided to defeat this most perfidious, unnecessary, and obnoxious measure.

Mr. CALLAN said, he regarded the Bill of the Chief Secretary as a measure of the most objectionable character. He could easily imagine that it was a Bill introduced at the request of a number of Gentlemen who sat on the other side of the House to provide places for their nephews and cousins, and, in some instances, for their brothers. It was a Bill, altogether unnecessary, for improving the discipline of the Constabulary Force of Ireland. The right hon. Gentleman himself admitted, at the commencement of his speech, that it was laid on wrong lines; and if it was necessary for the efficient conduct and organization of the Irish Constabulary, why not appoint some of the existing highly-trained and experienced County Inspectors to be the Superintendents or Head District Inspectors contemplated by the Bill? Two of the five were to be taken from the Constabulary Force, and the other three were not. The House had a right to know the names of the Commissioners—was Mr. Clifford Lloyd to be one? He (Mr. Callan) thought he could name one himself who had come to London last night in the train with the squad which attended, in obedience to the Government Whip, to swell the majority to-night. This "Terence M'Grath" was a brother-in-law of the Duke of St. Alban's, known as "Mr. Blake," though he (Mr. Callan) did not know that he had more claim to that name than he had to the name of "Terence M'Grath." ["Question!"] This was the Question—the class of men the Chief Secretary proposed to appoint. The office of Criminal Detective had been referred to, and the right hon. Gentleman the Chief Secretary had said that, looking at the details of the detection of the Dublin assassins, that office must be looked on as a success. Did the right hon. Gentleman mean that the operations of Mr. Jenkinson had been a success?

MR. SPEAKER: The hon. Member should address himself to the Chair.

MR. CALLAN said, that, through Mr. Speaker, he would ask whether the right hon. Gentleman meant that the officer whose action had proved the Criminal Detection Department to have been a success, was Mr. Jenkinson? No doubt he did; and he (Mr. Callan) was not at all surprised, though he very much regretted that the Chief Secretary had not had the candour and manliness to give credit where credit was due. Mr. Jenkinson was not in Ireland on the 6th May.

MR. TREVELYAN: He arrived there on that day.

MR. CALLAN said, it was his first visit, unless he had been over previously to play lawn tennis or some other game. But the names of the Dublin assassins were handed in to the Lord Lieutenant within 48 hours of the murder, and with that detection Mr. Jenkinson had had nothing whatever to do. In spite of this, Mr. Jenkinson was to be elevated—and this reminded him of the statement of the Englishman, a Member of the House, who went over to Ireland and said to the people—"Helevate me and I will helevate you." The right hon. Gentleman wished to give credit for the detection of the Phœnix Park assassins to an Englishman to whom the credit was not due, and suppressed the name of the Irishman who was entitled to the merit. The right hon. Gentleman would not give the names of the five men who were to be the Chief Inspectors. He (Mr. Callan) was not in favour of centralization; but he did not believe, in this matter, it would be advisable to divide the country into five districts. The proper way would be to keep the management in Dublin. There had been no reason alleged for the introduction of this Bill, and he only knew of one, and that was a reason which had not been avowed. To his mind, the only object of the Bill was to provide places for three of the Special Magistrates, and pitch-fork them into the position of Heads of Police, as there was no other employment to give them. Looking at the Order Paper, he would not say he should give this Bill the determined opposition which was suggested by some hon. Members; but he should have his share to contribute to the discussion of the Bill when it was hereafter laid on the Table. He hoped the Chief Secretary would give precedence to the Parliamentary Registration (Ireland) Bill, because, by so doing, he would withdraw from the consideration of the hon. and gallant Member for the county of Dublin (Colonel King-Harman) one of his chief inducements for the support of this Bill. When he (Mr. Callan) heard the hearty cheers with which the hon. and gallant Member greeted this Bill, and the threatened opposition to it, it was plain that the hon. and gallant Member's prospective view was that the Parliamentary Registration Bill would be included amongst the innocents at the end of the Session. He hoped the right hon. Gentleman would give them an assurance that he would not destroy this Parliamentary Registration Bill; so that if they were to have a long Session to provide for Mr. Clifford Lloyd and "Terence M'Grath," they would, at all events, have the benefit of one useful measure this Session.

Mr. SMALL said, that until within the last few minutes he had had no intention of taking part in the debate; and he was sure when, a few weeks ago, he first became a Member of the House he little thought that his first claim on its attention would be at such an hour as this (3.5 A.M.). But the hour was not of their choosing; it had been chosen by the Government. However, he felt sure that at whatever hour such a Bill was brought on, no man who belonged to the Irish Party would ever be found wanting. He, for one, heartily rejoiced that the Government had brought in this measure. He was proud to stand there and say that he was one of those men in Ireland who had never believed in the good intentions of the Liberal Party towards that country; and he was glad to think now that if there were any of his race, either in England or Ireland, who did believe in the so-called sincerity of the Liberal Party, this Bill would undeceive them. Ireland had passed through a great crisis of late. The Government were fond of telling the people that the crisis was now passed; and if that were so, it was when the country was returning to peace the moment was selected for bringing forward a Police Bill of this character. It struck him that a great many Members who sat in the House knew nothing about the administration of the police in Ireland. A great many of them had not even been in the country. Yet they did not hesitate to sit here, night after night, taking away the liberties of the Irish people. Members were content to sit here night after night, hearing speeches and *ex parte* statements, and reading Blue Books, and imagining that they knew Ireland as well as the Irish Members, who lived in it. Hon. Members, as a matter of fact, knew very little about Ireland, and knew very little about the way in which the government was carried on. Those who had the good fortune—or ill fortune—to live in Ireland knew something about it. He had never been in England until a few years ago. He had spent his whole life in Ireland, and, therefore, could speak with some authority as to the manner in which the police system was carried on there. The police system was one which would not be tolerated in a free country like England for a moment. When he came to England the first thing which struck him was the difference in the attitude assumed here by the police towards the people to that assumed by the police in Ireland. In England the police were evidently the servants of the people; but in Ireland, on the contrary, they were the masters. In Ireland, especially in the South, the lowest policeman was a tyrant amongst those with whom he came in contact. He did not know very much about the people of the South, but he had been there, and had acquired some knowledge of the condition of affairs by personal observation; and what had struck him most painfully was the down-trodden appearance of the people, and the tyrannical attitude of the police. He could not help particularly remarking one thing in connection with this Bill—namely, the way in which it proposed to deal with the Province of Ulster. He had always heard it said that one part of Ireland was well-affected towards this country—that the South and West might go wrong, but that Ulster was always to be depended on. But what did the right hon. Gentleman now propose? As he (Mr. Small) understood it, the right hon. Gentleman proposed to divide all Ireland into five districts, for five Pashas to rule over. Was this the reward of Ulster's loyalty and peace? Was this a fair return for her adherence to the English Government? He saw some of the Representatives from that Province here to-night, and he would avail himself of the opportunity of urging them to take this lesson to heart. Ulster had acted well towards Her Majesty's Government; and her people had lately supported the Liberals — and now they were getting their reward. Some of the constituencies of Ulster would, no doubt, remember this at the next General Election. When that Election came, he trusted that the introduction of this Bill would not be forgotten in any part of Ireland.

Mr. BIGGAR said, he did not feel disposed to speak at any length upon the Bill, as he should be prepared to do so with more deliberation at future stages—when the printed document was itself placed upon the Table of the House. So far as he could make out, the object of the Bill was to administer outdoor relief to a few needy hangers-on of the Government. He knew, with regard to one of the Resident Magistrates in Ireland, that he made the greater part of his income by horse dealing, and entirely neglected those duties for which the Government paid him. That respectable Resident Magistrate was married to a daughter of a former Member of that House, and the unfortunate father-in-law had had once or twice or three times to pay his debts. Possibly it was right to make a liberal and permanent provision for gentlemen of this kind; but the experience of the Irish Party of the Government of Ireland was that the more disreputable the magistrate was the more in favour was he with the Government. Let them take the case of Mr. Jenkinson, who came from India with an exceedingly bad record, or those who came from British Burmah, or take the case of this horse-dealing magistrate, or of the Police Inspector who was dismissed from Birmingham, and was sent over to interfere with the liberties of the people of the West of Ireland. It was for this class of men that this Bill was to be brought in and proceeded with, at a period of the Session when it was too late to proceed with the important measures promised in the Queen's Speech. The Government had many men on their hands whom it was difficult to know what to do with. They had got rid of one of their difficulties—he meant Carey. [*A laugh, and cries of* "Oh!"] Well, he thought the person he had referred to had been quite as respectable a man as many of those the Government were taking such care of. James Carey was a disreputable character, no doubt; but he had become so for the purpose of saving his own neck; whilst these people, who supplied the Chief Secretary with false information as to what occurred in their districts, had not the excuse for their evil courses that Carey had. They acted altogether from malicious motives, or to gain some miserable favour or other from the Government. The Bill might be passed this Session; but if the Government succeeded in forcing it through, it would only be at the cost of the loss of other Bills which were introduced for the purpose of giving satisfaction, more or less, to the people of England. The passage of this Police Bill would cost a great deal more, from the point of view of the interest of the Government Party, than it would bring in from the point of view of benefit to the persons whose positions it was intended to improve. He was at a loss to imagine why such a Bill should have been brought in at such a period of the Session. A glance at the Notice Paper would convince anyone who knew anything about the course of Business in that House that a large proportion of the Bills introduced, some of them months ago, the Government would never be able to pass through this Session; and the question would be, within the next two or three weeks, which of the Bills would have to be sacrificed? That was one of the things on which the changes would be rung on many platforms in this country. It appeared to him that the Government always selected the very worst way of doing a thing. For the purpose of passing certain clauses of a Bill into law which were strongly opposed, they would sacrifice what they would be able to get the House to agree to with very little delay. They waited until the end of the Session, and then introduced a Bill which would be bound to lead to endless discussion, with the practical result of sacrificing other and more beneficial measures. He did not care much for the present Government—in point of fact, he would like to see them disgrace themselves as much as possible; and with that view he should be glad to see them persist in forcing this Bill upon the attention of the House.

Question put.

The House *divided:*—Ayes 84; Noes 12: Majority 72.—(Div. List, No. 215.)

Ordered, That leave be given to bring in a Bill to improve the administration of the Royal Irish Constabulary and the Dublin Metropolitan Police; and for other purposes connected with the said forces:—And that Mr. TREVELYAN do prepare and bring it in.

BANKRUPTCY [SALARIES].

RESOLUTION.

Resolution [July 27] *reported*.

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of sums, by way of remuneration, to Clerks of the Crown and Peace in Ireland, for additional duties which may be imposed upon them under the provisions of any Act of the present Session to amend and consolidate the Law of Bankruptcy."

Resolution read a second time.

Motion made, and Question proposed, "That the House do agree with the Committee in the said Resolution."

Mr. HEALY asked for some explanation with regard to the salaries under the Bill. The Government were making arrangements for certain officers; but no provision was made for the general officers, and he would suggest to the Attorney General for Ireland that when this matter came before the House again he should consider the question of giving superannuation to the existing staff. He thought they were as much entitled to superannuation as some of the higher officers. Then he did not see why the Clerks of the Peace under the Bill should receive an unfair advantage over other Clerks of the Peace. The right hon. Gentleman must be prepared for a certain amount of pressure as to the financial arrangements, and he objected to certain of the details. The Irish section of the Bill had not had the advantage of going through the Grand Committee. Was it proposed to re-commit the Bill with respect to the Irish clauses, seeing that Irish Members had not had an opportunity of discussing the Bill in Grand Committee or in the House?

The ATTORNEY GENERAL for IRELAND (Mr. Porter) said, the Bill now before the House did not refer to the Irish clauses; but, in any event, the House had not yet determined what course to take. After the Report there would be an opportunity of considering the Irish clauses, and that was the intention of the Government.

Mr. CALLAN said, that until a more satisfactory answer was given he should move the adjournment of the debate. The Attorney General for Ireland had been incidentally asked a question of great importance; but he had carefully avoided answering it. The Bill had been referred to a Grand Committee, where it could be discussed more freely, and in greater detail, than in Committee of the Whole House; but the Irish clauses were withdrawn from the consideration of the Grand Committee, and there was no discussion upon them. The question now was, whether the Government would venture to attempt to withdraw these clauses, not only from the Grand Committee, but from the Committee of the Whole House? He hoped an answer would be given upon this point; but he wished to ease his hon. Friend's mind by assuring him that there would be no greater charge put upon Ireland. It was rumoured that the Attorney General intended to bring in a new clause, providing that one of the present Judgeships should be abolished, and the salary be allocated to superannuation, and that the other Judge should be promoted to the Irish Judicial Bench on the first vacancy, and so deprive himself and the Irish Solicitor General of the ordinary chance they would have of reaching the safe haven of the Judicial Bench before this Government went out entirely. If that was true, he thought it would satisfy his hon. Friend as to the disinterestedness of the Attorney General for Ireland.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Callan.*)

Mr. SPEAKER: The hon. Member, by moving the adjournment of the debate, prevents the right hon. and learned Gentleman from discussing the Question before the House.

Mr. CALLAN said, he did not wish the right hon. and learned Gentleman to discuss that Question; he only wished him to answer the question.

Mr. SPEAKER: By the indulgence of the House, the right hon. and learned Gentleman might reply.

The ATTORNEY GENERAL for IRELAND (Mr. Porter) said, that all he could reply was that the Irish clauses had been carefully prepared, and they would be brought up on Report.

Mr. BIGGAR said, the right hon. and learned Gentleman's reply seemed to be very unsatisfactory. The Amendments put on the Paper by the right hon. and learned Gentleman occupied 12 pages——

Mr. SPEAKER: The hon. Member is not in Order in discussing this matter until the Bill is called on for consideration. All these points will be dealt with then. The Question now before the House is simply a Resolution.

Mr. BIGGAR said, it seemed to him to be an important question to what extent the officials of the Bankruptcy Court in Ireland would be provided for, and more especially the Judges. There were two Judges of the Bankruptcy Court at present, but who were, practically, only one. Would any provision be made in this Bill by which the first promotion should not go to the Irish Attorney General?

MR. SPEAKER: The hon. Member is discussing a Bill which is not now before the House.

MR. BIGGAR said, Clerks of the Peace were gentlemen who got from £1,200 to £1,500 a-year, and in some cases they also practised their profession. The Bill would increase their salaries. In the old time there was some excuse for their getting salaries for political services; but that was not the case now, because the appointments now generally went by popular vote. He protested against this Resolution being passed in the interest of men who were already paid for the services they performed.

MR. O'DONNELL said, he thought the course which ought to be adopted with regard to the matter before the House had been very clearly indicated by the spokesman of the Government. It was evident that the value of the points now raised could not be thoroughly appreciated, and could not be fully discussed, except in connection with the Bankruptcy Bill which was before the House. The right hon. and learned Gentleman the Attorney General for Ireland (Mr. Porter) had pleaded, in reply to questions from the Irish Benches, his inability to give a full answer to those questions, because the Bankruptcy Bill, as amended, was not the Bill they were now discussing. It seemed to him (Mr. O'Donnell) that the proper and most business-like course to pursue was to postpone the consideration of those debateable matters until the other debateable matters upon which these depended had been considered. In this way the House would have the full benefit of the legal erudition which the right hon. and learned Attorney General for Ireland was so anxious to contribute on the subject, but which, unfortunately, he was prevented from contributing in consequence of the Bankruptcy Bill, as amended, not being now before the House.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

RAILWAY PASSENGER DUTY, &c. BILL

(*Mr. Chancellor of the Exchequer, Mr. Chamberlain, Sir Arthur Otway.*)

[BILL 219.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

MR. WARTON said, he felt it his duty not to allow the third reading of this Bill to be taken without some words of comment, with a view principally of causing a question to be raised in "another place," where Constitutional principles were more faithfully considered than in this Chamber. He conceived that nothing more unconstitutional had been brought in by this most unconstitutional Government than this plan of re-imposing taxation which had been remitted by the House. The point was taken up the other night by the hon. Baronet the Member for Hythe (Sir Edward Watkin); but it was not answered by the Government. As a matter of fact, the House was allocating too much power to the Board of Trade. The question of electric lighting had been placed in the hands of the Board of Trade; the administration of the Bankruptcy Act was to be confided to the care of the Board of Trade; and the object of this Bill was to give additional power to this Board. The House had resolved to remit the passenger duty; but by this Bill it was proposed that if the Board of Trade was not satisfied with the proceeding of any particular Railway Company it should be within its power to re-impose the taxation. Now, this he considered the most wicked and unconstitutional principle that he had heard of for some time. Taxation could really be imposed by a Department which consisted, as they had been told, of the President of the Board of Trade. Hon. Members would thus see that this amounted to taxation by one man; and he conceived that this was altogether wrong and unconstitutional. He hoped that some limit would be placed upon the powers of the right hon. Gentleman the President of the Board of Trade. He begged to move that the Bill be read a third time upon that day three months.

MR. BIGGAR seconded the Amendment. He, like the hon. and learned

Gentleman the Member for Bridport (Mr. Warton), held that it was thoroughly unconstitutional to give any official power to tax any portion of Her Majesty's subjects. They had found the same principle in other Bills, and they had seen the most unsatisfactory results follow. They had known power given to the Heads of Departments to fix rates, and in some cases the result had been that the amount of rates fixed had been higher than those previously charged, although the work was actually the same. He felt very decidedly of the opinion that the Government, and not one particular person, should have power to tax the people of a country. If it was thought desirable to levy a tax, the proposition ought to spring from the proper quarter—namely, the Chancellor of the Exchequer for the time being. What might be the practical result of this system, if carried to a greater extent than was now proposed? The Heads of the different Departments might levy taxes amounting to £2,000,000 or £3,000,000 a-year; and in that way the Chancellor of the Exchequer would be able to lay before Parliament a very flattering Budget.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Warton.*)

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 70; Noes 8: Majority 62.—(Div. List, No. 246.)

Main Question put, and *agreed to*.

Bill read the third time, and *passed*.

PAROCHIAL CHARITIES (LONDON) BILL.—[Bill 215.]

(*Mr. Bryce, Mr. Pell, Sir Henry Peek, Mr. Walter James, Mr. Cohen, Mr. Horace Davey.*)

CONSIDERATION.

Bill, as amended, *considered*.

Mr. SPEAKER asked if there was any Amendment?

Mr. BRYCE: No, Sir.

Mr. ILLINGWORTH wished to make an appeal to the Government whether it was right or proper to ask the House to enter upon a Bill introduced by a private Member and of a contentious character at that hour of the morning (4 A.M.)? No doubt the Government were entitled to make a claim upon their supporters to sit for long hours in order to make progress with important Public Business; but it was hardly right that they should keep the House together in order to enter upon the consideration of a private Member's Bill at 4 o'clock in the morning. He was surprised at the hon. Member for the Tower Hamlets (Mr. Bryce) showing so little consideration for the House. The Bill had already been before the House on two or three previous occasions; but it had never been brought on for practical discussion except between the hours of 2 and 4 o'clock; and these had been discussions of the most fragmentary character. They knew quite well that any discussion which took place after midnight was unknown out-of-doors. This was a Bill for the Charities in the City of London, and it proposed to give power to the Charity Commissioners under which the Ecclesiastical Surplus Fund would pass into the hands of the Ecclesiastical Commissioners. Now, if the charities of London were to be reformed, it was worth the while of the House to ask if this was a competent body to entrust with the administration of these funds?

Mr. SPEAKER: I must remind the hon. Member that at this moment there is no Question before the House. Unless the hon. Member has an Amendment to propose on the Consideration of the Bill, I must ask the hon. Member in charge of the Bill to fix a day for the third reading.

Mr. HEALY wished to ask, as a point of Order, whether the present ruling of Mr. Speaker was under the New Rules?

Mr. SPEAKER: Yes; it is under the New Rules; and I ask the hon. Member in charge of the Bill to be good enough to state when he proposes to take the third reading?

Mr. BRYCE said, he proposed to take the third reading now.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Bryce.*)

Mr. HEALY wished to point out that the Order of the Day was for the Consideration of the Parochial Charities Bill, as amended. How could hon. Members consider the Bill upon a Motion that it be read a third time?

MR. SPEAKER: When the Order of the Day for considering the Bill as amended was read, the House, under the Standing Order, is authorized to consider the same without Question put.

MR. HEALY said, that when the Reproductive Loan Fund Act (Ireland) Bill, which had now passed the third reading, came on for consideration, the Question that it should be considered was distinctly put by Mr. Speaker, and there was a debate upon it. There was no Amendment to be proposed in that case, and yet Mr. Speaker distinctly put the Question.

MR. SPEAKER: The hon. Member should have raised the Question at the time. It is quite obvious that the House cannot consider now any irregularity that it is alleged took place on a former day.

MR. ILLINGWORTH said, he should be under the necessity, before he sat down, of showing that there was a strong feeling in some parts of the House against the course now taken by the hon. Gentleman the Member for the Tower Hamlets (Mr. Bryce) in moving the third reading of the Bill at that hour of the morning. Hon. Members did not feel called upon to sacrifice their health by sitting up after 4 o'clock in the morning for the purpose of assisting in passing measures introduced by private individuals; and he thought he might fairly appeal to the Government to say that an important measure of this kind ought not to be passed without due consideration. It was a most important matter, when they were contemplating the reform of the City Charities, that they should be satisfied the Commissioners, to whose hands the work was to be entrusted, were entitled to the confidence of the country. He had no desire to say a single word, individually, against the Charity Commissioners; but, with regard to the composition of that Body, it was certainly not such as to give confidence to the great mass of the people of the country. He believed, for instance, that every Commissioner was a Churchman; and, whether it might be fortunate or unfortunate, the majority of the people of the country were not adherents of the National Church. [*Cries of* "No!"] He did not suppose, for a moment, that that assertion would be seriously contested. At any rate, notwithstanding the challenge which came from the other side of the House, he ventured to say that the great mass of Her Majesty's loyal subjects were not members of the Church of England. Nevertheless, they had civil rights, and were deeply interested in the proper management of these charities, especially if they were to be transferred from the present management into the hands of the Commissioners appointed by the Bill. It might be said that he ought to have raised this question on the Committee stage. He had so raised it; and if it had not been for the Front Bench on that occasion, he believed the course which he then took would have been confirmed by the majority of the House. He was quite sure that it was in consequence of the support which his hon. Friend received from right hon. Gentlemen on the Front Bench that he was able to carry his proposal. However, the course taken by the Government on that occasion was a mere perfunctory act, and he hoped it would not be repeated. This was not the first time the question had been raised. When the Endowed Schools Commissioners were appointed in 1869, a sanguine hope was entertained on the part of the Nonconformists that the Commissioners appointed under it would not belong to one Church alone. That hope had not been realized. Unfortunately, all of the Commissioners and Sub-Commissioners belonged to the Established Church, and they were appointed to administer an Act, the very Preamble of which declared that the object of the Act was to open the Endowed Charities to all classes of Her Majesty's subjects without distinction of creed. Nevertheless, every Member appointed on the Commission was a member of the Church of England. It might be asked, was it not narrow-minded on the part of an hon. Member like himself to take this course? He would answer that question by putting another. Was it not unjust on the part of the adherents of the Church of England to refuse some representation to the great mass of Her Majesty's subjects who were not members of the Church of England? Why ought these principles of jealousy and exclusiveness to be constantly exercised in regard to these appointments? He saw no possibility of effecting a change unless some such course as this were taken; and he could assure the House that it was with great reluctance he was induced now to force the question upon the consideration of the Government. In 1873, the work of the Endowed Schools Commission was reviewed by a Committee, of which he had the honour to be a Member; and he had moved the insertion of a paragraph in the Report of that Committee in the following words:—

> "The Committee is also inclined to believe that public confidence would be increased if in future the appointment of Commissioners and Assistant Commissioners were not all made from one religious denomination."

No one would doubt but that was a reasonable proposal in the condition in which the matter stood; and on that occasion seven out of nine Liberal Members upon the Committee voted for the proposal—namely, the hon. Member for Huddersfield (Mr. E. Leatham), the hon. Alderman the Member for the City of London who sat on that side of the House (Mr. Alderman Lawrence), the Chief Secretary for Ireland (Mr. Trevelyan), the right hon. Member for the Universities of Edinburgh and St. Andrew's (Sir Lyon Playfair), Mr. A. Johnston, and the hon. Member for Bury (Mr. R. N. Phillips). Sir Ughtred Kay-Shuttleworth was also a Member of the Committee, and stated that he agreed with the principle of the proposition; but he had technical objections to it, and, therefore, he voted against it. The only other Liberal Member who voted against it was the hon. Baronet the Member for North Devon who sat on that side of the House (Sir Thomas Acland). That took place some years ago, and they had waited ever since for the introduction of some change by the Government. But, instead of things growing better, they had grown worse. What did the late Government do when they came into Office? They destroyed the Endowed Schools Commission on the ground that it was too liberal; and at this moment the country was in the position of having a Commission to which was to be entrusted the re-casting of these charities, and the creation of the new Governing Bodies in which all classes of Her Majesty's subjects were interested, not only in the City of London, but in the whole of the Metropolis; and yet they were asked to press forward a Bill in the hands of a private Member, and to commit this great reform to an unreformed Commission. His hon. Friend the Member for the Tower Hamlets (Mr. Bryce) had displayed great zeal in this cause; but he (Mr. Illingworth) thought that delay would be better even in regard to the wishes of his hon. Friend himself in the matter, and it would certainly give more satisfaction to the people of the Metropolis. The Commission was to be endowed with almost despotic powers, and it was practically to be irresponsible to the House. When did they ever in that House hear of anything that was done by the Charity Commissioners? Whatever the Commissioners might do, well or ill, in connection with the trusts reposed in them was not made public; and he sincerely hoped that the House would not consent to confer these extraordinary powers on this Commission, unless they were satisfied that the Commission was appointed in such a manner as to justify public confidence in its fairness and impartiality. His hon. Friend said he took powers, in the 3rd clause, for the appointment of new Commissioners. That power might be taken, and there might be a change in the Commissioners, or there might not. Other alterations, in cases of death and vacancies arising, had been made, but without being attended with satisfactory results; and the hon. Member must not take it for granted that there was bound to be some value in his suggestion. There might be no change made. The Commission might remain in its present form, as the word "may" was used in the clause. The majority of the people of England had not confidence in the composition of the Commission, and did not believe that the Commissioners acted as they ought to do in all cases. What would really be the position of things as proposed by his hon. Friend? Why, according to his hon. Friend's proposal, the Charity Commissioners would have power to determine, almost unchallenged, the character of any charity, and to determine whether it should be used for temporal or ecclesiastical purposes. No jury made up in this way would have the confidence of the public, and he confessed he distrusted the Commissioners. The evidence given before the Endowed Schools Committee proved the manifest bias of many of the Members of the Endowed Schools Commission, and he did not think the Members of the Charity Commission were any more entitled to confidence than the Members of the other Commission. [*Cries of* "Divide!"] Hon. Members were impatient; but it was not his fault if he was obliged to go on at that untimely hour. His hon. Friend insisted on bringing the Bill on, and he (Mr. Illingworth) did not mean to fail in his duty in the matter. He should be obliged to ask the forbearance of the House whilst he dealt with another part of the subject. The surplus ecclesiastical funds, as his hon. Friend knew, were to be transferred to the Ecclesiastical Commission. Now, what was the Ecclesiastical Commission? He wondered, if he put this question to individual Members of the House, how many of them would be able to tell him what the Commission consisted of. The House would, perhaps, excuse him if he gave some idea of the composition of this Body. There were upon it the two Archbishops, 29 Bishops, five Cabinet Ministers—and he would pause here for one moment to say that it would be unreasonable to suppose that Cabinet Ministers could attend to the work of the Commission. Their duties of Government were overwhelming, and it was impossible that they could be relied upon—even supposing that they did not belong to the Church of England—to look after the interests of the people, and see that they were not sacrificed. In addition to the Commissioners he had mentioned, there were three Judges, three Deans, and 12 eminent laymen on the Commission.

MR. CALLAN: I beg, Mr. Speaker, to call your attention to the hon. Member's tedious repetition at 4 o'clock in the morning.

MR. ILLINGWORTH, continuing, said, that these 12 laymen, or many of them, had arduous duties to perform in other directions; and nothing was more notorious than that the Bishops were always to be relied upon whenever there was a possibility of securing any conceivable advantage for the Established Church. Then, he would point out that of these 12 laymen on the Commission every one belonged to the Church of England. [Mr. WARTON: Quite right.] He (Mr. Illingworth) had no doubt they would see manifested on the other side of the House the same sense of justice which actuated the hon. and learned Member for Bridport (Mr. Warton), until the day arrived when Parliament would undertake the task that it had successfully accomplished in Ireland. When that day arrived no further room for complaint would be left to him, and others who thought as he did; but until it came, and as long as the Church remained a National Institution, though he might not be an adherent of it, he should not relinquish his right as an Englishman, representing a large constituency, to review the working of that institution in every department, and to make suggestions for its improvement where he thought them to be necessary. Every one of the laity on this list was a Churchman, and 8 out of the 12 were Conservatives. [Mr. WARTON: Quite right.] No doubt that was quite right, as far as it went; but he should like to see it go further—he should like to see the Liberals have nothing whatever to do with the Commission, for he did not see how they could get out of the matter without their fingers being soiled. He thought the reasons he had presented to the House were good reasons for hesitating to pass the Bill at this time of the morning, after the very short discussion which had taken place on it, and looking to the consequences which might flow from it. The City of London was to be deprived of its ancient charities. He should be sorry to see that change take place if the money was handed over to the Ecclesiastical Commission, because his belief was that there were huge funds now at the disposal of that Body which were not being utilized as they ought to be for the public advantage. He should like to go into the working of the Commission to prove its unfitness for its work—to show that it did not deserve the confidence of Parliament, and to satisfy his hon. Friend, if that were possible, that in his anxiety to reform the charities of London he was probably only handing the money over from one set of men who had been jobbing it to another set who would do the same. He would only say he should view the progress of the measure in that House, and in the other House, with great misgivings, and that he regretted his hon. Friend had not waited patiently for an opportunity to pass his Bill at a time when it could have been discussed and rendered more satisfactory to all concerned. He begged to move the adjournment of the debate.

Mr. DILLWYN did not think the arguments of his hon. Friend the Member for Bradford (Mr. Illingworth) could be properly considered at this hour of the morning; therefore, he would second the Motion of his hon. Friend.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Illingworth.*)

Mr. SHAW LEFEVRE said, that upon this Motion it was not possible for him, according to the Rules of the House, to enter into the merits of the question raised by the hon. Member. The only question they could discuss was the adjournment of the debate; and he would, therefore, merely point out that this was a measure which should be sent up to the House of Lords without delay, so that there might be an opportunity for parties to be heard upon it on Petition. This was a *quasi*-private matter on which parties could be heard. He would point out, further, that this was no new subject, but had been brought before the House in successive Sessions, and had been thoroughly discussed in all its bearings by two Committees well selected for the work—in fact, he did not think he had ever known two Committees so well formed, or who had more thoroughly and fully discussed the matters left to them. Under these circumstances, he hoped the House would allow the discussion to continue. If they did, he should, later on, have something to say in reply to the arguments of the hon. Gentleman the Member for Bradford.

Mr. CALLAN said, he hoped the hon. Member would withdraw his Motion. Though the hon. Member had failed to carry his Amendment to the effect that two Members of the Commission should be Gentlemen who were not adherents of the Church of England, he had succeeded in depriving the Catholics not only of London, but also, probably, of the place he represented, of advantages they might have possessed. It was to be hoped the hon. Member's constituents would remember this. At any rate, the Irish Representatives could not be expected to support the proposal of the hon. Member after the course he had taken.

Mr. BIGGAR said, it seemed to him that the hon. Member for Bradford had commenced at the wrong time to take objection to this Bill. If he had profited by experience or the example of other Members of the House he would have put a blocking Notice against the Bill, and they would not have been now discussing the present stage. Whether the Bill was a good one he (Mr. Biggar) did not know, and did not care; but he did think that if the hon. Member was unsuccessful in his opposition and the Bill passed into law he would have no one to blame but himself.

Question put, and *negatived.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

CONSTABULARY AND POLICE ADMINISTRATION (IRELAND) BILL.

(*Mr. Trevelyan.*)

FIRST READING.

Order for First Reading read.

Mr. HEALY said, it would be no use putting this Bill down for Monday, as it was sure to be blocked. What good was there in filling up the Notice Paper day after day in this way with measures which everybody knew could not come on?—it only puzzled Members. He would ask the Government to let them have some other instalment of Irish Business, and to postpone this Bill to Monday week. Let the Government endeavour to make progress with the Irish Registration Bill.

Sir CHARLES W. DILKE said, that probably within the next few days some further statement would have to be made as to the arrangement of Public Business. It would, therefore, be more convenient to let the measure remain down for Monday.

Bill *presented,* and read the first time. [Bill 274.]

House adjourned at a quarter before Five o'clock in the morning.

HOUSE OF LORDS,

Tuesday, 31st July, 1883.

MINUTES.]—Public Bills—*First Reading*—Friendly, &c. Societies (Nominations) * (166); Railway Passenger Duty, &c. * (167); Parochial Charities (London) * (168).

Committee — Companies (Colonial Registers) * (150).

Third Reading—Consolidated Fund (No. 4) *, and *passed.*

EMIGRATION (IRELAND).

QUESTION. OBSERVATIONS.

LORD EMLY asked the Lord President, Whether any decision has been come to upon the emigration scheme to which he referred in April last? The noble Lord said, he was sure that many of their Lordships who took an interest in this matter must recollect the very able speech made in the month of April on the sufferings of the poor in the congested districts in the West of Ireland by the noble Earl who was not now present (the Earl of Dunraven). It was not necessary for him to repeat the description which his noble Friend gave of the miserable and utterly hopeless sufferings of that population, who were continually on the verge of starvation, who had no means of help of themselves, and the produce of whose land was utterly insufficient to support them and their families. A very shrewd friend of his who lived in one of those districts described to him their condition in a very few words. He said—"In a good year, the people begin to starve in May; in a bad year, they begin to starve somewhere about February." His noble Friend the Lord President of the Council (Lord Carlingford), in replying to the speech to which he alluded, fully admitted the truth of all his statements, and said, speaking on the part of the Government, that the only way to remedy this state of things, most shocking to humanity and also dangerous—as his noble Friend the Lord Lieutenant, who was present, knew—to law and order, was by emigration. Now, the question of emigration had been so often debated in their Lordships' House that he should not trouble their Lordships by making any remarks about it, but would only just say that he confirmed what the Lord President said, that there was no other way possible to relieve that population except by emigration. With regard to the remedy suggested in the question of waste lands, he thought that was a remedy which had disappeared from the consideration of people of any intelligence, for the simple reason that they all knew that, under the present state of things, not only in Ireland, but also in the rest of the United Kingdom, the existing cultivation was not progressing, but retrogressing. Another school of persons had sprung up who substituted another plan, which was more absurd, on the question of waste lands. This was, that there was a great number of farms already occupied by farmers which were imperfectly and improperly cultivated, and the proper thing to do would be to take away portions of those farms and devote them to this surplus population. If such a thing were attempted, however, he was quite sure that the occupiers of those farms would show, in a very strenuous manner, their views of the rights of property by resisting forcibly any attempt to deprive them of any portion of their land. But even if they did not do so, just let their Lordships consider what difficulty and delay such a process as that would lead to. In the first place, those people would have to be compensated, and then they would have to get houses and farms for these poor people. Then, who would supply them with capital to cultivate the soil, and who would give them the skill to cultivate it? It seemed to him utterly absurd to entertain such a proposal, and it was utterly impossible that they could deal with these poor people in any way except by assisting them to emigrate. The statement of the Lord President certainly gave the greatest satisfaction to him and to other noble Lords who believed with him that Her Majesty's Government had received a proposal from certain persons in Canada to carry out on a large scale a great system of colonization in that country. There was no secret now as to what that proposal was. It was a proposal made by a most powerful, wealthy man in Canada—Mr. Stephen—who really possessed enormous tracts of land—not hundreds of thousands, but millions of acres of most valuable land, and who offered Her Majesty's Government to transplant to that country from Ireland, without causing any expense beyond the actual outlay, 10,000 families upon the Government giving him a guarantee. He could speak from authority of the value of the ground in question, because one of his personal friends—Colonel Butler, who was one of the discoverers of the North-Western District—had assured him that the quality of the land was most remarkable and exceptionally good, and there was not the slightest doubt that with the access of the railways and cultivation the value of that land in a few years would have increased in a fabulous way. He did not know whether their Lordships were aware of a small Canadian Land Company which was established in London in the year 1826. What were their shares worth now? For every £1 paid they now paid £95. He wanted to learn what reason there was for the delay in coming to terms with Mr. Stephen? With the liberal action of the Canadian Government, in addition, it did seem to him the most short-sighted policy of the Government to higgle over the proposals made to them, and to run the risk of their being withdrawn. Such an event would be the greatest possible misfortune to this country. He thought it would be really criminal not to take advantage of this opportunity, and he earnestly hoped his noble Friend the Colonial Secretary would give an assurance that the Government was carrying out the scheme, and that there was a hope of its soon being accomplished. It was a matter of the most vital importance at the present time. There was a great deal of unassisted emigration going on amongst the young men and women, who were the bone and sinew of the country. This was a very great loss, and he did not wonder at complaints being made about it. He wished from his heart that, by finding employment for them at home, we should keep the well-to-do young men and young women who were flying from our shores; but for the population of the congested districts there was no alternative but emigration or extreme misery, and those who, from whatever motives, political or sentimental, tried to keep those wretched people at home were forbidding the naked to be clothed and the hungry to be fed. He begged to ask the Question which stood in his name on the Notice Paper.

THE EARL OF DERBY: My Lords, I quite agree in spirit and in substance with the remarks that have just been made by my noble Friend. I think with him that emigration is the only real remedy for the distress which exists in what we may call the congested districts. All the other plans for the relief of that distress are in comparison very imperfect and temporary expedients. I may go further and say, on behalf of my Colleagues, as well as myself, that we have been and are anxious to promote emigration of the kind which has been described by all reasonable and practicable means. Perhaps I shall best answer the Question put to me by stating very briefly what has taken place in regard to this matter. My noble Friend is quite accurate in his reference to Mr. Stephen, who, as many of your Lordships know, is a gentleman having very large interests and very considerable influence in the North-Western country. He is Chairman of one of the leading railways, and he is a person upon whom we can perfectly rely, and with whom we should have no hesitation in dealing. His proposal was that the British Government should advance £1,000,000 sterling for 10 years without interest; and his calculation is that by means of that loan, to be repaid at the end of 10 years, 10,000 families, or, speaking in round numbers, 50,000 persons, could be taken out and settled, each family on 160 acres of land, and be provided with houses and other necessaries for their first start. According to the plan of Mr. Stephen, the money was to be advanced by the British Government directly to the various Companies who, he believed, would undertake to carry out the scheme. We have assented in principle to that proposal; but we have assented to it with one important modification. We propose that the loan should be made, not direct to the Companies, but to the Canadian Government, which would then be free to employ any agency which they might think desirable, and which would hold itself responsible for the repayment of the advance at the expiration of the proposed term. We do not think this an unreasonable proposal, because it is quite clear that, although it would be a considerable gain to Ireland to obtain the removal of this surplus population, there would be, at least, an equal gain to the Colony in the peopling of a large area which is at present unsettled and useless. However, the Canadian Government have not at present seen the matter in that light, and they have so far refused to incur responsibility for the repayment. Some negotiations have taken place; but they do not seem disposed to give way. They say that they believe the Companies are able to give satisfactory security, but that they themselves, as a Government, are not disposed to interfere in the matter. That is the cause of the delay which has occurred. There has been no higgling with Mr. Stephen. The only question is whether the Canadian Government will agree to carry out the arrangement in a manner which we consider fair. The negotiations are not at an end, and I must say that we have by no means abandoned the scheme or given up the hope of carrying it to a successful conclusion.

PREVENTION OF CRIME (IRELAND) ACT, 1882.

1. (Proclamations.) Proclamation for the employment of additional constabulary in the parish of O'Brennan, County Kerry;

2. (Warrants.) Three Warrants imposing charges in respect of additional constabulary upon certain districts; together with the necessary statement of particulars in each case;

3. (Forfeited Newspapers.) Order for the forfeiture of copies of "The Irish World" newspaper of the 21st of July 1882:

Laid before the House (pursuant to Act), and ordered to lie on the Table.

House adjourned at Five o'clock,
to Thursday next, a quarter
past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 31*st July*, 1883.

MINUTES.] — PRIVATE BILLS (*by Order*)— *Second Reading*—Harrison's Estate; Regent's Canal, City, and Docks Railway (Various Powers).

PUBLIC BILLS—*Ordered—First Reading*—Hyde Park Corner (New Streets) * [275].

Second Reading—Revenue and Friendly Societies [269].

Committee— Agricultural Holdings (Scotland) [190] [*Third Night*]—R.P.

Further Considered as amended — Agricultural Holdings (England) [272] [*Second Night*]; Supreme Court of Judicature (Funds, &c.) * [270].

Considered as amended—Third Reading—Public Health Act (1875) (Support of Sewers) Amendment * [267], and *passed.*

PRIVATE BUSINESS.

HARRISON'S ESTATE BILL [*Lords*] (*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. FINDLATER, in rising to support the Motion, said, that he must ask the House to support a Bill, which had already been submitted to the House of Lords, and, after being considerably modified in its terms, had been passed by that House. In accordance with the Standing Orders, it had been referred to two of the Irish Judges of the highest eminence—Chief Justice May, and Mr. Baron Andrews, both of whom were thoroughly acquainted with the locality. The Bill was of a very technical character, and quite unsuitable for a discussion in that House; but an hon. Member (Mr. Arthur Arnold) had placed upon the Paper an Amendment, the object of which was to declare that the area of settled land in the country should not be increased by a Bill of this kind. He (Mr. Findlater) did not think a Private Bill of that nature was a measure upon which a general discussion in regard to increasing the area of settled land in Ireland ought to be raised. It might be a very desirable opportunity for the hon. Member for Salford to air his crotchets in that House upon a Private Bill; but it was a very serious matter for the unfortunate gentleman who was promoting the Bill. The hon. Member probably thought that the indignation which would be excited at even an infinitesimal attempt to increase the area of settled land would divert the attention of the House from the real merits of the Bill. But he (Mr. Findlater) trusted the House would listen to a very brief statement in regard to the objects of the Bill. The Bill was rendered necessary by the omission, in a testator's will, of proper powers for the improvement and development of certain estates situated in the town of Holywood, near Belfast, and its neighbourhood. The promoter, as tenant for life of that property under the will, and being a very enterprizing gentleman, had succeeded in purchasing 56 acres of foreshore and 35 acres of building land, which intersected the property, in the interest of, and for the development of, the settled land. Fourteen acres of the building land passed into the settled estate on the death of two lives, and the property either intersected or adjoined the estate, so that it was not of the slightest use, unless it was added to the estate. The Bill contained provisions to enable the trustees of the settled estates to purchase the property so acquired by the tenant for life, and to hold it on the same terms as the settled estates. The price for this property was not to exceed £18,000, and if any difference arose between the parties as to the full value of the property it was to be settled by arbitration. There was a further power given to the trustees to repay the tenant for life the sum of £12,000 expended by him in the improvement of the property, upon which there was at present a mortgage for the amount; and he trusted that the House would not consent to be parties to injuring a meritorious tenant for life, by leaving on his hands property which was perfectly useless unless joined to that which had been already settled, and which, if joined to it, would largely increase its value. The House would perceive that the property affected by the settlement was, in reality, only 35 acres and the foreshore. It might, as he had said, be a very pleasant thing for the hon. Member for Salford to pose as a Land Reformer, and to air his crotchets in that House upon the discussion of a Private Bill; but that which might be an amusement and a gratification to the hon. Gentleman was a very serious matter to the tenant for life in this particular case. It reminded him (Mr. Findlater) very much of the fable of the boys and the frogs—"What is fun to you is death to us." It was well understood that the hon. Member was celebrated for systematically examining the Notice Paper; and when he found that any other hon. Member had evolved from his inner consciousness some new political or social idea, and given it form in the shape of a Notice, down came the hon. Member with an Amendment of a colourable character, to the intense horror of the originator, who found that he was to be robbed of a great portion, if not all, of the *kudos* he expected to derive from the elaboration of his ideas.

Mr. ARTHUR ARNOLD rose to Order. He wished to know if the hon. Member (Mr. Findlater) was speaking to the matter before the House?

Mr. SPEAKER: I do not think that anything has happened yet which calls for my interference.

Mr. FINDLATER said, he certainly should not have made observations of that kind, without having some foundation for them. In fact, it was whispered that the hon. Member for Salford was only to be compared to a certain bird, which was in the habit of laying its eggs in the nest of some other feathered biped. As long as the hon. Member confined himself to that practice, he would not do much harm, beyond the natural irritation caused to those who were annoyed by his predatory instincts; but when he proceeded to ask the House to throw out this Bill, which, however, it was scarcely likely to do, he placed himself in a position to cause incalculable injury to innocent persons. It must be borne in mind that the promoter of the present Bill was already tenant for life of the property, and that he had been put to very considerable expense in preparing statements and in bringing the question before Parliament. The second reading of the Bill had already been adjourned on one occasion; and he thought it was most unfair for an hon. Member, who had really no interest in the matter beyond a desire to ventilate the general question as to settled land, to seek to retard the progress of the measure, for the simple purpose of putting a private individual to considerable expense. He (Mr. Findlater) contended that this was not the proper time for the hon. Member to ventilate his grievances, or to air his crotchets, especially when it was borne in mind that the House of Lords had already passed the Bill. He, therefore, trusted that the House would consent to read the Bill a second time; and if they thought it necessary that there should be further inquiry, no doubt, as the Bill was practically unopposed, the Chairman of Ways and Means, when it came before him, would see that it was fairly investigated.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Findlater.*)

Mr. ARTHUR ARNOLD said, that, among other purposes to which it would be scarcely necessary for him to refer, it was proposed by this Bill to pass certain land, which was now free land, into settlement for the term of 1,000 years. He thought that was sufficient not only to justify his opposition, but to render it absolutely necessary that he should oppose the second reading of the Bill.

The hon. Member for Monaghan (Mr. Findlater) evidently knew but little of the Bill, and he had grossly mis-stated the quantities involved. [" Oh, oh! "]

MR. WARTON rose to Order. He wished to know if the expression "grossly mis-stated" was Parliamentary language?

MR. SPEAKER: I have not yet noticed anything out of Order.

MR. WARTON: The expression used by the hon. Member for Salford was "grossly mis-stated."

MR. SPEAKER: I do not see anything in that expression that is irregular.

MR. ARTHUR ARNOLD resumed. He did not think there was anything irregular in stating that the hon. Member for Monaghan had grossly mis-stated the acreage dealt with by the Bill. The main point, however, was that the Bill proposed to place free land under settlement for a term of 1,000 years; it proposed to increase the area of settled land, which meant, to place the land, as far as it was in the power of the trustees, according to the law of the country, in such a position that for 1,000 years, if the Bill passed, it could not even be sold upon demand of creditors in the event of the insolvency of the proprietor. That was the effect of settlement of land. The consequence was that where land was settled, not a single yard or acre of that land, from the time of settlement, could be sold in the event of the insolvency of the proprietor. It so happened that this Bill was an Irish Bill; and he confessed his surprise that an Irish Member should have been found to advocate the increase of settled land in Ireland. He did not believe that any Irish Member would occupy such a position, because, baneful as had been that practice in England, in Ireland it had almost been the ruin of the country. The proposal of the Bill was to increase the area of settled land, and by that means to further the policy which had brought landowning in Ireland to this position, that, at the present moment, one-third of the land of the country was held by fewer than 300 persons. The hon. Member for Monaghan had spoken of the hardship which the rejection of the Bill would entail on the promoter. Now, there was no hardship at all in the matter. The House, in its wisdom, had passed a measure last year, the author of which actually came from the neighbourhood of Belfast, in which the present Bill originated. The House had passed Lord Cairns's Settled Land Act, in order to meet cases of this sort; and it was because the promoter did not choose to take advantage of that Act, that he now came to Parliament with an audacious proposal to increase the area of settled land. There had been other private Settled Land Bills before the House during the present Session and in past Sessions; but he would give the House his word that there had been no Bill which contained a proposal of this sort, or he would have opposed it. There had been no Private Estate Bill introduced, either in the last or in the present Session, which made so monstrous a proposal as that which was contained in the present Bill—namely, to settle free land for a period of 1,000 years. He would appeal to the House to reject the Bill. He begged to move the Amendment which stood in his name.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is not expedient to increase the area of Settled Land as proposed by the Bill,"—(*Mr. Arthur Arnold,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. HEALY said, he thought it was only due, as a matter of courtesy to the House, that the right hon. and learned Gentleman the Attorney General for Ireland should express some opinion upon the Bill. He should not have risen himself if it had not been for the fact that the Speaker was on the point of putting the Question, and that the right hon. and learned Gentleman did not consider it necessary to rise. Now, he (Mr. Healy) regarded this Bill not merely as one affecting the personal interests of Captain Harrison, but as a most extraordinary kind of procedure, by which a Private Act of Parliament, affecting an individual landlord, was to be smuggled through the House. He failed to see, if this Bill were to pass, what was to prevent any landlord, who possessed sufficient means, from subtracting the whole of his estates from the purview of the Common Law of the country. It appeared to be the easiest thing in the world for the landlord to introduce a Private Bill to upset the Statute Law, and to deal with estates upon a principle of law totally different from the rest of the land of the country. This was a most mischievous principle, and a mere glance at the provisions of the present Bill would convince the House of its extraordinary character. In the first place, there was a most affecting statement made in regard to Captain Harrison himself—"And whereas Captain Harrison is in the 50th year of his age, and not married." How glad the House would be to hear that Captain Harrison was 50 years old, and was still unmarried. Personally, he (Mr. Healy) trusted that Captain Harrison was enjoying the best of health; and the only matter of surprise to him was that Captain Harrison had not published his portrait as a frontispiece to the Bill, so as to enable the House to understand the kind of man Captain Harrison was. Now, why was it that the House were called upon to sanction the extraordinary principle of permitting a private individual to go before the Examiners of the House of Lords and the House of Commons, and enter into an arrangement for settling land, which would relieve private property from the obligations it was under for the benefit of creditors, and thus relieve impecunious landlords from their responsibilities? He could easily understand other impecunious landlords in Ireland throwing longing eyes across the Channel, in the hope of getting similar powers to those which it was proposed to confer on Captain Harrison. He could further imagine that the Irish landlords, who were Members of that House, would give the Bill their support, because they knew that if they did there was a prospect of their own lands becoming settled in the same manner, and their creditors being unable to recover their just rights. He would suggest to the hon. Member for Salford (Mr. Arthur Arnold) that, when the Bankruptcy Bill came up for consideration in that House, he should propose to introduce a clause into it affecting such cases as this of Captain Harrison and other private gentlemen, who were attempting to withdraw their estates from the responsibilities which might attach to them in the event of bankruptcy. His (Mr. Healy's) own opinion was that whenever these gentlemen attempted to get out of their difficulties the House of Commons should be ready rather to invent hindrances than facilities. The landlords of Ireland were not a class on which the House of Commons ought to look with extreme satisfaction. They had been the curse of this country for generations, and, in a special degree, they had been the curse of Ireland. Why the House should be asked to take up its time in order to discuss a palpable job was more than he could understand. He hoped the House would reject the Bill.

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, that the hon. Member for Monaghan (Mr. Healy) had appealed to him to state his opinion in regard to the Bill. He had no intention whatever of withholding that opinion, although he did not recognize that the Office he held was one which rendered it necessary that he should express an opinion in regard to a private measure of this kind. At the same time, he knew perfectly well what the object of the Bill was, and he was most happy to relieve the minds of hon. Members from any misapprehension in regard to it. The Bill contained ample powers of leasing, and of leasing subject to fee-farm rents, which formed the tenure under which the most prosperous parts of the land of Ireland were now flourishing. The entire town of Belfast was held upon that tenure. So far as the remarks of the hon. Member for Monaghan were concerned, there was no attempt whatever in this Bill to defraud creditors, and he very much regretted that such a suggestion should have been made. All he would say was that, even if that state of facts did exist, it was a mistake to say that the creditors would have no power over the estate, seeing that the power of leasing would pass to the assignees in bankruptcy, and no portion whatever of the property could be withdrawn from the creditors. So far as the suggestion was concerned that the Bill was an attempt to tie up property which was formerly free, he could only say that, at the present moment, the estate was most strongly tied up, and that the Bill would have a tendency to render it far more free than it was at the present moment. Therefore, having been appealed to by the hon. Member opposite (Mr. Healy), he could only say that he thought the Bill was a very proper one to be passed by that House.

MR. LABOUCHERE said, he thought the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Porter) was perfectly right when he asserted that it was not the business of the Government to look into this Bill; and the speech of the right hon. and learned Gentleman convinced him (Mr. Labouchere) that he had not looked into it. The hon. Member for Monaghan (Mr. Findlater) had given the House three reasons, and three of the most extraordinary reasons he (Mr. Labouchere) ventured to say that were ever submitted to that House, to justify the passing of a Private Bill. The first was, that they ought not to vote for the Amendment of the hon. Member for Salford (Mr. Arthur Arnold), because it was most unfair, upon the part of that hon. Gentleman, to interfere with a matter which did not concern him. That was to say, that no Member of Parliament must interfere with a Bill which did not personally concern him. Now, he (Mr. Labouchere) had always thought that these were precisely the kind of Bills which hon. Members ought to notice, because it was usually thought improper for hon. Members to take part in Business in which they were personally interested. The second reason was, that the Judges had looked into the matter, and that they had endorsed the Bill. No doubt, certain Judges in Ireland had examined the Bill, in order to see that the conveyance, as a matter of law, was right; but it was no part of their province, and he thought the right hon. and learned Gentleman the Attorney General for Ireland would bear him out in that, to express any opinion as to the merit of any of the Private Bills which were brought into the House. The third reason was, that the House of Lords had passed the Bill. Now, the Bill had passed the Upper Chamber; but an Assembly of landlords would naturally pass a Bill to promote landlords' private interests. The hon. Member for Monaghan (Mr. Findlater) said that, under these circumstances, the Bill was unfit for discussion in the House of Commons. If so, why had it been brought into the House of Commons? If hon. Gentlemen chose to bring in Bills, and ask the House to pass them, they must accept the fact that the House was fitted to discuss and look into them. The hon. Member for Monaghan had gone further, and had given some details of the Bill. It was a very complicated Bill, and it would require at least six hours' consideration at the hands of any lawyer to make it out, and about a week on the part of anybody who was not a lawyer. Nevertheless, he (Mr. Labouchere) had been able to make it out in about 10 minutes. A very cursory examination had enabled him to arrive at the opinion that it ought to be rejected. So far as he could make out, the Bill had been introduced by a private gentleman who had an estate in Ireland. As his hon. Friend the Member for Salford had remarked, the hon. Member for Monaghan had understated the case. This was one of three estates which belonged to this gentleman, and which amounted altogether to 5,300 acres. Captain Harrison had now bought additional land in the neighbourhood of his estate. The hon. Member for Monaghan told them that that land was absolutely valueless to anyone. Nevertheless, under the Bill, the trustees were empowered to pay for it a sum not more than £18,000; and the trustees, having purchased this land, were to throw the fresh land into the settled estates. That was to say, that this additional land was to remain settled for 1,000 years with the other portions of the estate. Now, hon. Members in that part of the House were thoroughly opposed to the system of investing property in land for the benefit of persons who were yet unborn, or for persons who might not be born for even two or three generations. It was perfectly monstrous, after Parliament had passed Lord Cairns's Act to free settled estates, that they should settle additional land for the period of 1,000 years. Now, what was proposed to be done with this land? The sum of £40,000 was to be raised on the old settled land, and, of this £40,000, £18,000 were to go in payment of the cost of the new settled estates, Captain Harrison selling the rest to the trustees himself. He (Mr. Labouchere) confessed that he was not able to make out from the Bill what was to become of the rest; but it seemed that there was some old mortgage to be paid off, and a sum of £6,000 was to be spent in improving the estate. It was further proposed to destroy some 23 cottages, and to lay out the land for villa purposes. He had certainly thought that it was desirable in Ireland to build more cottages and to improve them, rather than to destroy them. But in this Bill the House was asked to put an end to the very existence of a considerable number of cottages, so that they might be able to lay out the land on which they stood for villa purposes. Under these circumstances, in future, whenever any Irish gentleman took it into his head to increase his settled estates, and to convert cottages into villa residences, the House of Commons were to be told that the House of Lords had passed the measure, and that it was their duty to accept the decision of the House of Lords. Personally, he was altogether opposed to such legislation, and he should vote for the Amendment of his hon. Friend the Member for Salford.

SIR ARTHUR OTWAY said, he thought the arguments which the hon. Member for Northampton (Mr. Labouchere) had just addressed to the House were reasons why they should not depart from the usual custom, but should rather consent to the second reading of the Bill. The hon. Member said he had been unable to master the details of the measure, although he subsequently declared that a perusal of 10 minutes enabled him to comprehend its scope. Certainly, in such a case, the mastery of his hon. Friend did not commend itself to him (Sir Arthur Otway). The object of the Bill had been clearly stated by the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Porter), and also by the hon. Member who moved the second reading of the Bill (Mr. Findlater). He was, therefore, not disposed to trouble the House, except to correct the misapprehensions of the hon. Member for Northampton, and of the hon. Member for Monaghan (Mr. Healy). As a matter of fact, it was a very small portion of land indeed that was proposed to be dealt with by the Bill, and which could not have been dealt with by Lord Cairns's Act, as it was altogether of a nature which could not be brought under the provisions of that Act. The hon. Member for Northampton had spoken in defence of the interference of private Members in questions of this kind, and had objected to the House dealing with them, unless they did undergo full discussion. Now, he (Sir Arthur Otway) had no objection to any hon. Member taking part in the discussion of any Bill submitted to them; but he must appeal to the House whether, in the present state of Public Business, it was not to be deplored that hon. Members should take the opportunity not only once or twice, but repeatedly, afforded by the introduction of Private Bills dealing with very small matters, for entering into and instructing the House generally on the very large question of land tenure, and the custom of the country in regard to the land system. It was within the recollection of the House that the hon. Member for Salford (Mr. Arthur Arnold) had, on several occasions, seized such an opportunity for instructing the House upon the question of land tenure. He (Sir Arthur Otway) thought the practice was very much to be deplored; and it was certainly not conducive to the progress of Public Business that, whenever a Private Bill stood upon the Paper, which dealt in any way with land, the hon. Member should avail himself of the occasion to enter into the general questions affecting the land system. It was only the other day that the hon. Member took advantage of such an opportunity for bringing forward a name which was never mentioned in that House except with the highest feeling of affection and veneration. The hon. Member on that occasion took advantage of the opportunity for casting reflections on the son of a most distinguished statesman. [MR. ARTHUR ARNOLD said, he had done nothing of the sort.] He thought he was within the recollection of the House, and it would bear him out, that the hon. Member had referred in strong terms to a Bill introduced in the name of the present Sir Robert Peel.

SIR WILFRID LAWSON rose to Order. He wished to know if the hon. Baronet was regular in referring to a previous debate?

MR. SPEAKER: I did not understand the hon. Baronet to refer to a debate that has taken place on a former occasion; but simply to give an illustration to the House.

SIR ARTHUR OTWAY said, he had only a few more words to add, and he would only say that, so far as he was concerned, he found it difficult to understand why the course which the House usually took in regard to these Bills should not be followed in the present instance—namely, that the Bill should be referred to a Select Committee, in order that the details, which the hon. Member for Northampton said they were unable to master, might be inquired into. The case, he thought, was one which should not be decided by the House, but should be submitted to the proper tribunal.

MR. FINDLATER said, he wished to say a word in order to correct a misapprehension. He had stated that there were 53 acres of foreshore dealt with by the Bill, and about 21 acres of building land included in the settlement. That was the only portion of the property dealt with by the Bill which was unsettled; the 1,500 acres which had been referred to having been already settled.

MR. CALLAN said, he knew nothing whatever about the Bill, except what he had gathered from the speeches which had been delivered in the course of the debate; but he felt bound to state that the speech of the hon. Member for Northampton (Mr. Labouchere) against the Bill convinced him that he ought to vote for it. In point of fact, the speech of the hon. Member was one which made him inclined to wish that the estate of every Irish gentleman could be settled in some way or other, because the hon. Member told them that out of £18,000 which the Bill authorized to be raised, £6,000 were to be spent in improvements. He sincerely wished that on every Irish estate, valued at £18,000, there could be a sum of £6,000 reserved for improvements; and, for the purpose of securing in this case that the £6,000 should be spent in improvements, he should certainly vote for the Bill. He should vote for it also for another reason—namely, that he did not like the interference of English Members in purely Irish matters. If there was anything wrong in the Bill, it should be left to Irish Members to attack it, and not to the keen-eyed vision of the hon. Member for Salford (Mr. Arthur Arnold). For that reason, and in order to secure the expenditure of £6,000 in improvements out of £18,000, he should vote for the Bill.

MR. BIGGAR said, he had examined the Bill carefully, and he thought it had been represented to the House as being very much worse than it really was. If hon. Members read the Bill, they would see that the late John Harrison, of Mertoun Hall, Holywood, near Belfast, left a strict settlement of his property. The real fact of the matter was, that one of the sons had died, and this was a family arrangement between the grandson of the late John Harrison, and the surviving son of that gentleman. He (Mr. Biggar) did not think that hon. Members who had discussed the question could have correctly read the Bill. At any rate, they had not accurately stated the real facts of the case. He knew the estate very well, and he could imagine the advantage that the small town near which the estate was situated would derive from the outlay of £6,000 in the improvement of the property. At the present moment, the place to which he referred was in a very unprosperous condition, and the value of property there had fallen something like 40 per cent during the last 10 years. He was, however, inclined to believe that if £6,000 was going to be raised under the provision of the Bill, it was hardly likely to be spent in the local improvement of the property. But he had no doubt that the object of the Bill was to simplify matters, and to allow Captain Harrison, who was the second son of the late John Harrison, to make some arrangements by which the property could be divided, and the profits likely to accrue from it realized. That was the real object of the Bill, and he did not think it would have any practical effect in perpetuating the settlement of estates.

Question put.

The House *divided*:—

The Tellers being come to the Table, Mr. Findlater, one of the Tellers for the Ayes, stated that Mr. Cavendish Bentinck, Member for Whitehaven, being in the Left Lobby, had declined to Vote, not having heard the Question put.

MR. FINDLATER added that the number which had voted for the Ayes was 185.

MR. SPEAKER: Did the right hon. and learned Member for Whitehaven hear the Question put?

MR. CAVENDISH BENTINCK: No, Sir.

MR. SPEAKER: The Question proposed was, "That the Bill be now read a second time," since which an Amendment has been made to leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is not expedient to increase the area of Settled Land, as proposed by the Bill." Does the right hon. and learned Gentleman declare himself with the Ayes, or with the Noes?

MR. CAVENDISH BENTINCK: With the Ayes.

MR. SPEAKER directed the Vote of the right hon. and learned Getlemann to be added to the Ayes.

The Tellers accordingly declared the numbers: Ayes 186; Noes 37: Majority 149.—(Div. List, No. 247.)

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

REGENT'S CANAL, CITY, AND DOCKS RAILWAY (VARIOUS POWERS) BILL [*Lords*] (*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

VISCOUNT FOLKESTONE said, he was very unwilling to intervene between the House and the Agricultural Holdings (England) Bill, because he was quite sure that the House was anxious to reach that Bill, as, indeed, he was himself. He would not, therefore, detain the House more than for two or three minutes, while he explained the reasons which had induced him to put down his Notice of opposition to the Bill. The House would remember that this Bill was opposed last Session, on the second reading, by the hon. Member for Warwick (Mr. Arthur Peel), and on the third reading by the hon. Member for Gloucester (Mr. Monk). It was then referred to an Hybrid Committee. He understood that the conditions of every Hybrid Committee were such, that every question could be taken notice of by the Committee, without the necessity of the persons opposing the Bill appearing before the Standing Order Committee to obtain a *locus standi.* It appeared to him (Viscount Folkestone) that a Bill going before a Committee of that sort would have all its provisions duly weighed and considered; and he had certainly supposed that the Tolling and Rating Clauses in particular would receive careful consideration. After the Bill had passed the Hybrid Committee to which he referred, it was opposed on the third reading; but it was eventually passed by the House with certain Rating and Toll Clauses inserted in it. But, to his astonishment, the Company came before the House this year, and asked the House, having already obtained the permission of the House of Lords, to sanction higher tolls than those which were asked for last Session. That certainly appeared to him to be a somewhat startling proposition. The Bill had passed, after certain opposition to it, with certain tolls allowed by the Committee to which it was referred; and yet, strange to say, the very next Session the Company promoting it came to the House and asked for an increase of those tolls. It must be borne in mind what sort of a Bill it was. It was a sort of Navigation Bill for a combined railway and canal; and the House were now told that the tolls inserted in the Bill last year were inserted by inadvertence. That appeared to him to be a somewhat extraordinary circumstance. He could not understand how Gentlemen who presumed to be business men, having charge of a large measure of this kind, could have allowed Toll Clauses to be inserted in the Bill, so low that it would be utterly impossible for them to pay the Railway Company. If that fact were true, it appeared to him that there could not have been anyone of fair business capacity in charge of the Bill. He was told that the person who drafted the Bill took the Model Clause, and inserted the Toll Clauses that were laid down for country railways, which did not require so much capital for making them as a line of this sort, which ran through the heart of the Metropolis. He was further told that this fact was not found out last year until after the Bill had passed through Committee, and that the mistake had arisen solely through inadvertence. The person who was responsible for the inadvertence went, he believed, to the Office of the Chairman of Committees in "another place," and endeavoured to get the Bill re-committed, so as to have the Toll Clauses altered; but it was found to be impossible, and he was advised that the only course that could be taken would be to go to Parliament this year for another Bill, in which there should be embodied an enhancement of the tolls. That was the question the House had to deal with now; and, curious as it appeared to be, it was, nevertheless, the fact that the tolls the Company were now authorized to charge had really got into the Bill through inadvertence, and it would be impossible for the Company to carry on the line without an enhancement of tolls. He would not trouble the House by going into any details upon the matter. He had brought it forward in order to show the House what the facts were, and especially to call attention to the circumstance that the Railway Company was coming up now for an enhancement of tolls, although the Act by which the tolls were fixed was only passed last year. He desired, by the action he was now taking, to call the attention of the Board of Trade, in particular, to the facts of the case. Only this year a Standing Order had been passed requiring the Board of Trade to make a Report in regard to any Rating or Toll Clauses inserted in these Bills. He believed the Board of Trade was now required to present a Report in regard to every new Railway Bill, and every Bill which asked for further powers; but, generally speaking, so far, the Board of Trade had employed a stereotyped phrase stating—

> "That the Bill did not appear to authorize any tolls that were heavier than those which had been authorized for a like undertaking in former years."

Now, he hoped the Board of Trade would take very particular cognizance of the facts of this case, and that, when the Bill went before a Committee, it would report to the Committee what the real facts were, and whether, in the opinion of the Board of Trade, the inadvertence was one which should be rectified or not. If the Board of Trade would do that, he had no doubt the question would be fully considered by the Committee, and that their decision would give complete satisfaction to the House. Under those circumstances, he did not propose to move the Amendment of which he had given Notice; but he thought the Bill ought to be permitted to proceed.

MR. MONK said, that when the noble Viscount the Member for South Wilts (Viscount Folkestone) rose to address the House, he (Mr. Monk) had been under the impression that he intended to move that the Bill be read a second time on that day three months, seeing that the noble Viscount had put an Amendment upon the Paper to that effect. He (Mr. Monk) proposed to imitate the noble Lord in one respect—namely, in being as brief as possible in the statement he had to make. The history of this Railway Company was a remarkable one. The Company came into existence in the year 1882, and had now been in existence for some nine months. One of the objects of the Company was to absorb the Regent's Canal; and, in the opinion of many hon. Members who opposed the Bill who were able to form a judgment upon the matter, that object was one which would seriously interfere with the water communication of this country. The subject was considered by Parliament last year. The Bill was opposed on the second reading, and also on the third reading; and the advocates of the measure made out what was considered to be a favourable case, their case being that the poor workmen who resided in the neighbourhood of London would be conveyed at fabulously small fares by the new railway, and that the tolls charged by the new Railway Company should not be higher than those demanded on the Regent's Canal. The House was quite struck by the generosity of the Company, who came forward to ask leave to make the new Railway, and the Bill was passed by a very large majority. Then, as the noble Viscount told the House, before the Act had been in operation three months, the Company came again to Parliament, or rather gave Notice for two new Bills. One of those Bills had already passed both Houses of Parliament, and the other was the "Various Powers" Bill, asking Parliament to increase every one of the tolls, in the teeth of what happened when the Company obtained their Act last year. He (Mr. Monk) would tell the promoters at once that if they would withdraw one of the clauses of the Bill he would withdraw his opposition to it, and would not move its rejection. The clause he asked them to withdraw was Clause 5 of the Bill, which proposed that the cost of the carriage of coal should be raised from 1¼*d.* to 1½*d.* per mile; that all other goods in Class I. should be raised from 1½*d.* to 1¾*d.* per ton; that the charge for goods in Class II. should be raised from 1½*d.* to 2*d.*; in Class III., from 2*d.* to 3*d.*; in Class IV. from 2½*d.* to 4*d*; and in Class V. from 4*d.* to 5*d.* The increase of tolls contained in that clause was the ground, and the only ground, on which he should ask the House to reject the Bill. The noble Viscount the Member for South Wilts, in his remarks upon the Bill, informed the House that the scale of tolls, on the strength of which the Act of last Session was passed, and in reference to which an hon. Friend of his, who opposed the rejection of the third reading last year, waxed quite eloquent, when he spoke of the advantages the poor of London would derive from the passing of the Bill, in being able to travel more cheaply, and in having their goods conveyed on the same terms as by the Canal, had been found inadequate to remunerate this new Railway Company. The noble Viscount said that that scale of charges had been introduced by mere inadvertence. But it was in consequence of that very scale of charges that the Bill passed, against a very strong opposition raised to it last year. He had himself presented numerous Petitions against the absorption of the great Canals of the country by Railway Companies. The promises of the promoters last year were, however, most profuse, and it was upon those promises that they obtained their Bill. A Circular had now been issued and delivered to hon. Members, informing them that the scale of charges inserted in the Bill last year was inserted through inadvertence and error, the words used in the Circular being "for inadvertence, and without sufficient consideration having been given to the subject." He would ask the House if it was likely that the astute gentlemen who financed the Company would not have given sufficient consideration to the amount of tolls proposed to be charged in the Bill? He declined to accept this excuse, although the noble Viscount had accepted it. He refused to accept the explanation, and he thought the House of Commons ought to require a much more satisfactory explanation of the matter, before they gave the Company power to raise their tolls one-fourth, and even one-third, above the amount at which they were fixed by the Act passed last Session. There was another important matter which he must not omit to mention. Section 39 of the Act of last year contained a provision that the Company should keep and maintain the railway thoroughly. He had opposed the Bill last year, because he felt certain that the Railway Company would neglect the Canal, and he wished to state to the House what the present state of a portion of the Canal which had been purchased by the Railway Company was. He referred to its condition in the parish of Marylebone, and he would ask the attention of his hon. Friends the Members for Marylebone to this statement. Dr. Winter Bligh had presented a Report, in which he stated that dead bodies of animals were left floating about the Canal, and that there was a poisonous and offensive deposit of mud three feet in depth; the water of the Canal was five or six times more impure than the water of the Thames; it was most offensive to smell, and it exuded the poisonous gases which accompanied decomposition. With cholera at our doors, was that a state in which the Regent's Canal should be left? Notwithstanding, the House was asked to give powers to the Company to increase its tolls, while it was neglecting one of its first duties. He had said that he would be very brief in making his objections to this measure. He thought he had made out a strong case against the Company; and he had already stated that, if they would withdraw Clause 5 of the Bill, he would withdraw his opposition to the measure. He objected altogether to a Bill of that kind going before a Committee as an unopposed measure. Such a Committee would be presided over by the hon. Baronet the Chairman of Ways and Means; but he would not be assisted by an ordinary Private Bill Committee, to consider and inquire into the matters involved. If it were even proposed that the Bill should go before a Hybrid Committee, he would not move the rejection of the measure; but, as that would not be the case, he would move that the Bill be read the third time upon that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Monk.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. CHAMBERLAIN said, that he was not at all surprised that the noble Viscount the Member for South Wilts (Viscount Folkestone) and his hon. Friend the Member for Gloucester (Mr. Monk) had called attention to the provisions of this Bill, which were certainly very exceptional; but, at the same time, his hon. Friend the Member for Gloucester was somewhat inconsistent in his opposition to the Bill, because he expressed himself as perfectly willing to withdraw his Amendment, if the Company would withhold Clause 5; and yet he said that the insanitary condition of the Canal was so bad that the Company had not taken sufficient precautions to prevent the spread of cholera. Now, he (Mr. Chamberlain) must say that the withdrawal of Clause 5 would have no effect upon the sanitary condition of the Canal.

MR. MONK said, he hoped he might be allowed to say that the sanitary condition of the Canal, unfortunately, had nothing to do with the present Bill; and, therefore, he could not make that a ground for rejecting the measure. He opposed the Bill on account of the increase of tolls which it involved.

MR. CHAMBERLAIN said, it was, no doubt, open to the remarks which had been made, both by the noble Viscount and his hon. Friend, that the Company, having obtained their Bill last year, with a particular Schedule of tolls, were now coming forward, 12 months later, with a Bill seeking to increase those tolls by 25, 30, and 50 per cent. Now, the circumstances of the case were briefly these—The undertaking of the Company was a very important one, involving the expenditure of some millions of money; but the success of it would do something to relieve the congestion of the traffic in some of the streets of the Metropolis, and would also provide a better access to the Docks. It was, therefore, an undertaking in the success of which the public were interested. The Company alleged, and he believed truthfully, that owing to the bad advice they received last year they had inserted in the Bill a Schedule of tolls that was altogether unremunerative, and much less than had been allowed for similar untertakings in the Metropolis, but that they only found out their mistake when it was too late to remedy it last year. Under these circumstances, they came to the House of Lords this year to ask for an alteration of the rates. The Board of Trade had made a Report on the matter, in which they called attention to the proposed alterations, and pointed out that the rates maintained last year were less, on the whole, than those which had been allowed to similar undertakings, although, no doubt, they were considerably higher than the rates allowed in the case of country railways. On the merits of the case, he did think the rates now proposed were such as would not be likely to be rejected by the Committee, if they had been included in the Bill in the first instance. The Report of the Board of Trade went on to say that it was unfortunate that, in a case which had been so much contested, provisions should be asked for to increase the rates, almost immediately after the Bill fixing those rates had received the sanction of Parliament. If it was the impression of the House, as it certainly was of the Board of Trade, that those rates were such as would have been allowed in the original Bill of the Company, if the Company had not been precluded, by inadvertence, from altering the rates, he thought it was a case in which the House might allow the second reading of the Bill to pass, with a view of having the case settled by the Committee to which the Bill would naturally be referred. The Report of the Board of Trade which was laid before the Lords' Committee would be submitted to the Commons' Committee; and he hoped that, under the circumstances, his hon. Friend the Member for Gloucester (Mr. Monk) would withdraw his Amendment.

MAJOR DICKSON said, he thought it was unfair for the hon. Member for Gloucester (Mr. Monk) to endeavour to prejudice the Bill by the statement he had made in reference to the sanitary condition of the Canal. He (Major Dickson) did not think the Canal was better nor worse than it had been for the last 50 years. The only reason which induced him to take part in the debate was that he might state that he had authority for assuring the House that the Schedule of rates inserted last year was inserted entirely from inadvertence, and that it was simply for the purpose of correcting this error that the present Bill had been introduced. He therefore appealed to the House to read the Bill a second time, and allow it to be considered by a Committee upstairs.

Mr. HICKS said, that, having been one of those who had joined in a strong opposition to the Bill last year, he wished to draw the attention of the House to the facts of the case. In the first place, this Company, instead of being a Metropolitan Company, was part of the Great Western Railway Company; and, therefore, it was in exactly the same position as any of the great railways in the Metropolis. In the second place, when the Great Western Railway Company came before the House last year to obtain possession of the last link of the great canal system of the country, they did so, not on the ground that they were going to carry goods, but that they were going to carry passengers; but now, having got possession of the Canal under such representations, they came before the House to ask for increased tolls for carrying goods.

Sir JOSEPH BAILEY said, he could understand the objection, if the Company were now asking the House for an increase of tolls upon the Canal; but, as a matter of fact, the increase was asked for upon the railway on account of the inadvertence committed last year. As Chairman of the Committee which sat upon the Bill last year, he should certainly support the second reading.

Mr. O'DONNELL said, he had supported the hon. Member for Cambridgeshire (Mr. Hicks) in his opposition to the original Bill of this Railway Company. It now turned out that the objections urged against the measure were very well founded, and not only so, but the House were in this position—that they were unable to discuss the merits of this most important question, because it was impossible to deal with Private Bill legislation in the House itself, except to the detriment of the Public Business of the country. He had simply risen to protest against this system, by which all the substantial interests of the country were sacrificed to the demon of over-centralization. They were told that there was no time to discuss the question, except to the detriment of the real interests of the country; and year after year important questions of this kind were scamped, simply that they might keep up the rights of a Central Chamber of legislation, which was totally inadequate to do the Business of the country.

Question put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

QUESTIONS.

* * *

INDIA—CONTAGIOUS DISEASES ACT, XIV. OF 1868—SUSPENSION OF ACT.

Mr. HOPWOOD asked the Under Secretary of State for India, Whether it be a fact that, in June 1882, the Government of India asked the consent of the Secretary of State for India to the repeal of the Contagious Diseases Act, XIV. of 1868, on the ground that it was—

> "A measure that had never in practice been a complete success, which was odious in the eyes of our Native subjects, and in those of a large and influential class of Europeans;"

whether a reply was given that the Secretary was at present unable to assent to the repeal of Act XIV.; but, in deference to the strong view held, would leave it to the discretion of the Government of India to suspend the operation of the Act; and, whether the Act XIV. of 1868 has been suspended; or, whether any further communication has passed between the two Governments on the subject?

Mr. J. K. CROSS, in reply, said, that with regard to the first part of the Question, with no intention to be discourteous, he must refer the hon. and learned Member for an answer to the Papers lately presented, which showed that the hon. and learned Member was right in his assumption. With regard to the latter part, no further Correspondence had passed between the Government of India and the India Office on this subject; but he understood the Act had been suspended in Calcutta.

METROPOLITAN WATER SUPPLY.

Dr. CAMERON asked the President of the Local Government Board, Whether his attention has been called to a resolution passed at a Conference on Cholera Precautions of the Medical Officers of the Metropolitan Parishes, declaring that the important sanitary defect of the Metropolis specially calling for notice is its water supply, and asserting the need of watchfulness over all the reservoirs and mains of the Water Companies; whether the monthly reports on the composition and quality of daily samples of water supplied to London, addressed to the Secretary of the Local Government Board, and forwarded to Members of Parliament, emanate from the Local Government Board or the Water Companies; and, if from the latter, seeing the frequent discrepancies between the results set forth in these reports, and the reports of the Official Water Examiner to the Registrar General, whether he will consider the propriety of directing, at least temporarily, control analyses, and supplementing them by explanations for microbic impurities by the methods devised by Professor Koch and Dr. Angus Smith?

Sir CHARLES W. DILKE: Sir, the Board have had communicated to them the Resolution passed at the Conference of Medical Officers of Health referred to. The Board do not, however, find in the resolution that the water supply was referred to as "the important sanitary defect of the Metropolis." The members expressed their views as to the importance of a pure public water supply; and stated that, while the amendment of the water service in detail would receive the attention of the Medical Officers of Health, experience had shown the need of watchfulness over the reservoirs and mains of the Water Companies. The Board have brought under the special attention of the Water Examiner of the Metropolis the resolution of the Medical Officers of Health so passed. The monthly Reports referred to do not emanate from the Local Government Board, but are, as I have often stated, prepared for, and at the expense of, the Water Companies. The analyses on behalf of the Board are made by Professor Frankland, and the Board have full confidence in the results of his analysis. At present, the Board see no sufficient reason for obtaining control analyses. With regard to the supplementary examinations, the Board, some time since, arranged for samples of the water of the Metropolitan Companies being supplied to Dr. Angus Smith for examination, according to the method alluded to.

Mr. MITCHELL HENRY asked whether the attention of the Water Companies had been called to the desirability of supplying the water direct from the mains by taps, in the manner he recommended a few days ago?

Sir CHARLES W. DILKE, in reply, said, attention had been called to the point, and that was all he could say at present.

IRELAND—BOROUGH AND COUNTY VALUATION.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If the Local Government Board would have any difficulty in preparing a Return showing the number of tenements valued at £4 in Parliamentary boroughs in Ireland, distinguishing each borough; and also the number of holdings in each county in Ulster valued at £11 10*s*., or any intermediate sum up to, and excluding £12, distinguishing each county?

Mr. TREVELYAN, in reply, said, that the Local Government Board could prepare such a Return. In the case of the boroughs there would be no difficulty; but in the case of the counties there would be more trouble, and considerable time would be necessary. He did not think, in the latter case, that the Return would be presented this Session.

Mr. HEALY said, in that case, he would move for the Returns separately.

IRELAND—CLARE SLOB RECLAMATION WORKS.

Mr. BIGGAR asked the Financial Secretary to the Treasury, What amount of money the Board of Works in Ireland have advanced on the Clare Slob Reclamation works, and to whom; who is now constructing the works; if it is a fact that, up to the present time, it has not been found possible to close the bank so as to exclude the tidal overflow; and, if the Board of Works are under any obligation to make further advances on the successful completion of the reclamation bank?

Mr. COURTNEY: Sir, this work was at first undertaken by a Company, who contracted for its execution at a cost of £55,000, of which the Board of Works advanced £45,000 to the Company; but that sum proving to be quite inadequate, and the Company being unable to raise further funds, the Board and a gentleman who had lent money to the Company entered into possession as salvage creditors. A second contract was then made for £23,000, of which the Board advanced £15,000 to the contractor; but, owing to storms and unforeseen difficulties, this also proved inadequate, and a further sum of £12,000 was promised to be paid when the work was perfected. The original contractor is the person engaged in constructing the works, which are now far advanced, and which are expected to be, and should be, finished before next winter's storms. The total amount advanced by the Board has therefore been £60,000; and, in addition to that sum, there is £12,000 to be paid when the works are completed. It is believed that if a much larger sum were advanced than has been, the value of the reclaimed land will be quite sufficient to cover the advances made and promised.

NAVY—GREENWICH PENSIONS.

Captain PRICE asked the Secretary to the Admiralty, How many Seamen and Marines became eligible for the Greenwich Hospital Age Pensions under Orders in Council during the last twelve months, and how many of these have received them?

Sir THOMAS BRASSEY (for Mr. Campbell-Bannerman), in reply, said, that under the Order in Council of the 29th of June, 1878, the number of Greenwich age pensions was fixed at 7,500. The list was completed as vacancies occur. In the year ending March 31 last, 467 men had received pensions. At the same date 840 men had passed the qualifying age of 55 years; but many were ineligible for a pension which was regarded as a charity, because they were able to support themselves.

SCOTLAND—THE FORESHORE OF LEITH.

Dr. CAMERON (for Mr. Dick-Peddie) asked the President of the Board of Trade, Whether his attention has been drawn to the circumstance that the foul water from the irrigated meadows between Portobello and Leith is sometimes allowed, along a considerable extent of these meadows, to overflow on the foreshore, which is thereby rendered, at times, impassable; and, whether he will take steps to secure that the discharge from the meadows shall be confined to defined channels?

Mr. CHAMBERLAIN, in reply, said, that he had communicated with the owners of the meadows, but had not, as yet, received any answer.

ARREARS OF RENT (IRELAND) ACT, 1882—THE COLLECTOR GENERAL OF RATES, DUBLIN.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Government are considering the position of the Dublin Collector General from an administrative point of view, and apart from the legal question a Court may have to try, if their decision as to the retention of Mr. Byrne in office depends on whether the Land Commission feel themselves technically warranted in ordering a prosecution, or will it be determined by the usual considerations of public policy; and, can he state when he hopes to be able to announce the decision of the Lord Lieutenant as to the retention of Mr. Byrne in office, and that of the Law Officers of the Crown regarding the advisability of a prosecution?

Mr. TREVELYAN: Sir, the matter is receiving the most serious consideration, and I will state the decision at as early a date as I can. The question of the retention of Mr. Byrne in office will not depend upon any action which the Land Commission may see fit to take in the matter.

IRELAND—INFLAMMATORY SPEECHES —MR. WILLIAM JOHNSTON, INSPECTOR OF FISHERIES.

Mr. LABOUCHERE asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether Mr. William Johnston, Inspector of Fisheries, has made any reply to the remonstrances recently addressed to him on the subject of his recent speech, and how often similar remonstrances have been addressed to Mr. Johnston since his appointment; and, whether he has given any pledge to abstain from delivering similar speeches while he remains a servant of the Crown?

MR. TREVELYAN: Sir, Mr. Johnston has replied to the letter I wrote to him on the subject. So far as I have been able to ascertain, he was twice cautioned in 1879 by the Government then in Office, and reminded of his obligations as a permanent salaried officer of the Crown. I did not ask him to give any pledge; but cautioned him against the repetition of such conduct. I hope he will accept the warning; but if he does not he must take the consequences.

THE MAGISTRACY (IRELAND)—THE RECORDER OF DUBLIN.

MR. HEALY: I beg to ask Mr. Attorney General for Ireland, Whether it is the fact that, on 24th July, the Recorder of Dublin, at 1.15 P.M., adjourned his court to distribute the prizes at the Protestant Model Schools, although there are 900 cases listed at the present Sessions; whether upwards of thirty witnesses from Galway, Cork, Belfast, &c., have been attending court daily since 21st July; and whether all suitors are put to great inconvenience by such needless delays; whether it is a fact that the Recorder has, during the last two years, constantly adjourned court to attend "Prison Missions," Bazaars, &c., at the Christian Union Buildings; and, if anything can be done to prevent the loss and inconvenience entailed by adjournments entailed upon those attending court?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER): Sir, with reference to the inquiries on this Question, I have to state that the Recorder of Dublin was asked to preside at the distribution of prizes in the Marlborough Street Schools, which are the chief model schools of the Irish National Board, on Tuesday, the 24th instant, and, before receiving the Recorder's reply, the managers of the school announced in the papers that he would be the chairman. On Monday, the 23rd, he wrote to say that he could not promise to attend as chairman, but that he would be present for a short period, and try to address the meeting, if it would not cause any inconvenience to the suitors in his Court. On rising on Monday evening, one of the practitioners in his Court asked him if he proposed to adjourn earlier than usual on the following day, and the Recorder intimated that he only intended to adjourn for luncheon, from 1 to 3 o'clock, and that he would not adjourn at all if it would cause any inconvenience. On Tuesday, when adjourning for luncheon at 1.30, he asked all the practitioners present in the Court if it would cause them any inconvenience to adjourn till 3 o'clock. They unanimously intimated that it would not cause them the slightest inconvenience, and the Recorder thereupon left the Court at half-past 1 o'clock, reaching Marlborough Street at a quarter to 2. He returned to the Court at five minutes past 3, and stated that, lest his absence should disappoint anyone, he would sit on after the usual time of 5 o'clock, until as late as might be necessary. Accordingly, he did sit till between 5 and 6 o'clock, when every case listed had been disposed of. I am unable to state whether any witnesses were present from a distance; but I am assured that the Recorder took care that they should not suffer any inconvenience on his account.

SIR WALTER B. BARTTELOT: I rise to Order. I wish to ask you, Mr. Speaker, whether it is not usual, when Questions are passed by, that they should be taken at the end of the list?

MR. HEALY: I rise to Order, Mr. Speaker. I wish to know, Sir, if it is usual or customary, when a right hon. and learned Gentleman occupying a seat on the Treasury Bench is answering a Question, that he should be interrupted in this manner?

MR. SPEAKER: The ordinary course is to wait until the other Questions are got through. The right hon. and learned Gentleman, however, was not in his place when the hon. Member for Monaghan first rose and asked the Question; and it had been put again when the right hon. and learned Gentleman came in. I think it would be more convenient to wait.

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER): Perhaps the hon. and gallant Gentleman (Sir Walter B. Barttelot) will allow me to finish my answer. The hon. Member for Monaghan asks me whether, for the past two years, the Recorder constantly adjourned to attend bazaars and meetings of Prison Missions, and meetings in the Christian Union Buildings. The fact is, the Recorder has never attended a bazaar during the last two years, either at the Christian Union Buildings, or anywhere else. Within the past 12 months he has been twice in the Christian Union Buildings; but not during the sitting of the Court. He attended a meeting in the Christian Union Buildings this year. I do not know the precise date; but it was held at 8 o'clock in the evening, and he took the chair; and he also attended the annual meeting of the Prison Gate Mission, but that was in the evening, and he certainly never adjourned his Court for the purpose; so that the statement made is perfectly unfounded. His present practice is to sit until 6, 7, and even 8 o'clock in the evening, in order to finish the cases that are listed, so that people from a distance may not be put to inconvenience; and it is his custom, also, to appoint a special day for the hearing of such cases. I feel bound to say that Her Majesty's Government, in any Department of the Public Service, have no more faithful, zealous, and upright public servant than the Recorder of Dublin. He has devoted his life and energies to the discharge of his duties; and I cannot but think it hard that statements of this sort should be made without the strictest inquiry as to their truthfulness.

ARMY—MESS PLATE.

MR. TOTTENHAM asked the Secretary of State for War, Whether a Circular Letter was recently sent to all or any of the Officers Commanding Regiments in the United Kingdom, inquiring whether any, and, if so, what, steps had been taken by the Officers of their respective regiments to vest their mess plate and other property in trustees; and, if he can state what action, or intended action, on the part of the authorities at the War Office, has led the Officers of so many regiments to take this step in defence of their private property?

THE MARQUESS OF HARTINGTON: Sir, reports having reached His Royal Highness the Duke of Cambridge that some regiments had transferred their plate to trustees unconnected with the Army, a letter was written to the General Officer Commanding the Home District asking whether such was the case, and expressing His Royal Highness's opinion as to such a transaction. The General Officer Commanding the Home District made the inquiry of the regiments in his district, which is, I presume, the Circular Letter referred to. Two regiments have, I understand, taken this course; but I am not aware of any action, or intended action, on the part of the authorities which has prompted or could justify so irregular a proceeding.

MR. TOTTENHAM asked whether this course had only been pursued in the Home District, or whether the same Circular had been sent to other districts?

THE MARQUESS OF HARTINGTON, in reply, said, that he understood there was no Circular; and, as far as he was aware, no inquiry had been addressed to any but the Home District.

INDIA (BOMBAY)—THE CHOLERA.

MR. O'DONNELL asked the Under Secretary of State for India, Whether he is aware that the district season reports for the week ending the 15th of May show the prevalence of cholera in many parts of Bombay; whether his attention has been called to the fact that the "Bombay Gazette" of that date declares that the disease has assumed "serious dimensions in several parts of the Bombay Presidency," and that, though the number of officially reported deaths from cholera during the week was 714—

> "This does not represent the total mortality from the disease, as, in several cases, the presence of cholera is merely mentioned, without any particulars being given;"

whether, in the Hassick District, there has been 260 officially recorded deaths from cholera during the week ending the 15th May; whether, in the small town of Dhulia, there had been, during the same week, 181 recorded cases, and no less than 76 deaths; whether, in the small town of Coorla, in the neighbourhood of the city of Bombay, cholera had suddenly attacked 63 persons, of whom 38 died within a few hours or a couple of days; and, if special attention has been paid to this state of affairs among the Native population of Bombay?

MR. J. K. CROSS, in reply, said, the figures quoted in the Question were correct. As regards the other parts of the Question, he had informed the House yesterday that cholera was very prevalent in the Deccan Districts of Bombay, though the rest of the Presidency was unusually free from disease. The way in which the health Returns were prepared showed that, in comparison with the last 15 years, cholera, though severe, was not exceptionally virulent. He had received information that the cholera in the Deccan Districts, the serious nature of which there was no wish to underrate, was engaging the special attention of the Bombay Government.

EGYPT—THE CHOLERA.

Mr. O'DONNELL asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to the statement of the Cairo Correspondent of the "Daily News" today—

> "That he had been able to ascertain that, on July 24th, 1,200 deaths took place, whereas the official lists gave only 463;"

whether no deaths are officially reported from towns or villages under 2,000 inhabitants; and, if any steps can be taken to obtain correct returns of the mortality?

Lord EDMOND FITZMAURICE: Sir, my attention has been called to the statement referred to by the hon. Member, and I have already stated in the House that deaths no doubt take place which are unrecorded; but it is impossible, as I have already said, to test the accuracy of the statements which appear in the newspapers from day to day with regard to particular localities. The daily reports received are believed to include all deaths, wherever occurring, and there appears no means of obtaining any Returns more correct than those supplied by the competent Department of the Egyptian Government. The present is not a favourable opportunity for attempting to reform the Statistical Department of the Egyptian Government, which is responsible for these Returns. The subject of that Department is mentioned in the despatches presented to Parliament.

Mr. O'DONNELL asked if they were to understand that the deaths from cholera in Egypt might, in reality, be three times greater than the number given in the official records?

Lord EDMOND FITZMAURICE, in reply, said, he could not commit himself to any numercial statement of that kind. All he wished the House to understand was, that he did not wish them to believe that implicit faith was placed on every figure which was published.

POST OFFICE (IRELAND)—LETTER CARRIERS AND THE NEW PARCELS POST.

Mr. HEALY asked the Postmaster General, Are the rural letter carriers of Ireland, under the new parcel post system, to carry 33 pounds weight; and, if so, what increase of pay are they to get, and how much; how will he deal with rural letter carriers on circular routes who have from 14 to 16 miles to travel in single journeys, and may have to carry such weight to the end of their walk; what will become of parcels awaiting them at different places on their route; and, can arrangements be made that where vacancies occur in a post office, or extra hands are required, that rural letter carriers of over ten years' service shall get the preference?

Mr. FAWCETT: Sir, the importance of a letter carrier not being overburdened either with parcels or letters is fully recognized. As bearing on the question of fixing a maximum weight of 35 lbs., I may mention that the weight, including clothes, carried by a soldier, when in marching order, is now between 54 lbs. and 55 lbs. The pay of rural letter carriers is in all cases adjusted to the amount of work they have to perform. There is no rule excluding rural letter carriers from appointments as town letter carriers, and such appointments are not infrequently made; but the town letter carrierships are chiefly recruited from the telegraph messengers, and if it were not for this arrangement it would be difficult to find employment for the majority of the latter class.

Mr. HEALY: I would wish to ask the right hon. Gentleman, with regard to the question of parcels, how many days in the year soldiers have to carry 55 lbs?

Mr. FAWCETT: The difference, no doubt, is very considerable; but I may say that the maximum weight has been very carefully considered, and has been in operation for a very long time. At the same time, instructions have been given to the officials to see that the Parcels Post in no case interferes with the punctual delivery of letters.

CONTAGIOUS DISEASES ACTS (COMPULSORY EXAMINATION) — THE METROPOLITAN POLICE AT PLYMOUTH.

Captain PRICE asked the Secretary of State for the Home Department, Whether there is in Plymouth at the present moment a member of the Metropolitan Police appointed for the carrying out of the Contagious Diseases Acts; and, if so, whether he is under his control; whether this officer has received instructions not to carry out the provisions of an Act still in force; from whom did he receive those instructions; and, would it be within the power of the local authorities to order that officer to carry out the Law?

Sir WILLIAM HARCOURT, in reply, said, that, properly speaking, there was no member of the Metropolitan Police appointed to carry out the Contagious Diseases Acts in Plymouth. The only statutory authority for employing the Metropolitan Police outside of the Metropolitan District was the Act of 1860. That was an Act for the employment of the Metropolitan Police Force in Her Majesty's yards and military stations. The present position of the Metropolitan Police at Plymouth was governed, as he understood it, by the Act of 1869. At the request of the local authority an Inspector of the Metropolitan Police was allowed to render assistance so far as the voluntary submission of women was concerned; but not as regarded compulsory examination. Of course, if the local authorities desired it, the Metropolitan Police Officers would desist from that duty. In answer to the last part of the Question, he had to say that he conceived the Metropolitan Police at Plymouth were under the jurisdiction of the Secretary of State, and not of the local authority.

PARLIAMENT — BUSINESS OF THE HOUSE—COURT OF CRIMINAL APPEAL BILL.

Sir R. ASSHETON CROSS asked Mr. Attorney General, Whether he thinks that it is possible, at this period of the Session, adequately to discuss in Parliament, the Court of Criminal Appeal Bill?

Mr. HEALY said, that before the Question was answered, he would ask if it was competent for the right hon. Gentleman to put such a Question as this, which was asking for an opinion as to what would be done by the House?

Mr. SPEAKER, in reply, said, he saw nothing irregular in the Question of the right hon. Gentleman.

The ATTORNEY GENERAL (Sir Henry James) said, he could not conceive why they should not proceed with the Bill, which was fully discussed on the second reading, and which had been considered for many days in Committee, and by those lawyers who were not upon Circuit. He therefore hoped they should be able to take it without much discussion.

Sir R. ASSHETON CROSS said, it had been so altered in its progress through the Standing Committee that when it came on for Consideration, as amended, he should move that the Order be read and discharged.

SUEZ CANAL—CORRUPTNESS OF THE LOCAL ADMINISTRATION.

Mr. ASHMEAD-BARTLETT asked the President of the Board of Trade, Whether complaints have been made by British shipowners that the local administration of the Suez Canal is partial and corrupt; and, whether the Commanders of British ships are frequently compelled, under risk of serious interruption to their passage of the Canal, to give douceurs and bribes to the officials?

Mr. CHAMBERLAIN: Sir, I hope the House—I would almost venture to hope that the hon. Member, upon reflection—will feel that this is a Question which it is hardly generous—indeed, I may say, hardly even fair—to put on the Paper in its present form. The hon. Member makes, or rather insinuates, an accusation, which is the most serious and offensive that could possibly be brought against officials in responsible situations, and he does this without giving any particulars whatsoever. He does not indicate the names of the persons whom he desires to accuse, and does not specify the particular acts of which he accuses them. All I can say in answer to the Question is, that I have not myself received any official information bearing upon this matter, and I am informed by Sir Rivers Wilson that the British Directors of the Suez Canal have not received any complaints of the kind; but I am also requested to say that, if the hon. Member will put me in possession of any particular charges, which he thinks he can bring against any particular official, they shall be thoroughly sifted by the British Directors.

MR. ASHMEAD - BARTLETT: I would ask the right hon. Gentleman whether he has seen the report upon the demands — unfair demands — made on British ships passing through the Suez Canal, issued by the gentleman who has for many years been agent for the Peninsular and Oriental Company there; and I shall bring to his notice the report, if he has not seen it. It appeared in *The Times* some days ago.

SIR WILLIAM HARCOURT: You said "partial and corrupt."

MR. ASHMEAD - BARTLETT: I would ask the right hon. Gentleman if the demand of a bribe for the passage of a ship through the Canal is not corrupt?

SIR WILLIAM HARCOURT: If the hon. Member is prepared to bring evidence that such a bribe has been demanded, he ought to bring that evidence forward, and not insinuate it.

MR. ASHMEAD-BARTLETT: Mr. Speaker, I wish to explain that I asked the President of the Board of Trade whether complaints had been made to him of this practice, and that was a perfectly legitimate and usual Question. I have not yet understood the right hon. Gentleman to deny that no complaints have been made. Whether that be so or not, I will, at the earliest opportunity that may be afforded me, bring before the House the evidence on which I base this Question.

MR. CHAMBERLAIN: In order that there may be no misunderstanding upon the matter, I beg to state that I have denied most distinctly that any complaints have been brought before me. [MR. ASHMEAD - BARTLETT: You said official.] I have heard vague gossip very much in the nature of the Question of the hon. Member.

NEWFOUNDLAND FISHERIES—THE FORTUNE BAY DISPUTE—COMPENSATION.

SIR MICHAEL HICKS - BEACH asked the Financial Secretary to the Treasury, Whether he can explain why a Vote for £11,246, out of the sum of £15,000 paid by Her Majesty's Government to the United States in June 1881, as compensation for acts of violence committed by Newfoundland fishermen in Fortune Bay and other places, has been included in the Supplementary Estimates; whether the Under Secretary of State for the Colonies did not inform the House in October last that the Government of Newfoundland had agreed to propose a Vote to the Colonial Legislature for the amount so paid; and, on what ground it is proposed to impose on the taxpayers of the United Kingdom the payment of compensation for acts of this nature committed by the inhabitants of a self - governing Colony?

MR. COURTNEY: Sir, the right hon. Gentleman asks for explanation of a Vote about to be submitted in Committee of Supply. That is somewhat inconvenient, if not unprecedented, as the answer necessarily involves statements of facts and arguments, most of which are subjects of controversy. The state of the case, shortly, is this—The sum of £15,000 was settled in diplomatic communications between Her Majesty's Government and that of the United States. Of this amount, £150 was apportioned to Canada, and has been repaid, and the remainder was claimed from Newfoundland. The Governor, in compliance with the promise of my hon. Friend (Mr. Evelyn Ashley), duly brought the question of repayment before his Ministers on the meeting of the new Legislature this spring, but was advised by them that there was no hope of obtaining a Vote for the full amount, the inhabitants of Newfoundland having throughout strongly protested that they were not justly liable for any payment, and that the utmost he could hope to obtain was the sum of $17,300, being the value put by a local Judge upon the damages actually inflicted by the Newfoundlanders. Upon full consideration, Her Majesty's Government decided to accept that sum in discharge of their claim, and it has already been received here. As I have intimated, the people of Newfoundland have always disputed their liability, and it must be remembered that the amount paid was settled without consultation with their Government; and in reference to the last Question of the right hon. Baronet, I must remind him that we have practically no means of compelling payment by a self-governing Colony.

Sir MICHAEL HICKS-BEACH gave Notice that he should oppose the Vote when it was proposed in Committee of Supply.

Sir HENRY HOLLAND asked whether Papers would be laid on the Table, containing the Correspondence, before the Vote came on?

Mr. COURTNEY, in reply, said, if the hon. Member moved for them, he had no doubt they would be presented.

MERCHANT SHIPPING—THE ROYAL COMMISSION ON TONNAGE.

Sir JOHN JENKINS asked the President of the Board of Trade, Whether the Government is prepared to adopt the Report of the Royal Commission on Tonnage to put an end to the gross anomalies between the measurement and carrying capacity of steamships in the future?

Mr. CHAMBERLAIN: I have considered and highly appreciate the valuable Report of the Royal Commission on Tonnage; and I am inclined, speaking generally, to agree with the recommendations of the Commission. My hon. Friend (Sir John Jenkins) will see that pressure of other work has rendered it quite impossible to deal with the question during the present Session. I hope it may be possible next year to deal with the whole subject of the law affecting merchant shipping; and, if so, this matter of tonnage will be one of the points which will come up for consideration.

METROPOLIS WATER ACT, 1871—THE GRAND JUNCTION WATERWORKS COMPANY.

Mr. JUSTIN M'CARTHY (for Mr. T. P. O'Connor) asked the President of the Local Government Board, Whether his attention has been called to the notice recently issued by the Grand Junction Waterworks Company, requiring householders to put additional values, covers, guard hoses, &c., in their houses; and, whether those additions will not cause heavy outlay to the householders of the Metropolis, while, at the same time, preventing them from clearing out their cisterns or flushing the drains so easily as they can do under the present system?

Mr. GEORGE RUSSELL: Sir, the Board have obtained a copy of the notice which has been issued by the Grand Junction Waterworks Company. The Company, in view of a continuous water supply, have required that each supply-pipe shall have a screw-down stop-valve, and that the valve, if fixed underground, shall have a proper cover and guard box—not guard hose. These fittings are essential under a system of constant supply, which the Board desires to see adopted generally; and the requirements of the notice are in strict accordance with the regulations made under the Metropolis Water Act, 1871. The valve, &c., cannot, as it appears to the Board, in any way prevent the cleaning out of cisterns and the flushing of drains, and the expense of providing them is but small.

INDIA (MILITARY EXPENDITURE)—THE BRITISH COMMISSION AT SIMLA.

Sir WILFRID LAWSON asked the Under Secretary of State for India, If he would state the names of the British Commission which sat at Simla more than two years ago to consider the Military expenditure of India; whether it is true that the Report recommended the abolition of separate Staffs in the Bombay and Madras armies, and other large reductions in the Military expenditure; whether such Report has yet been published; and, if not, what has caused the delay in doing so; and, whether he has any objection to lay it upon the Table of the House?

Mr. J. K. CROSS, in reply, said, that the Simla Army Commission was composed of Sir Ashley Eden, Mr. Bernard, Sir Frederick Roberts, Sir Peter Lumsden, General Phayre, General O'Connor, Colonel Baker, Colonel Macgregor, and Major Newmarket. They recommended the abolition of the Commander-in-Chief in the Madras and Bombay districts, with their Staffs, and the substitution, for the present three Commanders-in-Chief in India, of one Commander-in-Chief and four Lieutenant Generals, each with a separate Staff, complete in all departments. That change would not cause any reduction of expenditure; but other changes recommended would have that result. Some of those changes had been carried out, as explained last year by the Secretary of State for War. The Report had not been published, because no final decision had been arrived at. He hoped to include a full account of this matter in his official Statement on the Indian Budget.

CONTAGIOUS DISEASES ACTS — THE COMPULSORY CLAUSES — ENFORCEMENT IN THE SEAPORTS.

LORD EUSTACE CECIL asked the First Lord of the Treasury, Whether, in view of the enforcement of the provisions of the Contagious Diseases Acts, and of the great increase of disease that has taken place in our seaport towns, as well as the abandonment by the Government of all legislation upon the subject this year, he can assure the House that, as far as lies in the power of the Government, police assistance shall be given, as heretofore, to enforce the Law; and that, pending future legislation, the health and efficiency of our Army and Navy shall not suffer by the departmental negligence of the Executive during the Recess?

CAPTAIN PRICE asked the Prime Minister, Whether he is not aware that it is not only the health and efficiency of the Army and Navy, but the morality of those towns which were heretofore protected, that is suffering to an alarming extent, owing to the withdrawal of the provision for compulsory examination; that, in fact, there are hundreds of young girls and women on the streets of those towns who dare not have carried on their immoral trade had the Acts been in force?

MR. GLADSTONE, in reply, said, he was aware that the restrictions of the Acts, whatever they were, operated upon the population of the places subject to the Acts as well as on the troops who might constitute the garrison of those places; but if the assertion which the hon. and gallant Member (Captain Price) conveyed in his Question were correct, it appeared to him (Mr. Gladstone) that it raised another question—as to whether the attention of the police had been properly directed to that state of facts, for they would have power to deal with such abuses as they arose. In answer to the noble Lord opposite (Lord Eustace Cecil), he had to say that he had consulted with his noble Friend the Secretary of State for War (the Marquess of Hartington); and he was of opinion, with his noble Friend, that the time which had elapsed since the Resolution against the compulsory provisions of the Act was adopted by the House did not disclose a state of things sufficient to warrant the Government in arriving at any positive conclusion, or in undertaking to announce any particular course of action. Comparing the increase which had taken place in subjected and non-subjected districts, the utmost effect which might be attributed to the suspension was that, of a strength of 40,000, there had been 27 additional admissions per week. Without further information as to the stations from which troops had lately come—Egypt, for instance—it was impossible to say how much disease was to be ascribed to the change which had been made. Some part of the increase, however, might be explained by the circumstances surrounding the removal of troops to different places. He would not, therefore, give an assurance that the same practice would have been adopted if the Resolution had not been passed. With respect to the last Question of the noble Lord, undoubtedly there would be no departmental negligence during the Recess on the part of the Executive.

LORD EUSTACE CECIL asked whether the Government would allow local authorities, upon application, to have the assistance of the Metropolitan Police?

MR. GLADSTONE asked that Notice might be given of the Question.

HARBOUR AT DOVER—CONVICT LABOUR.

MR. W. H. SMITH asked the Secretary of State for the Home Department, If he is in a position to lay upon the Table Plans and Estimates of the proposed Harbour at Dover to be carried out by convict labour, in a form to enable the House to form a judgment upon the scheme, before a Vote is taken for the Convict Prison to be built at Dover?

SIR WILLIAM HARCOURT, in reply, said, that Papers had already been supplied to the House, which gave the plans and estimates for the proposed harbour. What the Government proposed was, to build a prison by convict labour. That would take three years to complete, before the harbour works would be commenced; and, therefore, during that period there would be time for re-considering and carefully going over the plans and estimates for the harbour. He only mentioned that, because it must not be taken for granted that the plans and estimates were absolutely and finally conclusive.

Mr. W. H. SMITH asked what course the Government intended to pursue should the harbour be found almost impossible of construction at Dover?

Sir WILLIAM HARCOURT, in reply, said, that could not be taken for granted. Of course, the Government relied on their scientific advisers. As their advisers thought it to be possible, the Government had founded the plans on that advice.

SUEZ CANAL—PRIOR CLAIM TO EXCLUSIVE POWERS OF M. DE LESSEPS.

Mr. BOURKE asked the First Lord of the Treasury, Whether he will lay upon the Table the documents showing that, in 1872 (that is, when the right hon. Gentleman was at the head of the Government), a claim was made to a larger monopoly by M. de Lesseps than that lately claimed by him?

Mr. GLADSTONE, in reply, said, that the Paper to which he referred in the debate of the previous evening would be laid upon the Table. He wished, at the same time, to say that the claim of M. de Lesseps in 1872 did not arise out of any transaction between him and the British Government; nor was it a claim of which the Government had any official cognizance. It came to their knowledge as a matter of information merely, as regarded communications that were taking place in Egypt, and between M. de Lesseps and the Khedive.

Mr. BOURKE: Can the right hon. Gentleman state how it came to the knowledge of the Government?

Mr. GLADSTONE: The Papers will show that much better, I think, than I can.

LAW AND JUSTICE (IRELAND)—THE DUBLIN MURDERS TRIAL — THE ASSASSINATION OF CAREY, THE INFORMER.

Sir R. ASSHETON CROSS asked, Whether the accounts in the papers about the assassination of Carey, the informer, are true; and, whether he was at the time of his death under police protection; if not, when that protection ceased as far as he was concerned?

Sir WILLIAM HARCOURT: Sir, I will give the right hon. Gentleman all the information I possess. The Government have received no direct information themselves about this matter, nor could they have done so; but the agent of Messrs. Currie, the owners of the steam vessels plying to the Cape of Good Hope, communicated to me yesterday afternoon the following telegram:—

> "James Carey, Irish informer, shot dead on board the *Melrose*, 29th July, by passenger named O'Donnell."

That is all the information I possess on the subject. I have no knowledge of the protection afforded to Carey by the police, that being a matter for the Irish police.

Sir R. ASSHETON CROSS: Can the Chief Secretary for Ireland state anything on the subject?

Mr. TREVELYAN: Sir, I have no information upon the matter; but I will to-morrow see the gentleman who is responsible for the police, or hear from him fully; and I will see if the information is of a nature which I can communicate to the House.

PARLIAMENT—BUSINESS OF THE HOUSE—COURSE OF PUBLIC BUSINESS.

MINISTERIAL STATEMENT.

Sir MASSEY LOPES asked, Whether, in view of the numerous Notices of opposition to the National Debt Bill, that important measure will be brought forward at so late a period of the Session; if so, when?

Mr. GLADSTONE: Sir, the Government adhere to the intention which was explained by me on a former day, not very long ago, that, although this Bill is certainly an important Bill, and although it is true that several hon. Members have given Notice of their intention to oppose it, yet, in our view, the question raised in the Bill is a simple one. We do not look upon it as a Bill in relation to which it is likely that a great number of questions of detail will arise; and, therefore, conceiving it to be very closely connected with the efficiency and healthiness of, our financial system, we feel it our duty to take the judgment of the House upon it. I should hope that the Bill will be submitted for second reading on Tuesday next, placing it absolutely or substantially as the first Order. I may state that on Thursday we propose to proceed with Supply, taking the remaining English and Scotch Votes in Class II. and the Votes in Class III. on Law and Police; and likewise, if we can, taking the Scotch Education

Vote. We shall also propose to proceed with Supply on Monday and Thursday next week. We shall give sufficient Notice of the Votes then to be taken. To-night, we expect to dispose of the Report of the Agricultural Holdings (England) Bill, and of what remains to be done in Committee on the Scotch Bill. In that case, I come to deal with the Business for to-morrow (Wednesday). At present, that Business is menaced by the barrier of a discussion, which would undoubtedly be one of great importance, upon a Motion of the hon. Member for Banbury (Mr. B. Samuelson) in relation to a new Standing Order affecting rates on railways. That opens a subject so wide that it is quite evident that it will excite a lively interest on the part of the numerous Gentlemen in the House connected with the various railways of the country, and I own I think that, if it came to be launched, it would be impossible, in the limited number of hours assigned, to make practical progress, or to obtain a judgment of the House upon the Standing Order. Taking that fact into view, and likewise the urgency of proceeding with Legislative Business, I am disposed to make an appeal to my hon. Friend, and to express the hope that he will feel himself justified in not pressing that subject to-morrow, but in waiting for a more convenient season for bringing it under the consideration of the House. I would also make a similar appeal to the hon. Member for Preston opposite (Mr. Tomlinson), that he would likewise be inclined to combine with my hon. Friend in allowing the House to deal with Legislative Business. If that should be the case, and if the two Agricultural Holdings Bills pass their present stage to-night, my right hon. Friend the Secretary of State for the Home Department (Sir William Harcourt) will to-morrow proceed to submit, for second reading, the Local Government (Scotland) Bill, and take the judgment of the House on that subject. It will be followed, in case it should not occupy the whole day, by the Parliamentary Registration (Ireland) Bill.

SIR STAFFORD NORTHCOTE said, he hoped that the Prime Minister would invert the order announced yesterday, and take the Report on the Parliamentary Elections (Corrupt and Illegal Practices) Bill before the Report on the Bankruptcy Bill. It was important that the former measure should be proceeded with while the House was still full.

MR. GLADSTONE said, that the Government would consider the suggestion of the right hon. Gentleman to the best of their ability, and he would announce, on an early day, the conclusion at which they might arrive.

SIR R. ASSHETON CROSS said, he would remind the Prime Minister that the hon. and learned Attorney General had promised a great many Amendments on the Parliamentary Elections (Corrupt and Illegal Practices) Bill to meet the views of hon. Members in all parts of the House, and it was desirable that these should be considered while the attendance was full.

SIR JOHN HAY said, he wished to ask the Prime Minister, with reference to the Local Government (Scotland) Bill, whether, under no circumstances, it would be taken that night?

SIR WILLIAM HARCOURT said, he would ask the right hon. and gallant Gentleman not to assume that, supposing they were fortunate enough to dispose of the two Agricultural Holdings Bills in sufficient time that night, the Government should not take the Local Government (Scotland) Bill.

SIR JOHN HAY: After what hour will it not be taken?

SIR WILLIAM HARCOURT: Half-past 12 o'clock.

SIR H. DRUMMOND WOLFF asked, when it was intended to bring on the Vote for Major Baring's salary?

MR. GLADSTONE, in reply, said, he could not state absolutely now; but the Government had the matter in view for an early day.

MR. RAIKES asked, what Business would be taken on Friday; and, whether there was to be a Morning Sitting on that day?

MR. GLADSTONE, in reply, said, there were Votes relating to the Transvaal and to Egypt, which must have precedence of further Votes for the Army. He thought the time had come when the Government might ask the House for the whole of Friday, and, possibly, for Saturday Sittings; but he would refer to that matter again in a day or two, when it might be necessary to include Saturdays in their calculations. He was reluctant to include next Friday, simply on the ground that the first Notice on the Paper for that day was one impugning the conduct and policy of his noble Friend the Viceroy of India (the Marquess of Ripon), and he would not like to make any request to the House which would seem to imply, on the part of the Government, any unwillingness that a subject of that kind should come under the notice of the House.

Sir STAFFORD NORTHCOTE said, he would beg to remind the right hon. Gentleman that a strong protest was entered against Saturday Sittings, at the time when the House was asked to give greater facilities to the Government for the despatch of Business, and the right hon. Gentleman, recognizing the great inconvenience of such Sittings, intimated that there would come a time, with the end of the Session plainly in view, when it might be expedient to have Saturday Sittings, rather than add a few days to the length of the Session. He understood the right hon. Gentleman would not ask for Saturday Sittings until he was in a position to tell the House when he expected the Session would end. In the spirit of the understanding then come to, the right hon. Gentleman ought to tell the House now what was the earliest possible day when he expected the Session to close?

Mr. GLADSTONE said, he did not absolutely admit the perfect accuracy of the statement of the right hon. Gentleman; still, it was not very far from correct. It was quite true he was desirous to postpone, as long as possible, the date for making an application so disagreeable as that of Saturday Sittings. He had not, in fact, yet made the application. It was only what was said by the right hon. Gentleman (Mr. Raikes) that made him refer to the subject; but, when he did make the application, he would state all that appeared to him to bear on the case.

In reply to Mr. Pemberton,

Mr. B. SAMUELSON said, that after the appeal which had been made to him by the Prime Minister, he would not bring forward the Standing Order which stood in his name to-morrow; but he begged to give Notice that he would do so early next Session.

Mr. TOMLINSON said, that, under the circumstances, he would not to-morrow propose the Standing Order of which he had given Notice.

EGYPT—HEALTH OF THE TROOPS.

Lord EUSTACE CECIL asked the Secretary of State for War, If he can give the House any information as to the health of our troops in Egypt; and, whether the statement is true which appears in the newspapers, that one-seventh of the men attacked with cholera die from the disease?

The Marquess of HARTINGTON: Sir, with the leave of the House, I will read a short telegram I received, before coming down to the House, from the General commanding in Egypt. It is dated this day, and says—

> "The general health of the troops good. Type of cholera less virulent at Cairo. Cases under treatment more hopeful."

That is all I have received to-day. As I have before stated, all the figures and names are communicated to the newspapers as soon as they are received. A telegram, containing the nominal Return of deaths, arrived yesterday, after the meeting of the House, which appears in to-day's newspapers. I cannot answer off-hand; but I do not think the statement is accurate that one-seventh of the men attacked with cholera die from it.

PARLIAMENT—THE STANDING COMMITTEES.

Mr. WARTON asked the Prime Minister, Whether, and when, he intends to submit to the House the Resolution on the subject of devolution—that is to say, on the subject of Grand Committees?

Mr. GLADSTONE, in reply, said, he thought he had explained the intention of the Government with regard to the matter, at some length on a former occasion. What it was he would state very briefly—namely, that while this subject had in their eyes assumed an even increased importance from the experience of the present Session, they did not think the time or the circumstances convenient for making a proposal, and, consequently, they had decided to adjourn the consideration of the subject until next year.

LAW AND POLICE (IRELAND)—THE INFORMER WALSH.

Mr. HEALY asked Mr. Attorney General for Ireland, Whether the informer Walsh, of whom Baron Dowse remarked—

> "A worse specimen of humanity, if the word humanity could be applied to such a person, never in the whole course of my experience, which I am sorry to say is rather long, have I met with than this man Walsh. The jury should be careful before they believe the evidence of such a man,"

has been rewarded by the Crown; if so, out of what fund; on what portion of the Estimates will his remuneration become a charge; how much money he has been paid; whether he gave information before or after his arrest; and, if it is intended to employ him as a witness at any future trial?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER), in reply, said, he had already answered the first part of the Question. This man was arrested on the 7th of January, 1882, and discharged on the 27th February, 1882. It was not until the month of February, 1883, that he gave any information on the subject on which he was examined afterwards. He was in St. Helen's, Lancashire, at that time, and brought to Ireland; and, up to the present time, he was supported as any other witness would be; but he had received no money whatever in the nature of reward or otherwise. He (the Attorney General for Ireland) was not aware of any circumstances under which he would be examined in another case by the Crown, although he could not say that circumstances would not arise to render that necessary.

THE NATIONAL GALLERY—EXTENSION OF THE HOURS OF ADMISSION AND LIGHTING.

MR. DANIEL GRANT asked the honourable Member for Cumberland, as one of the Trustees of the National Gallery, Whether any steps have been taken so as to light the Gallery as to enable it to remain open to the public until ten o'clock at night every week-day throughout the year, in accordance with the requisition very numerously signed by Members of this House, and forwarded to the Trustees at the Session before last?

MR. GEORGE HOWARD, in reply, said, that the Trustees had not as yet taken any steps to meet his hon. Friend's demand. They were, however, anxiously considering the matter, and had made inquiries as to the safety and efficiency of electric lighting, and they were informed that, in both respects, improvements were likely to be made. They had, therefore, thought it advisable, as far as yet, not to take any steps on the matter; and he might say that they were anxious to avail themselves of any suggestions on the subject, so far as they did not involve any risk of injury to the pictures. They had observed what had been done in lighting the Museum at South Kensington. The last time he went there he found that the electric light had suddenly gone out in the Library. Any unfortunate confusion that might have resulted was prevented at South Kensington by the use of gas lamps; but that was a resource not open to the Trustees at the National Gallery. Gas would be very damaging to the pictures. Though the glazing of the pictures proceeded very steadily, it would be impossible to give a wholesale order for glazing, for the pictures required careful cleaning before they were glazed. If the Gallery was opened at night, it was feared, from the neighbourhood in which it was situated, that the rooms would be crowded by persons who did not go there for study. The case of South Kensington was not analagous, because that place was not near Leicester Square.

NATIONAL EDUCATION (IRELAND)—NATIONAL SCHOOL TEACHERS—GRATUITIES TO WIDOWS AND FAMILIES ON DECEASE.

MR. M. BROOKS (for Mr. BELLINGHAM) asked the Chief Secretary to the Lord Lieutenant for Ireland, If Her Majesty's Government will consider the expediency of making some provision by way of gratuity for the widows and children of such Irish National Teachers as have served under the Board for a long period, and have continued to discharge their duties up to death?

MR. TREVELYAN: Sir, I do not think I can hold out any prospect of such an arrangement; but it is a question rather for the consideration of the Treasury than of the Irish Government. At present, there is something like a fixed sum distributed among the teachers, upon which no additional charge could be imposed. Therefore, unless there was a balance from that sum, there could be no fund available for the gratuities referred to in the Question. Even, however, if there was a surplus, legislation would be required. It must be remembered that Irish National Schoolteachers are not in a different position in this respect from civil servants of the Crown.

POST OFFICE—THE PARCELS POST.

Mr. H. T. DAVENPORT asked the Postmaster General, Whether orders have been given to the Letter-carriers in some districts to provide themselves with a horse and cart, to enable them to carry parcels; and, if so, whether any money is to be found by the Government for the purchase of these vehicles?

Mr. FAWCETT: Sir, when it has been necessary to convert a walking into a mounted service, the practice has always been for the letter-carrier to provide the horse and cart, the Department making him a weekly allowance. That practice it is intended to continue when the parcels post is in operation. In those cases, and they very seldom occur, where it is found that a letter-carrier is unable or unwilling to provide a horse and cart, care is always taken to find him some employment elsewhere.

ORDERS OF THE DAY.

AGRICULTURAL HOLDINGS (ENGLAND) BILL.—[Bill 272.]

(*Mr. Dodson, Mr. Shaw Lefevre, Mr. Solicitor General.*)

FURTHER CONSIDERATION.

[SECOND NIGHT.]

Bill, as amended, *further considered.*

Clause 5 (Reservation as to existing and future contracts of tenancy).

Mr. STAVELEY HILL moved, as an Amendment, to leave out the clause, in order to substitute the following new clause:—

"Notwithstanding anything contained in the agreement for tenancy, or any other agreement subsisting between him and his landlord, a tenant may give notice, in the manner provided by this Act, of his intention to claim compensation under this Act, as though an agreement were subsisting between them, and thereupon all the Clauses contained herein as to compensation shall apply between such landlord and tenant, and all questions as to compensation shall be settled in manner provided by this Act, and the agreement for tenancy, or any other agreement existing between the landlord and tenant, shall, so far as any question in respect of compensation between such landlord and tenant is affected thereby, unless the tenant shall make his claim thereunder, to the exclusion of the mode of compensation contained in this Act, become and be wholly void and of no effect: Provided always, That where, under any of the provisions of any such subsisting agreement of tenancy, the landlord has made any payment or outlay, or has given to the tenant any other valuable consideration in respect of the said tenancy, and the tenant shall, notwithstanding such agreements, give notice for compensation under this Act, such landlord may give notice of counter-claim in respect of any such payment or outlay, or other valuable consideration, in the manner prescribed in this Act."

New Clause (Notice by tenant to claim compensation,)—(*Mr. Staveley Hill,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

Sir MICHAEL HICKS-BEACH said, he objected to the proposed clause, as being a distinct alteration of the Bill for the worse. The Bill proposed that it should rest with the Law Courts, if they chose, to set aside an agreement entered into between two parties; but what his hon. and learned Friend (Mr. Staveley Hill) proposed was to leave it open to one of the parties to set aside the agreement without the intervention of a Law Court at all. He (Sir Michael Hicks-Beach) was astonished at such a proposal coming from the hon. and learned Member, and hoped he would not press it to a Division. It would be most unfair to give one party to an agreement the option of setting it aside after he had taken advantage of its provisions.

Mr. DODSON said, that he had nothing to add to what had been so well expressed by his right hon. Friend (Sir Michael Hicks-Beach), further than to say that he could not support the clause, which would render all agreements between landlords and tenants so much waste paper. The clause, as proposed, would apply not only to agreements under Clause 5, but to present, past, and future agreements. The effect would be that no one would enter into an agreement at all, because either party would have the right to violate the agreement when he chose. He hoped the clause would be withdrawn.

Mr. J. W. BARCLAY considered the proposal a reasonable one. It was desirable that a landlord and tenant should be allowed to make a private agreement, as the landlord might give the tenant better terms than were proposed under the Bill. But, while that was provided by the clause, care was taken that the tenant under such an agreement should not have less compensation than was provided under the Bill. He could not see any hardship in the landlord and tenant having power to contract, so that the tenant should have the power to obtain compensation either under the Bill, or under his private agreement. Hon. Members, therefore, ought to accept the clause. It was an Amendment which he was sure was greatly desired, and would be welcomed by and meet with the approval of the majority of the tenant farmers of England as one that would do away with many causes of disputes and misunderstandings. For that reason, if his hon. and learned Friend went to a Division, he should support him.

MR. RYLANDS said, he thought the whole of Clause 5 was open to great objection, and he therefore hoped the hon. and learned Gentleman opposite (Mr. Staveley Hill) would take a Division on the question. There was an opinion outside the House, and one which would be strengthened by the course adopted in reference to the Amendment, that an understanding had been arrived at between the two Front Benches to defeat all Amendments, like the one under notice, which would tend to make the Bill a good one; and, in his opinion, the effect had been to prevent its being made as efficient as was desired by the country.

SIR ALEXANDER GORDON said, he was surprised and disappointed to find that when an improvement was suggested from the other side of the House it should receive so little consideration from the Government. He hoped the hon. and learned Member opposite (Mr. Staveley Hill) would go to a Division.

MR. STAVELEY HILL explained that it was the intention of his clause to apply to all agreements existing or in the future.

Question put.

The House *divided:*—Ayes 63; Noes 255: Majority 192.—(Div. List, No. 248.)

Clause 1 (General right of tenant to compensation).

On the Motion of Mr. DODSON, Amendment made, in page 1, line 9, before "Schedule," insert "First."

MR. J. W. BARCLAY, in moving, as an Amendment, to insert, in line 14, after "tenant," the words "entitled to the benefit of the improvement," said, he proposed it with the object of making the standard of valuation as clear as possible for the benefit of country valuators.

Amendment proposed, in page 1, line 14, after the word "tenant," to insert the words "entitled to the benefit of improvement."—(*Mr. J. W. Barclay.*)

Question proposed, "That those words be there inserted."

MR. DODSON said, he could not accept the Amendment, which he thought would make the clause less plain than it was, and would give rise to entanglements.

Question put, and *negatived.*

MR. DUCKHAM, in moving, as an Amendment, the omission, in page 1, line 14, of the following Provisoes which had been inserted at the suggestion of the hon. Member for Hertford (Mr. A. J. Balfour) and the right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach) when the Bill was in Committee:—namely,

> "Provided always, that in respect of those improvements for which the consent of the landlord is not required, the amount of compensation shall in no case exceed the amount of outlay incurred by the tenant: Provided also, that in estimating the value of any improvements in Part I of the schedule hereto, there shall not be taken into account anything that may be due to the inherent capabilities of the soil,"

said, the principle of the Bill was that the compensation should be measured by the value of the improvements to the incoming tenant, and he rose for the purpose of suggesting to the House that the Bill should be restored to the form in which it was introduced by the Government. During the passage of the Bill through Committee, two Amendments were carried, which, in his opinion, were extremely detrimental to the interests of the tenant farmers. The first of these Amendments, which limited the amount of compensation to the outlay of the tenant, was altogether contrary to the principle of the measure, and since it had been carried it had been condemned by numerous meetings of agriculturists and by the agricultural newspapers. Mr. Clare Sewell Read wrote last week that by far the most mischievous Amendment was that of the hon. Member for Hertford. [*Cries of* "Agreed!" *and* "Divide!"] He was sorry that hon. Gentlemen opposite who represented counties throughout England should be so impatient that they could not hear him give the opinions of such a practical farmer as Mr. Clare Sewell Read. He trusted the House would consider the propriety of eliminating these two prejudicial Amendments from the Bill.

Amendment proposed, in page 1, line 14, to leave out all the words after the word "tenant," to the end of Clause 1.—(*Mr. Duckham.*)

Question proposed, "That the words 'Provided always, That' stand part of the Bill."

MR. DODSON said, he would suggest that his question would be better discussed on an Amendment which stood in his (Mr. Dodson's) name on the Paper. He would, therefore, ask his hon. Friend the Member for Herefordshire (Mr. Duckham) to withdraw his Amendment in order to allow him (Mr. Dodson) to move his. He thought that would be the more convenient and more intelligible course, and by it an opportunity would be afforded to the hon. Gentleman of practically voting for his own proposal.

MR. DUCKHAM said, he could not do that, because the Amendment of the right hon. Gentleman would only make a bad matter worse. He felt so strongly on the subject that he would certainly go to a Division.

MR. SHAW LEFEVRE said, he would also appeal to his hon. Friend (Mr. Duckham) to withdraw the Amendment. He would point out to him that while he did so, he would still have an opportunity of supporting it by voting against the Amendment to be brought forward by his right hon. Friend (Mr. Dodson).

MR. DUCKHAM said, that being so, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

MR. DODSON, in moving the Amendment which stood in his name—namely, to leave out the words—

"In respect of those improvements for which the consent of the landlord is not required, the amount of such compensation shall in no case exceed the amount of outlay incurred by the tenant: Provided also, that in estimating the value of any improvements in Part I of the schedule hereto there shall not be taken into account anything that may be due to the inherent capabilities of the soil,"

and to insert the following words:—

"In estimating the value of any improvement in Parts 1 and 2 of the First Schedule thereto, there shall not be taken into account as part of the improvement made by the tenant, what is justly due to the inherent capabilities of the soil,"

said, the Government had accepted the Amendment of the right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach) as an excess of caution; for, while they did not consider it in any way necessary as explanatory of the meaning and intention of the clause, they had consented to adopt it as a further safeguard against the landlord being charged for improvements which the tenant had really not made. At the same time, they had kept themselves free to alter the phraseology, and he had told the right hon. Baronet that they should, if necessary, take the liberty of considering whether the words of his Amendment would admit of improvement. The Government considered the words of the right hon. Baronet too indefinite—they might be construed as indicating a bias against the tenant, and as directing the valuers, in case of doubt, to give the benefit of the doubt to the owner. Accordingly, the Amendment had been drawn up which he was now moving. They were in this clause only laying down the principle by which the valuers were to be guided, and were not laying down hard-and-fast rules. The words he now proposed were also necessarily rather vague; still, he thought they were more precise than those in the Bill, and, therefore, he moved their insertion. As to the words limiting the amount of compensation to be given to the tenant by the amount of his outlay, he should not delay the House by giving reasons for their omission, for it almost appeared to him that it was only necessary to state the proposition they involved in plain words, in order to make it apparent that it was not a fundamentally fair or just proposition. It practically said that if a tenant made improvements, though he might receive less, he was never to receive more than the amount of the outlay. That would exclude the skill shown by the tenant in executing the work wisely and successfully. There were many improvements that did not begin to yield a profit for a number of years, such as liming, the planting of orchards, the laying out of gardens, and the laying down of land in grass. If drains had been well laid, so that they would last a long time, the tenant might not derive benefit for three or four years; they might be as good when he left as on the day they were made; the price of labour and materials might have risen in the interval, and he was entitled to consideration for the increase in the value of the improvement he had made. The Amendment of the hon. Member for Hertford (Mr. A. J. Balfour), which provided that the compensation should not exceed the outlay of the tenant, had been voted for under a misapprehension, many hon. Members having left the House in the belief that the question it raised had been finally disposed of by the Division immediately preceding. Moreover, since then the Government had agreed to adopt that of the right hon. Baronet the Member for East Gloucestershire. The measure of value was, in the opinion of the Government, the only sound one. It was a right and true measure, and fair to all concerned. He moved the present Amendment, with the view of restoring the Bill as regarded value to the original principle on which it was based, and at the same time of accepting loyally the Amendment of the right hon. Baronet the Member for East Gloucestershire.

Amendment proposed,

In page 1, line 14, to leave out all the words after the word "that," to the end of Clause 1, in order to insert the words "in estimating the value of any improvement in Parts 1 and 2 of the First Schedule hereto, there shall not be taken into account as part of the improvement made by the tenant, what is justly due to the inherent capabilities of the soil." — (*Mr. Dodson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. A. J. BALFOUR said, that he did not wish to interfere as regarded the Amendment of his right hon. Friend the Member for East Gloucestershire (Sir Michael Hicks-Beach); but, as the Amendment which had just been moved practically contradicted one which he (Mr. A. J. Balfour) was successful in carrying in Committee, he wished to offer one or two observations upon it. It was not out of any particular love for his Amendment that he objected to the Government re-opening a question which had been discussed and decided in a large and fully attended Committee; but he would warn them that in doing so they were setting an example which they must not be surprised if they found it taken advantage of in other quarters, and used against themselves. The Amendment now proposed divided itself into two parts—the first omitted the words which he (Mr. A. J. Balfour) introduced into the Bill; and the second introduced a modification of the words suggested by the right hon. Baronet the Member for East Gloucestershire. As the right hon. Gentleman the Chancellor of the Duchy of Lancaster seemed to be of opinion that many hon. Members would not have voted for his (Mr. A. J. Balfour's) Amendment had they known that the right hon. Baronet's was subsequently to be introduced, he was constrained to say that, while he approved of it as far as it went, the latter did not, in his opinion, quite meet the situation. What were the inherent capabilities of the soil, and how were they to be defined? No doubt, the intentions of the Government and of the right hon. Baronet were excellent; but how would the clause, as they proposed to amend it, work in practice? For instance, a railway might be made in the neighbourhood of a farm. Would the increased value of the farm, in consequence of that improvement, go to the landlord or to the tenant? He believed that the Government would acknowledge that it should go to the landlord; but it could not do so, if the clause was amended in the manner proposed, as a railway was neither a tenant's improvement, nor could it be included among the inherent capabilities of the soil. That would show the weakness in the proposal of the Government in the Bill which he (Mr. A. J. Balfour) had wished to correct. The right hon. Gentleman opposite (Mr. Dodson) had not, he (Mr. A. J. thought, in dealing with the Amendment carried in Committee, fully grasped its meaning. The cases he mentioned were not touched by the Amendment, for he deliberately accepted precisely the improvements on which the right hon. Gentleman founded his objection. If the Amendment were carried out, the tenant would be able to get the full value of his outlay while he remained, and the whole of his capital when he left the farm. Was not that a just arrangement? If it were not, he could not understand how the Government could refrain from bringing in a Bill dealing with house property, where a tenant, who had increased the value of his house, would have to leave without getting sixpence by way of compensation. How grossly unjust, on the theory of the Government, must be a law which they had refused to inquire into. Then, with regard to the landlord, he let to the tenant a most delicate instrument of production, in the shape of the land, which, by unskilful handling, might be so misused as to be greatly injured; for instance, lime might be so used as to greatly destroy the fertility of the soil, and yet, under the Bill, the landlord would have no remedy at all. It would, therefore, be very unfair to him to compel him to part with all control over his land with regard to certain improvements, at the same time that the tenant was allowed to speculate upon them. The Bill was founded on the principle of valuation; valuers were a necessary instrument for carrying it out; but he thought that every practical agriculturist would agree with him that they were very imperfect instruments. In the Highlands of Scotland there had been a custom that the stock on a farm was handed over to the next tenant, or to the landlord, at a valuation; the valution was fair for the tenant, but it was 20 or 25 per cent higher for the landlord. There was danger that such a custom would arise here and of its becoming general. It it did, it would practically be a system of compensation for disturbance, and no landlord could take his land into his own hands without paying a heavy fine. Believing that that was not the desire of any one in the House, and that the tenant farmers would be the first to repudiate it, he should ask the House, recollecting what came sometimes from the germs of legislation, to resist this Amendment, and to abide by the Bill as it left the Committee.

Mr. SHAW LEFEVRE said, that with reference to the remark of the hon. Members opposite (Mr. A. J. Balfour), that the Government were re-opening this question on Report, after it had been settled in Committee, he (Mr. Shaw Lefevre) would remind him that his Amendment was carried only by the small majority of 8, and that, too, after a considerable number of hon. Members had left the House under the impression that no further Division on the point would take place. He thought, therefore, they were quite justified in re-opening it. The hon. Gentleman had also said that the Amendment now proposed would not give adequate protection to the landlords, and he went on to quote some hypothetical cases, which were always difficult to answer. The hon. Member asked, if a railway coming into a district added to the general value of the farm, whether that would be considered a tenant's improvement? He (Mr. Shaw Lefevre) should say not; but that was only his opinion. He presumed it was covered by the phrase "inherent capabilities of the soil." But even if such an improvement was not covered by those words, he should think a valuer, in assessing compensation for a tenant's improvements, would not be justified in reckoning such adventitious improvements. The fallacy which, he thought, underlay the whole argument and the Amendment of the hon. Member was this. He appeared to think that, under the principle of the Bill, the tenant would get the full value of his outlay in all cases; but he seemed to have forgotton that if, in consequence of the deterioration of the improvement, or from other causes, the value of the improvement was less at the time the tenant quitted his holding, the tenant would get less for that improvement. Their contention was, that when the reverse occurred—when, through the greater skill with which the improvement had been effected, or a rise in prices, its value was greater—the tenant ought to be entitled to enhanced compensation in proportion to his reduced compensation in the contrary case. The Amendment of the hon. Member for Hertford would come into effect rarely, for he would admit that the cases would be extremely rare in which the value of the improvements would increase; but whenever it did it, if this Amendment were left in the Bill, it was his confident belief that it would work such an amount of injustice and create such a sense of grievance and bitterness as would inevitably lead to demands for fresh legislation, which hon. Members opposite would do well to avoid. Mr. Clare Sewell Read, whom they were sorry not to see still in this House, particularly when they were discussing questions of this kind, spoke of the hon. Member's Amendment in this language—

> "The Amendment of Mr. Balfour is a most complete example of 'Heads I win, tails you lose' against the improving tenant. He may spend his money, and take the chance of losing it all, or the greater portion of it, if his expenditure has in any way failed; but if he has made a decided hit, than he never shall be paid more than his original outlay. The instances of an agricultural improvement in Clauses 2 and 3 being worth more than the prime cost are so exceedingly few that this niggardly precaution can only benefit about one owner in 100, whereas it will exasperate 99 tenants, who will chafe under a sense of injustice which they fancy may one day tell against them."

That was his (Mr. Shaw Lefevre's) own opinion, and he believed if the words were retained there would be further agitation. Under those circumstances, he hoped the House would not agree to the proposal of the hon. Member for Hertford.

LORD EDWARD CAVENDISH said, that if he had been aware, when he voted for the hon. Member for Hereford's (Mr. A. J. Balfour's) Amendment, that the question would have assumed its present shape, he, for one, would not have voted for it. He considered that they had two main objects in view in the principle of the Bill. One was, that the tenant should receive a full and perfect return for his outlay on any improvements he made; the other was to encourage both landlord and tenant to increase the interests of agriculture generally. The Amendment proposed by the right hon. Gentleman (Mr. Dodson) appeared to him to meet the necessities of the case, and he should consequently support it. He believed that, if it were agreed to, it would have the effect of stimulating them to lay out money upon agricultural improvements, and thus benefit the whole country. He thought both landlord and tenant ought to do all in their power to have this question decided now, so as to prevent its having to come before Parliament again.

MR. CHAPLIN said, he wished to point out that the Proviso of the right hon. Gentleman was limited to the First Schedule of the Bill, and that, if it were adopted, it would make the clause actually considerably worse than when it was first introduced. The proposal of the right hon. Gentleman was that in regard to all improvements under the First and Second Schedules, the improvements due to the inherent capabilities of the soil were not to be reckoned in calculating the compensation; but as no mention was made of the Third Schedule, the inference to be drawn was that, in regard to improvements made under that Schedule, improvements due to the inherent capabilities of the soil were to be considered in the tenant's favour. He hoped the House would adhere to the decision they had already come to in Committee, for the Amendment as now proposed was not just. Anyone conversant with practical matters of farming knew how the fertility of light soils might be improved without any outlay on the part of the tenant; and it was, therefore, neither just nor fair that he should have a right to a larger compensation than the actual sum he had expended.

MR. JAMES HOWARD supported the Amendment.

MR. DODSON said, he would point out that there were certain improvements which grew in value from year to year, and to limit the compensation to the actual outlay of the tenant in such a case would be a great injustice.

Question put.

The House *divided*: Ayes 76; Noes. 166: Majority 90.—(Div. List, No. 249.)

Question proposed,

> "That the words 'in estimating the value of any improvements in Parts 1 and 2 of the First Schedule hereto, there shall not be taken into account as part of the improvement made by the tenant what is justly due to the inherent capabilities of the soil' be there inserted."

SIR MICHAEL HICKS-BEACH said, he desired to propose an Amendment to the Proviso of the right hon. Gentleman. He would ask why Part III. of the Schedule was not included in the Proviso? Surely it was just as true of improvements under the 3rd Part, as of the 1st and 2nd, that the tenant had no right to what was due to the inherent capabilities of the soil. Of course, as the Bill stood, this Proviso had been applied only to one Part of the Schedule, for the simple reason that the other Parts were covered by the Amendment of the hon. Member for Hertford (Mr. A. J. Balfour). Unless this Proviso was applied to improvements of the third class as well as of the first and second, it was possible that a valuer, through ignorance, might attribute to the tenant, in estimating the unexhausted value of such improvements, something which really belonged to the owner of the soil. He was of opinion that the only guide which the valuers were to have under the Bill was the Proviso which the right hon. Gentleman had just proposed, and it seemed to him that Proviso ought to apply to all classes of improvements; and he would, therefore, move to amend the proposed Amendment by leaving out the words "Parts 1 and 2."

Amendment proposed to the said proposed Amendment, to leave out the words "Parts 1 and 2."—(*Sir Michael Hicks-Beach.*)

Question proposed, "That the words 'Parts 1 and 2' stand part of the proposed Amendment."

Mr. DODSON said, he could not appreciate the right hon. Gentleman's reason for blaming him (Mr. Dodson) for not including Part III. in his Amendment. One reason for not doing so was the example of the right hon. Baronet himself, who, in the first instance, proposed to confine it to Parts I. and II.

Sir MICHAEL HICKS-BEACH: No; I did not.

Mr. DODSON said, it was the case, unless his memory deceived him; and by referring to the debate the right hon. Gentleman would find it was so.

Sir MICHAEL HICKS-BEACH: Then I did not mean it.

Mr. DODSON said, another reason for leaving out Part III. was because the improvements mentioned in the 3rd Part of the Schedule were in the nature of superior acts of husbandry; they were not of the same character as the works contemplated in the other parts of the Schedule, and therefore it had not been deemed necessary that this Proviso should apply to them.

Mr. CHAPLIN said, it was now more necessary than ever that the Amendment of his right hon. Friend (Sir Michael Hicks-Beach) should be accepted. He would explain that when his right hon. Friend moved his Amendment, the Amendment of the hon. Member for Hertford (Mr. A. J. Balfour) had already been carried. He considered the right hon. Gentleman's (Mr. Dodson's) argument extraordinary and inconsistent. Because the improvements were matters of cultivation, it was no reason why the tenant should not have the value of them. For instance, on certain light soils turnips could not be grown without the application of artificial manure; but by spending £2 an acre on artificial manure the finest crop of turnips in the world might be produced. The cultivation of turnips was necessary to the four-course rotation, and it was impossible to say how much might depend upon the tenant's outlay upon artificial manure for the production of that crop. The whole value of the other crops might be affected by it. What was to prevent the valuer saying that he hardly knew how to value land artificially manured? He was exceedingly sorry that the House had reversed its opinion. When the Bill was first introduced the Government held the view that compensation should not exceed the outlay in the great majority of cases; but now—if he was to judge from the arguments of the Chancellor of the Duchy of Lancaster—the whole value of the improvements, however much they might exceed the expenditure, were to be claimed and awarded in every case. This, he thought, was a very serious matter indeed. It was a great question of principle. They might be told that no valuers would dream of awarding compensation of that nature; but he could not but remember that the same assurances that no evil results would follow were made when the Irish Land Act was passed. The Prime Minister himself, he believed, had then informed the House that no great reduction of rents would take place; but experience had shown the fallacy of relying on such assurances. He confessed he was afraid, if in future there were valuers of the character of the Irish Sub-Commissioners, that advantage would be taken of the loose wording of the clause, and compensation given to a degree infinitely greater than the Government had any idea of.

Mr. J. W. BARCLAY said, he thought the Amendment was much more objectionable in principle than it would be in practice. He thought that considerable difficulty arose as to what was precisely meant in the Bill by the word "improvement." So far as he could make out, it did not mean the making better of the holding, but something done or applied to the holding. Without that interpretation he did not think the clause was intelligible. In practice, in every case, the incoming tenant would always pay something less than the actual cost of the improvement, except in such cases as liming the land or permitting it to lie fallow. He thought that, except in some cases, the incoming tenant might be called on to pay the full value.

SIR WALTER B. BARTTELOT failed to see on what principle the right hon. Gentleman opposite (Mr. Dodson) had left out Part III. What was good in the case of the 1st and 2nd Parts of the Schedule was good in the case of the 3rd Part. The valuers would naturally conclude that the total value was to be charged against the landlord, if Part III. was excluded. He would urge on the right hon. Gentleman opposite (Mr. Dodson) to accept the Amendment.

MR. A. J. BALFOUR said, that there was a very strong feeling on the Opposition side of the House in favour of the words which had been proposed by the right hon. Gentleman the Member for East Gloucestershire (Sir Michael Hicks-Beach); and he hoped the Government, on further reflection, would see their way to assent to them. If they were accepted a feeling of great protection would be created. There was nothing in them inconsistent with the principles of the Government, and they would act as a check upon rash valuers.

SIR MICHAEL HICKS-BEACH said, he must explain that he had introduced his Amendment in order to prevent any misapprehension arising with respect to Part III. in consequence of the course Government had adopted in reference to Parts I. and II.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the Proviso had been originally proposed to be introduced to meet cases in which, by a very small expenditure, large results might be produced, owing to the inherent capabilities of the soil. In illustration of the nature of the improvements to be dealt with in the manner proposed, it was stated that the removal, for instance, of a hedge might bring a considerable piece of land into cultivation, and so produce considerable results. But Part III. of the Schedule dealt with matters which were not connected with such a class of cases; and, therefore, to introduce the Proviso into Part III., would only lead to confusion.

COLONEL KINGSCOTE said, he thought it was necessary to exclude Part III. He thought the valuers ought to be restricted to valuing for the outgoing tenant, and he wanted to protect both tenant and landlord from rash valuers. He, therefore, hoped the Government would see their way to accept the Amendment of the right hon. Baronet opposite (Sir Michael Hicks-Beach).

MR. GREGORY said, he thought that as it had been admitted by hon. Gentlemen who were really the representatives of the tenant farmers' interests that the Amendment could do no harm, and as it was a just Amendment, the Government might very well accept it.

MR. RYLANDS said, he was sorry the Government had ever adopted the Amendment of the right hon. Baronet opposite (Sir Michael Hicks-Beach) at all. The truth was, directly they introduced the question of the inherent capabilities of the soil, they introduced a subject of enormous difficulty. It was impossible to draw the line; and to put in this qualification would be simply to embarrass the valuer, and might lead him not to give the tenant fair and reasonable compensation.

SIR HENRY HOLLAND said, that the argument of the hon. Member for Burnley (Mr. Rylands) was not to the point now before the House. He had argued against the Amendment which had been adopted by the Government in Committee—namely, that the inherent capabilities of the soil must not be taken into consideration by the valuer in certain cases. The hon. Member had contented himself with arguing that such a limitation was impracticable, and would only lead to difficulty; but the Committee had agreed to adopt this test of the value of the improvements, and the only question before the House was whether that test should be applied to Part III. of the First Schedule or confined to Parts I. and II. He thought the argument of the hon. and gallant Member for West Gloucestershire (Colonel Kingscote) had been misunderstood. That hon. and gallant Member had argued that the whole Proviso was really unnecessary, as any valuer of sense and fairness must exclude tenant would be able to get the full value of his outlay while he remained, and the whole of his capital when he left the farm. Was not that a just arrangement? If it were not, he could not understand how the Government could refrain from bringing in a Bill dealing with house property, where a tenant, who had increased the value of his house, would have to leave without getting sixpence by way of compensation. How grossly unjust, on the theory of the Government, must be a law which they had refused to inquire into. Then, with regard to the landlord, he let to the tenant a most delicate instrument of production, in the shape of the land, which, by unskilful handling, might be so misused as to be greatly injured; for instance, lime might be so used as to greatly destroy the fertility of the soil, and yet, under the Bill, the landlord would have no remedy at all. It would, therefore, be very unfair to him to compel him to part with all control over his land with regard to certain improvements, at the same time that the tenant was allowed to speculate upon them. The Bill was founded on the principle of valuation; valuers were a necessary instrument for carrying it out; but he thought that every practical agriculturist would agree with him that they were very imperfect instruments. In the Highlands of Scotland there had been a custom that the stock on a farm was handed over to the next tenant, or to the landlord, at a valuation; the valution was fair for the tenant, but it was 20 or 25 per cent higher for the landlord. There was danger that such a custom would arise here and of its becoming general. It it did, it would practically be a system of compensation for disturbance, and no landlord could take his land into his own hands without paying a heavy fine. Believing that that was not the desire of any one in the House, and that the tenant farmers would be the first to repudiate it, he should ask the House, recollecting what came sometimes from the germs of legislation, to resist this Amendment, and to abide by the Bill as it left the Committee.

Mr. SHAW LEFEVRE said, that with reference to the remark of the hon. Members opposite (Mr. A. J. Balfour), that the Government were re-opening this question on Report, after it had been settled in Committee, he (Mr. Shaw Lefevre) would remind him that his Amendment was carried only by the small majority of 8, and that, too, after a considerable number of hon. Members had left the House under the impression that no further Division on the point would take place. He thought, therefore, they were quite justified in re-opening it. The hon. Gentleman had also said that the Amendment now proposed would not give adequate protection to the landlords, and he went on to quote some hypothetical cases, which were always difficult to answer. The hon. Member asked, if a railway coming into a district added to the general value of the farm, whether that would be considered a tenant's improvement? He (Mr. Shaw Lefevre) should say not; but that was only his opinion. He presumed it was covered by the phrase "inherent capabilities of the soil." But even if such an improvement was not covered by those words, he should think a valuer, in assessing compensation for a tenant's improvements, would not be justified in reckoning such adventitious improvements. The fallacy which, he thought, underlay the whole argument and the Amendment of the hon. Member was this. He appeared to think that, under the principle of the Bill, the tenant would get the full value of his outlay in all cases; but he seemed to have forgotton that if, in consequence of the deterioration of the improvement, or from other causes, the value of the improvement was less at the time the tenant quitted his holding, the tenant would get less for that improvement. Their contention was, that when the reverse occurred—when, through the greater skill with which the improvement had been effected, or a rise in prices, its value was greater—the tenant ought to be entitled to enhanced compensation in proportion to his reduced compensation in the contrary case. The Amendment of the hon. Member for Hertford would come into effect rarely, for he would admit that the cases would be extremely rare in which the value of the improvements would increase; but whenever it did it, if this Amendment were left in the Bill, it was his confident belief that it would work such an amount of injustice and create such a sense of grievance and bitterness as would inevitably lead to demands for fresh legislation, which hon. Members opposite would do well to avoid. Mr. Clare Sewell Read, whom they were sorry not to see still in this House, particularly when they were discussing questions of this kind, spoke of the hon. Member's Amendment in this language—

> "The Amendment of Mr. Balfour is a most complete example of 'Heads I win, tails you lose' against the improving tenant. He may spend his money, and take the chance of losing it all, or the greater portion of it, if his expenditure has in any way failed; but if he has made a decided hit, than he never shall be paid more than his original outlay. The instances of an agricultural improvement in Clauses 2 and 3 being worth more than the prime cost are so exceedingly few that this niggardly precaution can only benefit about one owner in 100, whereas it will exasperate 99 tenants, who will chafe under a sense of injustice which they fancy may one day tell against them."

That was his (Mr. Shaw Lefevre's) own opinion, and he believed if the words were retained there would be further agitation. Under those circumstances, he hoped the House would not agree to the proposal of the hon. Member for Hertford.

LORD EDWARD CAVENDISH said, that if he had been aware, when he voted for the hon. Member for Hereford's (Mr. A. J. Balfour's) Amendment, that the question would have assumed its present shape, he, for one, would not have voted for it. He considered that they had two main objects in view in the principle of the Bill. One was, that the tenant should receive a full and perfect return for his outlay on any improvements he made; the other was to encourage both landlord and tenant to increase the interests of agriculture generally. The Amendment proposed by the right hon. Gentleman (Mr. Dodson) appeared to him to meet the necessities of the case, and he should consequently support it. He believed that, if it were agreed to, it would have the effect of stimulating them to lay out money upon agricultural improvements, and thus benefit the whole country. He thought both landlord and tenant ought to do all in their power to have this question decided now, so as to prevent its having to come before Parliament again.

MR. CHAPLIN said, he wished to point out that the Proviso of the right hon. Gentleman was limited to the First Schedule of the Bill, and that, if it were adopted, it would make the clause actually considerably worse than when it was first introduced. The proposal of the right hon. Gentleman was that in regard to all improvements under the First and Second Schedules, the improvements due to the inherent capabilities of the soil were not to be reckoned in calculating the compensation; but as no mention was made of the Third Schedule, the inference to be drawn was that, in regard to improvements made under that Schedule, improvements due to the inherent capabilities of the soil were to be considered in the tenant's favour. He hoped the House would adhere to the decision they had already come to in Committee, for the Amendment as now proposed was not just. Anyone conversant with practical matters of farming knew how the fertility of light soils might be improved without any outlay on the part of the tenant; and it was, therefore, neither just nor fair that he should have a right to a larger compensation than the actual sum he had expended.

MR. JAMES HOWARD supported the Amendment.

MR. DODSON said, he would point out that there were certain improvements which grew in value from year to year, and to limit the compensation to the actual outlay of the tenant in such a case would be a great injustice.

Question put.

The House *divided*: Ayes 76; Noes. 166: Majority 90.—(Div. List, No. 249.)

Question proposed,

> "That the words 'in estimating the value of any improvements in Parts 1 and 2 of the First Schedule hereto, there shall not be taken into account as part of the improvement made by the tenant what is justly due to the inherent capabilities of the soil' be there inserted."

SIR MICHAEL HICKS-BEACH said, he desired to propose an Amendment to the Proviso of the right hon. Gentleman. He would ask why Part III. of the Schedule was not included in the Proviso? Surely it was just as true of improvements under the 3rd Part, as of the 1st and 2nd, that the tenant had no right to what was due to the inherent capabilities of the soil. Of course, as the Bill stood, this Proviso had been applied only to one Part of the Schedule, for the simple reason that the other Parts were covered by the Amendment of the hon. Member for Hertford (Mr. A. J. Balfour). Unless this Proviso was applied to improvements of the third class as well as of the first and second, it was possible that a valuer, through ignorance, might attribute to the tenant, in estimating the unexhausted value of such improvements, something which really belonged to the owner of the soil. He was of opinion that the only guide which the valuers were to have under the Bill was the Proviso which the right hon. Gentleman had just proposed, and it seemed to him that Proviso ought to apply to all classes of improvements; and he would, therefore, move to amend the proposed Amendment by leaving out the words "Parts 1 and 2."

Amendment proposed to the said proposed Amendment, to leave out the words "Parts 1 and 2."—(*Sir Michael Hicks-Beach.*)

Question proposed, "That the words 'Parts 1 and 2' stand part of the proposed Amendment."

Mr. DODSON said, he could not appreciate the right hon. Gentleman's reason for blaming him (Mr. Dodson) for not including Part III. in his Amendment. One reason for not doing so was the example of the right hon. Baronet himself, who, in the first instance, proposed to confine it to Parts I. and II.

Sir MICHAEL HICKS-BEACH: No; I did not.

Mr. DODSON said, it was the case, unless his memory deceived him; and by referring to the debate the right hon. Gentleman would find it was so.

Sir MICHAEL HICKS-BEACH: Then I did not mean it.

Mr. DODSON said, another reason for leaving out Part III. was because the improvements mentioned in the 3rd Part of the Schedule were in the nature of superior acts of husbandry; they were not of the same character as the works contemplated in the other parts of the Schedule, and therefore it had not been deemed necessary that this Proviso should apply to them.

Mr. CHAPLIN said, it was now more necessary than ever that the Amendment of his right hon. Friend (Sir Michael Hicks-Beach) should be accepted. He would explain that when his right hon. Friend moved his Amendment, the Amendment of the hon. Member for Hertford (Mr. A. J. Balfour) had already been carried. He considered the right hon. Gentleman's (Mr. Dodson's) argument extraordinary and inconsistent. Because the improvements were matters of cultivation, it was no reason why the tenant should not have the value of them. For instance, on certain light soils turnips could not be grown without the application of artificial manure; but by spending £2 an acre on artificial manure the finest crop of turnips in the world might be produced. The cultivation of turnips was necessary to the four-course rotation, and it was impossible to say how much might depend upon the tenant's outlay upon artificial manure for the production of that crop. The whole value of the other crops might be affected by it. What was to prevent the valuer saying that he hardly knew how to value land artificially manured? He was exceedingly sorry that the House had reversed its opinion. When the Bill was first introduced the Government held the view that compensation should not exceed the outlay in the great majority of cases; but now—if he was to judge from the arguments of the Chancellor of the Duchy of Lancaster—the whole value of the improvements, however much they might exceed the expenditure, were to be claimed and awarded in every case. This, he thought, was a very serious matter indeed. It was a great question of principle. They might be told that no valuers would dream of awarding compensation of that nature; but he could not but remember that the same assurances that no evil results would follow were made when the Irish Land Act was passed. The Prime Minister himself, he believed, had then informed the House that no great reduction of rents would take place; but experience had shown the fallacy of relying on such assurances. He confessed he was afraid, if in future there were valuers of the character of the Irish Sub-Commissioners, that advantage would be taken of the loose wording of the clause, and compensation given to a degree infinitely greater than the Government had any idea of.

Mr. J. W. BARCLAY said, he thought the Amendment was much more objectionable in principle than it would be in practice. He thought that considerable difficulty arose as to what was precisely meant in the Bill by the word "improvement." So far as he could make out, it did not mean the making better of the holding, but something done or applied to the holding. Without that interpretation he did not think the clause was intelligible. In practice, in every case, the incoming tenant would always pay something less than the actual cost of the improvement, except in such cases as liming the land or permitting it to lie fallow. He thought that, except in some cases, the incoming tenant might be called on to pay the full value.

SIR WALTER B. BARTTELOT failed to see on what principle the right hon. Gentleman opposite (Mr. Dodson) had left out Part III. What was good in the case of the 1st and 2nd Parts of the Schedule was good in the case of the 3rd Part. The valuers would naturally conclude that the total value was to be charged against the landlord, if Part III. was excluded. He would urge on the right hon. Gentleman opposite (Mr. Dodson) to accept the Amendment.

MR. A. J. BALFOUR said, that there was a very strong feeling on the Opposition side of the House in favour of the words which had been proposed by the right hon. Gentleman the Member for East Gloucestershire (Sir Michael Hicks-Beach); and he hoped the Government, on further reflection, would see their way to assent to them. If they were accepted a feeling of great protection would be created. There was nothing in them inconsistent with the principles of the Government, and they would act as a check upon rash valuers.

SIR MICHAEL HICKS-BEACH said, he must explain that he had introduced his Amendment in order to prevent any misapprehension arising with respect to Part III. in consequence of the course Government had adopted in reference to Parts I. and II.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, the Proviso had been originally proposed to be introduced to meet cases in which, by a very small expenditure, large results might be produced, owing to the inherent capabilities of the soil. In illustration of the nature of the improvements to be dealt with in the manner proposed, it was stated that the removal, for instance, of a hedge might bring a considerable piece of land into cultivation, and so produce considerable results. But Part III. of the Schedule dealt with matters which were not connected with such a class of cases; and, therefore, to introduce the Proviso into Part III., would only lead to confusion.

COLONEL KINGSCOTE said, he thought it was necessary to exclude Part III. He thought the valuers ought to be restricted to valuing for the outgoing tenant, and he wanted to protect both tenant and landlord from rash valuers. He, therefore, hoped the Government would see their way to accept the Amendment of the right hon. Baronet opposite (Sir Michael Hicks-Beach).

MR. GREGORY said, he thought that as it had been admitted by hon. Gentlemen who were really the representatives of the tenant farmers' interests that the Amendment could do no harm, and as it was a just Amendment, the Government might very well accept it.

MR. RYLANDS said, he was sorry the Government had ever adopted the Amendment of the right hon. Baronet opposite (Sir Michael Hicks-Beach) at all. The truth was, directly they introduced the question of the inherent capabilities of the soil, they introduced a subject of enormous difficulty. It was impossible to draw the line; and to put in this qualification would be simply to embarrass the valuer, and might lead him not to give the tenant fair and reasonable compensation.

SIR HENRY HOLLAND said, that the argument of the hon. Member for Burnley (Mr. Rylands) was not to the point now before the House. He had argued against the Amendment which had been adopted by the Government in Committee—namely, that the inherent capabilities of the soil must not be taken into consideration by the valuer in certain cases. The hon. Member had contented himself with arguing that such a limitation was impracticable, and would only lead to difficulty; but the Committee had agreed to adopt this test of the value of the improvements, and the only question before the House was whether that test should be applied to Part III. of the First Schedule or confined to Parts I. and II. He thought the argument of the hon. and gallant Member for West Gloucestershire (Colonel Kingscote) had been misunderstood. That hon. and gallant Member had argued that the whole Proviso was really unnecessary, as any valuer of sense and fairness must exclude the value which arose from the inherent capabilities of the soil; but he (Sir Henry Holland) understood him to admit that, if the Proviso was to be inserted with reference to Parts I. and II. of the Schedule, it ought to be extended to Part III. He (Sir Henry Holland) must say that it appeared to him that the cases under the three Parts of the Schedule were alike in substance, though not in degree, as in all the cases they had the raw material—that was, the soil and the added material, whether drainage or manure. It was essential, then, that all cases should be treated alike as regarded the manner of testing the value of the compensation. He was afraid that, unless the Amendment were adopted, a lay valuer would say—"Parliament has given me this test specially in Parts I. and II., but has excluded it in Part III.; I must, therefore, not consider the inherent capabilities of the soil when dealing with a case under Part III." That was not intended; but he feared it would be the practical result, and he could not understand why the Government should refuse the Amendment.

Mr. ALBERT GREY said, he could not help thinking that, unless the Amendment were accepted, the whole Proviso should be struck out of the Bill.

Sir THOMAS ACLAND said, that experience suggested that it was not advisable to lay down too tight a rule in these matters of manures and such things. The House must trust very much to the practice of farmers and the honesty of valuers, as well as to the progress of agricultural science, which had clearly developed this fact—that the value of artificial manures was chiefly pertinent to the crop which immediately followed, an opinion which was rapidly gaining ground amongst experienced men. He felt assured that anything the Government could do to secure honest valuers would be welcomed by landlords and farmers alike.

Mr. PELL said, he could not understand how the Government could refuse to extend the Proviso to the 3rd Part of the Schedule, for there were in that improvements which might give remarkable results, owing to the inherent capabilities of the soil. It was important, therefore, to impose some limitations upon valuers, with whose advertisements the papers would teem as soon as this Bill became law, for many persons were specially preparing themselves for this new occupation.

Mr. ECROYD said, he hoped the Government would accept the Amendment, as otherwise there would be great risk of wrong being done, the improvements included in the 3rd Part of the Schedule being precisely those which were most subject to variation in their effects, in consequence of differences in the quality of the soil, and in regard to which, therefore, a direction to valuers would be of special importance. It was also worthy of remark that in this particular class of operations there was the greatest danger of injustice being done to the incoming tenant, to whom, therefore, he hoped that the Government would give the safeguard provided by the Amendment.

Mr. FRANCIS FOLJAMBE said, that it was easy for Lincolnshire valuers, as they had precise instructions to guide them in valuing land, as between incoming and outgoing tenants. As an illustration of what might happen in the absence of instructions, he would mention an instance in which a tenant put three times as much manure on land as the crop could take up, and the valuer allowed for the full amount of its cost, instead of the manurial value.

Mr. M'LAGAN said, that liming, one of the improvements in the 3rd Part of the Schedule, acted both as a food to the plant and as a stimulant to the soil; but if lime were applied to some soils, the effect was so lasting and prejudicial that they could tell for years afterwards that the soil had been over-limed. If a valuer came down to make a valuation where lime had been beneficially used, he ought to take into account the effect lime had upon the inherent qualities of the soil; and if his attention was called by Act of Parliament to the fact that the inherent qualities of the soil should be taken into account for the 1st and 2nd Parts of the Schedule, but not for the 3rd Part, the valuer would not attempt to give all that was due to the inherent qualities of the soil. He, therefore, hoped the Government would improve the 1st Part of the Schedule as well as the 2nd and 3rd.

Viscount FOLKESTONE said, the question was one for incoming tenants rather than landlords. If the Amendment was not accepted, he could conceive cases in which, if not otherwise directed, the valuer might take into consideration the inherent value of the soil, and the incoming tenant would have to pay not only the cost of the improvement made by the outgoing tenant, but also for the inherent value of the soil, the latter being the very thing he would pay rent to the landlord for. He appealed to the Government to adopt the Amendment of the right hon. Baronet (Sir Michael Hicks-Beach), on the ground that it could not do any harm, and might possibly do a great deal of good.

Question put.

The House *divided*:—Ayes 90; Noes 31: Majority 59.—(Div. List, No. 250.)

MR. J. W. BARCLAY said, he objected strongly to so much of the Amendment of the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Dodson) as declared that "what is justly due to the inherent capabilities of the soil" should not be taken into account. If the words of the Amendment had the meaning they appeared to have, the consequences would be that the improving farmer would have no compensation whatever in respect to certain improvements mentioned in the Schedule. For instance, if he raised a crop without manuring the land, that crop would be justly due to the inherent capabilities of the soil, *plus* his labour; but, if he reclaimed land, it might be increased in value, and therefore he proposed to leave out the words he had quoted and insert in their place the words "the inherent value of the soil." If the Amendment was not accepted, he feared the tenants would be defrauded of their just rights.

Amendment proposed, to the said proposed Amendment,

To leave out the words "what is justly due to the inherent capabilities," and insert the words "the inherent value."—(*Mr. Barclay.*)

Question proposed, "That the words proposed to be left out stand part of the said proposed Amendment."

DR. FARQUHARSON supported the Amendment, which was a great improvement on the principle which the Government unfortunately accepted. As to the inherent capabilities of the soil, a farmer's business depended on the development of the inherent capabilities of the soil by his labour and outlay; and by this unfortunate Proviso, he might, under certain circumstances, be prevented getting any compensation for improvements he had effected, and to which he had a right.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, that the idea of the hon. Member for Forfarshire (Mr. J. W. Barclay) and that of the Government was the same. Both the hon. Member and the hon. Member for West Aberdeen (Dr. Farquharson) understood the effect of the words as they stood, and the only question between them and the Government was as to which set of words should be adhered to, seeing that both meant the same thing. He (the Solicitor General) thought the language of his right hon. Friend's (Mr. Dodson's) Amendment was best suited to the case. It must be remembered that this was a Proviso in an enactment which already said that the tenant must receive the value of the improvement he had made, and therefore the right of the tenant was secure. The Amendment only called the attention of the valuer to this—that he was to deal justly as between landlord and tenant, and not to give to the tenant what was justly due to the inherent capabilities of the soil.

Question put, and *agreed to.*

Question again proposed,

"That the words 'in estimating the value of any improvement in Parts 1 and 2 of the First Schedule hereto, there shall not be taken into account as part of the improvement made by the tenant what is justly due to the inherent capabilities of the soil' be there inserted."

MR. CHAPLIN said, he rose to oppose the Amendment of the right hon. Gentleman opposite (Mr. Dodson), who proposed the words in question as a concession to the views of those who represented the owners of land. He (Mr. Chaplin) believed, however, that their effect would be mischievous. As the valuer was directly instructed not to take into account, in the case of improvements under Parts I and II of the Schedule, what was justly due to the inherent capabilities of the soil, why should he do so in the case of improvements coming under Part III.? But that would be the effect of the right hon. Gentleman's Amendment.

MR. DUNDAS also believed that if the Amendment was not to apply to

Part III. as well as to Parts I. and II. of the Schedule, the Bill would be much better without it.

Mr. DODSON said, the Government had not thought these words necessary at all; but they had accepted them to satisfy those who feared that without them injustice would arise. Having accepted the Proviso, he felt bound to support it as it stood.

Colonel STANLEY said, he felt bound to bear testimony to the honourable way in which the right hon. Gentleman opposite (Mr. Dodson) had adhered to his agreement in this matter.

Sir ALEXANDER GORDON said, he was afraid that the Amendment would give rise to considerable litigation.

Question put.

The House *divided*:—Ayes 83; Noes 41: Majority 42.—(Div. List, No. 251.)

Clause, as amended, *agreed to.*

Clause 2 (Restriction as as to improvements before Act).

On the Motion of Mr. Dodson, the following Amendments made:—In page 1, line 26, before "Schedule," insert "First;" page 2, line 3, leave out "this," and insert "the said First;" and in line 4 leave out "the," and insert "this."

Clause, as amended, *agreed to.*

Clause 3 (Consent of landlord as to improvement in first part of schedule).

On the Motion of Mr. Dodson, the following Amendments made:—In page 2, line 16, before "Schedule," insert "First;" and in line 28, before "Schedule," insert "First."

Clause, as amended, *agreed to.*

Clause 4 (Notice to landlord as to improvement in second part of schedule).

Sir MICHAEL HICKS-BEACH, in moving, as an Amendment, to insert 6 per cent, instead of 5 per cent, as the amount to be charged by the landlord to the tenant for 25 years to repay capital and interest of money expended by the landlord in drainage, said, he did so in order to raise the question as to the rate at which interest was to be paid in such cases. As the clause stood, 3 per cent was the amount of interest to be charged. Now, no landlord could borrow money on mortgage at less than 4 per cent; and it was impossible to conceive anything more unjust than to require landlords to borrow money for drainage at that rate, and then forbid them to charge as much to the tenant who had compelled them to incur the expenditure.

Amendment proposed, in page 2, line 39, to leave out the word "five," in order to insert the word "six."—(*Sir Michael Hicks-Beach.*)

Question proposed, "That the word 'five' stand part of the Bill."

Mr. DODSON said, 3 per cent was as much as, or more than, landlords made on the purchase of land, and 5 per cent was a common and fair rate to charge for drainage. Besides, it ought to be remembered that no limit was put upon the time for which this interest might be charged. The point had been discussed very fully the other night in Committee, and the reasons which had induced the Government to adopt 5 per cent as the rate of interest had then been fully explained. He had agreed to an alternative Amendment, to enable the owner to recover his principal and interest in 25 years, at the rate of 3 per cent. He thought that was really a liberal proposition as regarded the owner. The tenant had nothing to do with the landlord's credit, or the terms upon which he could obtain money.

Mr. A. J. BALFOUR said, the right hon. Gentleman opposite (Mr. Dodson) had made one of the most extraordinary speeches he (Mr. A. J. Balfour) had ever heard. He protested against the idea that, because a landlord was willing to purchase land, on which he would only get 3 per cent of a return, he should therefore be compelled to make improvements at the same rate, whenever his tenant might require him to do so. Was it fair that a tenant should be able to compel a landlord to lend him money at 3 per cent, whereas the landlord could only borrow at 4?

Mr. J. W. BARCLAY said, it was unfair that the tenant should pay for the improvement at all. The proposal that the tenant should pay 5 per cent of the money was a fair one, and he hoped that would be adhered to. With regard, however, to the other proposal, that the tenant should pay off the cost in 25 years at the rate of 3 per cent, that was really causing him to bear the whole cost of the permanent improvement, both capital and interest, of which the landlord would reap the benefit for whatever length of time the drainage works might last beyond that period, and during which he would get a higher rent from the succeeding tenant in consequence.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 2, line 40, after the word "improvement," to insert the words "or not exceeding such annual sum payable for a period of twenty-five years as will repay such outlay with interest at the rate of three per centum per annum in the said period."—(*Mr. Dodson.*)

Question proposed, "That those words be there inserted."

MR. A. J. BALFOUR (for Mr. DONALDSON-HUDSON), in rising to move, as an Amendment to Mr. Dodson's proposed Amendment, to leave out all the words after "rate," and to insert—

"Per centum per annum at which the money can be borrowed from the Government or a Land Improvement Company in the said period,"

said, his hon. Friend's Amendment was of a very simple character. It amounted to this—that the landlord should not be compelled to lend his money at a lower rate than that at which he could borrow it. It appeared to him that the proposal was perfectly obvious and fair.

Amendment proposed to the said proposed Amendment,

To leave out all the words after the word "rate," and insert the words "per centum per annum at which the money can be borrowed from the Government or a Land Improvement Company in the said period,"—(*Mr. Arthur Balfour,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

MR. DODSON said, he could not accept the Amendment, on the ground that it would be exceedingly unfair to the tenant.

MR. DUCKHAM said, he thought the Bill would be far better without the Amendment just proposed.

Question put, and *agreed to.*

Original words *inserted.*

Amendment proposed,

At the end of the last Amendment, to insert the words,—"As an addition to and to be payable and recoverable at the same time and by the same means respectively as the rent of such holding."—(*Mr. Gregory.*)

Question, "That those words be there inserted," put, and *negatived.*

SIR THOMAS ACLAND said, he thought it unwise to insert in the Bill provisions as to matters that could be settled by private arrangement.

MR. DODSON said, that, in his opinion, the Amendment was of no great importance one way or the other; but he thought it was desirable that it should not be inserted in the clause.

Question put, and *negatived.*

Clause, as amended, *agreed to.*

Clause 5 (Reservation as to existing and future contracts of tenancy).

On the Motion of Mr. DODSON, the following Amendments made:—In page 3, line 12, before "Schedule," insert "First;" and in line 20, before "Schedule," insert "First."

MR. DUNDAS, in moving, as an Amendment, to add to the concluding sub-section of the clause which substituted "fair and reasonable" compensation, secured by an agreement for compensation under the Act, words to the effect that such particular agreement should only be set aside on the ground that the compensation therein provided—

"Was not fair and reasonable under the circumstances and conditions which existed at the time when such agreement was made,"

said, he thought that would make it clear that the referee should look only to what was in the mind of the landlord and tenant at the time they made the agreement.

Amendment proposed,

In page 3, line 25, to insert, at the end thereof, the words "For the purposes of compensation such particular agreement shall only be set aside on the ground that the compensation therein provided was not fair and reasonable under the circumstances and conditions which existed at the time when such an agreement was made."—(*Mr. Dundas.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he did not think the Amendment necessary, for the clause, as it stood, really accomplished what the hon. Member (Mr. Dundas) desired. He further objected to the words, because they would exclude any mode of impeaching the agreement except the particular mode limited by the word "only." Even if the Amendment were accepted it could not be accepted in the proposed form.

Mr. A. J. BALFOUR said, he thought, if the Amendment was not accepted as it stood, other words embodying the intention of it should be inserted, for it was decidedly necessary that the object it aimed at should be secured in some way or other. The Bill was intended to direct valuers, and not lawyers, and would be interpreted by them, and its ambiguity ought, therefore, to be minimized to the greatest possible extent.

Sir MICHAEL HICKS-BEACH said, he hoped that before the Bill became law something of the kind to carry out the intention of the hon. Member (Mr. Dundas) would be adopted, otherwise he was afraid the Bill would lead to ligitation amongst landlords and tenants.

Mr. ALBERT GREY joined in the appeal. He said landlords would hesitate to make leases, if they knew that agreements, fair and reasonable at the time of making, might be upset by an out-sider at some future date.

Sir EDWARD COLEBROOKE said, that, if the Government agreed with the principle of the Amendment, he would suggest that the words be accepted as an interpretation of what was fair and reasonable.

Mr. DODSON said, he was very shy of inserting merely precautionary words in the clause, through a fear that their effect might go beyond what was intended. The Government would, however, consider the point, and endeavour to devise some words to meet the apprehensions of hon. Members.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 3, line 25, to add, at the end thereof, the words "Either party to any such particular agreement may demand a reference under the provisions of this Act, and the referees so appointed shall have power to determine whether such particular agreement has secured to the tenant fair and reasonable compensation for any improvement made in the third part of the Schedule hereto; and, should the referees find that the compensation provided by the agreement is not fair and reasonable, compensation in respect of such improvement shall not in that case be payable in pursuance of such agreement, but under the provisions of this Act."—(*Mr. James Howard.*)

Question proposed, "That those words be there inserted."

The Solicitor General

Amendment proposed to the said proposed Amendment, after the word "may," to insert the words "before the execution of such agreement."—(*Sir Michael Hicks-Beach.*)

Question proposed, "That those words be inserted in the said proposed Amendment."

Mr. DODSON said, he hoped that the hon. Member for Bedfordshire (Mr. James Howard) was not so simple a bird as to walk into the trap prepared for him by the right hon. Gentleman opposite (Sir Michael Hicks-Beach). In nine cases out of ten questions arising under the Act would be settled by arbitration; but it was desirable to give the power of appealing to a Court of Law.

Question put, and *negatived.*

Question again proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 9 (Appointment of referee or referees and umpire).

Sir JOSEPH PEASE, in moving, as an Amendment, to insert words in the clause, providing that, if the parties did not concur to appoint a single referee, either party might give notice in writing that a single referee should be appointed by the County Court where the claim was for less than £50, or by the Land Commissioners, where the claim exceeded that amount, said, he feared the tendency of the Bill would be to raise up a class of referees and valuers who would generally be unsuccessful farmers, and who would endeavour to live by fomenting disputes between landlords and tenants, and he did not want to encourage the growth of such a crop under this Bill.

Amendment proposed,

In page 4, line 37, after the word "jointly," to insert the words "If the parties do not concur to appoint a single referee, either party may give notice to the other party in writing that a single referee shall be appointed by the County Court where the claim for compensation shall not exceed fifty pounds, or by the Land Commissioners for England and Wales when the claim exceeds that amount, then the single referee and any successor to him shall be appointed on the application of either party by the said Court or Commissioners, as the case may be."—(*Sir Joseph Pease.*)

Question proposed, "That those words be there inserted."

MR. WAUGH opposed the Amendment on the ground that it would really increase the cost and the litigation.

SIR MICHAEL HICKS-BEACH said, he hoped there would be no change made in the Bill, which would in any way interfere with the appointment of an umpire by the Land Commissioners. It would be better to adhere to the Bill as it stood in that respect, for he considered it a most valuable part of the measure.

SIR THOMAS ACLAND said, he was persuaded that the farmers would view the Amendment with dissatisfaction.

Amendment, by leave, *withdrawn.*

MR. PUGH proposed, as an Amendment, to leave out certain words, so that the clause should provide that in case one of the parties, having received notice, failed to appoint a referee, the party giving the notice should be able to appoint a single referee.

Amendment proposed, in page 5, line 11, to leave out the words "on the application of."—(*Mr. Pugh.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. DODSON opposed the Amendment.

MR. GREGORY said, he would point out that the party giving notice would, by the present proposal, be rendered complete master of the situation, and able to appoint his own partizan.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 10 (Requisition for appointment of umpire by Inclosure Commissioners, &c.).

Amendment proposed, in page 5, line 33, to leave out Sub-section (2).—(*Mr. Pugh.*)

Question proposed, "That Sub-section (2) stand part of the Bill."

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 13 (Power for referee, &c. to require production of documents, administer oaths, &c.).

Amendment proposed, in page 6, line 14, to leave out the word "sworn," in order to insert the word "swearing."—(*Mr. Warton.*)

Question proposed, "That the word 'sworn' stand part of the Bill."

Amendment, by leave, *withdrawn.*

Clause 18 (Award to give particulars).

COLONEL KINGSCOTE (for Mr. HENEAGE) proposed, as an Amendment, to omit the words "so far as reasonably may be." He maintained that the retention of these words would completely nullify the object of the clause. It was proper that the valuers should receive distinct instructions under the Bill as to what they were to do.

Amendment proposed, in page 7, line 4, to leave out the words "so far as reasonably may be."—(*Colonel Kingscote.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR MICHAEL HICKS-BEACH supported the Amendment.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, that the Government intended what was proposed by the Amendment to be carried out as far as possible; but it would be inadvisable to attempt to make it absolutely compulsory on the umpire to specify the details of his award.

MR. CHAPLIN said, he would suggest that the words "so far as possible" should be substituted.

VISCOUNT LYMINGTON supported the Amendment. It was reasonable that the tenants should understand the principles upon which valuers acted. Nothing would cause more dissatisfaction to both parties than arbitrary decisions, without full specification of their reasons, on the part of the valuers.

MR. DODSON said, he thought the difficulty would be got over by omitting the words "so far as reasonable," and inserting the words "so far as possible."

MR. J. W. BARCLAY said, he trusted the Government would stand by the words as they appeared in the Bill.

SIR WALTER B. BARTTELOT said, he thought it would be undesirable to leave a loophole to the valuers. The suggestion of the Government was reasonable.

Mr. DUCKHAM said, he hoped the Government would leave the words as they were.

Amendment, by leave, *withdrawn.*

On the Motion of Mr. Dodson, Amendment made, in page 7, line 4, by leaving out the words "so far as reasonably may be," and inserting the words "so far as possible."

Mr. PUGH moved an Amendment, as an addition to Sub-section "*a*," that the award should specify the several matters and things taken into account in the reduction of such compensation.

Amendment proposed, in page 7, line 6, after "awarded," insert "and the several matters and things taken into account in reduction of such compensation."—(*Mr. Pugh.*)

Question proposed, "That those words be there inserted."

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he thought the Amendment quite desirable in the interest of both landlord and tenant; and the Government would accept it as an improvement on the Bill.

Amendment *agreed to*; words inserted accordingly.

On the Motion of Mr. Solicitor General, said Amendment *amended*, by inserting, after the word "account," the words "under the provisions of this Act."

Clause, as amended, *agreed to.*

Clause 19 (Costs of reference).

Amendment proposed, in page 7, line 16, to leave out the word "The," in order to insert the word "No."—(*Mr. Pugh.*)

Question proposed, "That the word 'the' stand part of the Bill."

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 22 (Appeal to County Court).

Amendment proposed, in page 7, line 36, to leave out the word "claimed," in order to insert the word "awarded."—(*Mr. J. W. Barclay.*)

Question, "That the word 'claimed' stand part of the Bill," put, and *agreed to.*

Clause *agreed to.*

Clause 28 (Power for landlord on paying compensation to obtain charge).

Sir MICHAEL HICKS-BEACH said, that, in order to make the Bill work fairly, the landlord should be empowered to charge a holding with the expenditure which he might incur under the Bill in executing drainage when required to do so by the tenant. He begged to move an Amendment to that effect. There was ample provision made in the Bill, under which it would be impossible for a landlord to charge the holding improperly with any such expenditure; and he hoped the right hon. Gentleman opposite (Mr. Dodson) might see his way to accept the proposal.

Amendment proposed,

In page 9, line 20, after "Act," insert "or on expending such amount as may be necessary to execute an improvement under the Second Part of the First Schedule hereto, after notice given by the tenant of his intention to execute such improvement in accordance with section four of this Act."—(*Sir Michael Hicks-Beach.*)

Question proposed, "That those words be there inserted."

Mr. DODSON said, he thought the proposal a very fair one, and he had no objection to offer to it.

Question put, and *agreed to*; words *inserted* accordingly.

On the Motion of Sir Michael Hicks-Beach, the following Amendments made:—In page 9, line 22, after "paid," insert "or expended;" in line 23, after "payment," insert "or expenditure;" and in line 26, after "paid," insert "or expended."

Clause, as amended, *agreed to.*

Clause 33 (Application of Act to Crown lands).

On the Motion of Mr. Dodson, Amendments made, in page 11, line 31, before "Schedule," insert "First;" and in line 38, before "Schedule," insert "First."

Clause, as amended, *agreed to.*

Clause 34 (Application of Act to land of Duchy of Lancaster).

On the Motion of Mr. Dodson, Amendments made, in page 7, line 12, before "Schedule," insert "First;" in line 16, before "Schedule," insert "First;" and in line 30, before "Schedule," insert "First."

Clause, as amended, *agreed to.*

Clause 39 (Resumption of possession for cottages, &c.).

On the Motion of Mr. BOLTON, Amendment made, in page 14, line 1, by inserting, after the word "road," the word "railway."

Clause, as amended, *agreed to.*

Clause 41 (Limitation of distress in respect of amount and time).

MR. CHAPLIN said, he had an Amendment to propose to the clause, in page 14, to add at the end—

> "Except in the case of arrears of rent existing at the time of the passing of this Act, which shall be recoverable by distress up to the first day of January, one thousand eight hundred and eighty-five."

The right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Dodson), however, had an Amendment on the Paper previous to this, which, if agreed to, would render it inappropriate. The right hon. Gentleman's Amendment was to add, at the end of the clause, this Proviso:—

> "Provided, That where it appears that according to the ordinary course of dealing between the landlord and tenant of a holding, the payment of the rent of such holding has been allowed to be deferred until the expiration of a quarter of a year or half a year after the date at which such rent legally became due, then for the purpose of this section the rent of such holding shall be deemed to have become due at the expiration of such quarter or half year as aforesaid, as the case may be, and not at the date at which it legally became due."

He (Mr. Chaplin) wished to know whether it would not be competent for him to move his Amendment first?

MR. DODSON said, the hon. Member's Amendment might be taken first; but he (Mr. Dodson) had two alterations to propose in it. One, which was more or less a question of drafting, was, after the word "rent," to add the words "in respect of a holding to which this Act applies;" and the other, which was a material alteration, was to add at the end, after the word "five," the words "to the same extent as if this Act had not been passed." If these latter words were not adopted, the Amendment would enable a landlord to recover more than six years' rent.

MR. CHAPLIN said, he would not move his Amendment if the right hon. Gentleman opposite (Mr. Dodson) would bring it forward in the amended form he proposed.

Amendment proposed,

> In page 14, at the end of Clause, add "except in the case of arrears of rent, in respect of a holding to which this Act applies, existing at the time of the passing of this Act, which shall be recoverable by distress up to the first day of January, one thousand eight hundred and eighty-five, to the same extent as if this Act had not been passed."—(*Mr. Dodson.*)

Question, "That those words be there added," put, and *agreed to.*

Amendment proposed,

> In page 14, at end of Clause, insert—"Provided, That where it appears that according to the ordinary course of dealing between the landlord and tenant of a holding, the payment of the rent of such holding has been allowed to be deferred until the expiration of a quarter of a year or half a year after the date at which such rent legally became due, then for the purpose of this section the rent of such holding shall be deemed to have become due at the expiration of such quarter or half year as aforesaid, as the case may be, and not at the date at which it legally became due."—(*Mr. Dodson.*)

Question proposed, "That those words be there inserted."

SIR MICHAEL HICKS-BEACH said, he was not sure whether he fully understood the effect of the Proviso; but he would ask the right hon. Gentleman opposite (Mr. Dodson) whether the terms "quarter of a year" and "half a year" were not too specific? Payment of rent would, of course, in cases to which the clause would apply, be deferred until after the time at which it became due. It might be deferred for three months and a-half, or four months; and it would seem as though, under those circumstances, the Proviso would not apply. He would suggest that the words should be "until the expiration of a period not exceeding half a year." That, he thought, would make the meaning clear, and he should be glad if the right hon. Gentleman would agree to it.

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, it would not be practicable to introduce the words in that form. In Committee, they had spent a great deal of time over this matter; and what had been pointed out to them was, that a half-year's rent was often not collected until the whole of the next half-year had expired. Though the rent was supposed to be paid quarterly, in many cases it was only paid half-yearly; therefore, there was always something due to the landlord. The Government had promised to meet the cases put to them, and it was with the view of doing that that this clause had been drawn. It was impossible to meet cases of an indefinite lapse of time in these matters, for there might be a week or a fortnight one way or the other, either under or over the fixed period; yet it was necessary to have some fixed time other than the legal rent day. They appreciated the difficulty, and had not been altogether able to meet it, because sometimes there would be a little more than half a year, or a little more than a quarter of a year allowed. All they could do was to fix the running half-year or quarter. It was necessary to name some time which both parties would understand, otherwise there would be endless disputes as to whether the landlord was or was not entitled to distrain. They had endeavoured to extend the Proviso beyond these two periods, but had been unable to do it.

Mr. DUCKHAM said, the point had been considered by the Committee on the Law of Distress last year; and they recommended the period of six months, which would cover the period of two, three, or four months.

Mr. R. H. PAGET said, he thought the Amendment would hardly have the effect that was intended. There were many instances where the collection did not take place on the day it was due, but at a fixed period, according to the custom of the estate; it might be one, or two, and, possibly, more months after the rent day. What he wished to point out was, that the result of this Proviso would be that the landlord would derive no advantage from the clause, unless he habitually collected the rent a whole quarter after it was due. To his own knowledge, a great many rents were collected just within the period of three months, and in those cases the landlords would receive no benefit whatever from the clause. He would suggest to the hon. and learned Solicitor General that the difficulty would be met if he were to use the words "a quarter of a year, or half a year, or any less period." That would enable the Government to carry out what he understood to be their intention when they announced the Amendment originally, and when they declared that their intention was to meet those cases where the rent was collected after it was legally due.

Amendment proposed to the said proposed Amendment, after the words "half a-year," to insert the words "or any less period."—(*Mr. R. H. Paget.*)

Question proposed, "That those words be there inserted."

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he thought his hon. Friend (Mr. R. H. Paget) would see that it would be impossible to accept these words, as he (the Solicitor General) had been informed that the rent audit was not always on a fixed day. The difficulty would be to know from what day the year should count. They could not say it should count from the expiration of such less period, because the period might differ each year. One year it might be a week after the rent was due, another year a fortnight, another year a month, and so on.

Sir MICHAEL HICKS - BEACH asked whether the hon. and learned Gentleman could not consent to the insertion of the words "until the expiration of a period exceeding a quarter of a year or half a year;" for, as the clause now stood, it certainly appeared as though it were not intended to apply in cases where the rent was collected a day after the quarter of a year. The hon. and learned Gentleman said he intended the clause to apply to such cases; but he fixed the periods of a quarter and half a year. If the words he (Sir Michael Hicks-Beach) suggested were accepted, where the payment of the rent had been allowed to be deferred for a period beyond a quarter, but within half a year, the quarter would then be the period taken at the time at which it was due; and where the payment had been allowed to be deferred a short time after the half-year, the half-year would be taken.

The SOLICITOR GENERAL (Sir Farrer Herschell) said, that was the intention of the Government—what they meant the clause to say. He was willing to consider whether they could not make the provision clearer than it was, as he was anxious that there should be as much certitude as possible about it.

Mr. R. H. PAGET said, that after the statement of the hon. and learned Gentleman he should be happy to withdraw his Amendment.

Amendment to the said proposed Amendment, by leave, *withdrawn.*

SIR JOSEPH PEASE said, he doubted very much whether the term of six months would be of any value.

MR. WARTON said, that, even in cases where a landlord had been in the habit of giving a quarter or half a year's credit, he should not be deprived of his right of distraining immediately the rent became due. It seemed an injustice to take that right away. At the end of the Proviso were the words—"And not at the date at which it legally became due." He did not himself see the importance of these words, and would, therefore, propose to strike out the word "not," and substitute the word "or."

Amendment proposed to the said proposed Amendment, to leave out the words "and not," in order to insert the word "or."—(*Mr. Warton.*)

Question proposed, "That the words 'and not' stand part of the proposed Amendment."

MR. DODSON said, they would be led into great difficulties and inconveniences if they accepted this Amendment. A tenant would never know when a distraint was to be issued against him. The Government had proposed to consider whether they could do anything to meet the case of an intermediate period being allowed by the landlord; but they certainly were most unwilling to accept an Amendment which was sprung upon them, and which raised new questions.

LORD BURGHLEY asked whether the right hon. Gentleman opposite (Mr. Dodson) would make it clear that the year's rent the landlord had power to distrain for was the year's rent *plus* six months' arrears, or, altogether, 18 months' rent?

Question put, and *agreed to.*

Original words *inserted.*

Clause, as amended, *agreed to.*

Clause 43 (Remedy for wrongful distress under this Act).

MR. WAUGH said, he wished to amend the clause by inserting, in page 15, line 28, after "or"—

"(*c.*) As to any claim by the tenant against the landlord, or by the landlord against the tenant, not otherwise provided for by this Act, which could in any action by or against the other of them be the subject of set-off or counter claim; or (*d.*)."

When the landlord sued the tenant for rent, the tenant had a right to set up any claim or set-off that he thought fit; but when a distress was issued, the tenant had no right to set anything off against the rent. If the landlord had obtained a sack of corn from the tenant, the latter could not set that off against the rent. His (Mr. Waugh's) object in moving the Amendment was to place the tenant in the same position as to distress as he was in regard to an action at law, in order to save the expense of his bringing a cross action against the landlord. If the Amendment were accepted, he should add other words to it.

Amendment proposed,

In page 15, line 28, after the word "or," to insert the words "where a distress has been levied as to any claim by the tenant against the landlord, or by the landlord against the tenant, not otherwise provided for by this Act, which could in an action by or against the other of them be the subject of set-off or counter-claim; or (*d*)."—(*Mr. Waugh.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL (Sir FARRER HERSCHELL) said, he did not think it would be possible to accept the words; and, no doubt, the hon. Member would see that they alone could not carry out the object he had in view. The hon. Member's view was that where the landlord had rent owing to him, and had, therefore, the right to distrain, the tenant should be allowed to set-off as against the claim for rent any claim he had against the landlord, and the landlord should only be able to distrain for the balance. A Court of Summary Jurisdiction, or the County Court, was to be able to determine the claim against the landlord, which would be set-off as a counter-claim in an action. As the hon. Gentleman was, no doubt, aware, in a counter-claim in an action a man could set up anything. A landlord, having certain information given him about a tenant, might put in a distress, and the tenant would be able then to make a counter-claim against the landlord for libel. ["Oh, oh!"] Yes; that could be set up as a counter-claim, according to the Amendment. There was hardly any limit to what a man could set up as a counter-claim; so that if an Amendment of this sort were to be adopted it would have to be rendered much more complete than this. With all sympathy with the hon. Member's object, he could not accept his Amendment.

Amendment, by leave, *withdrawn.*

On the Motion of Mr. WAUGH, the following Amendment made:—In page 15, line 31, after "by," insert "the county court or by."

Clause, as amended, *agreed to.*

Clause 45 (Limitation of costs in case of distress).

On the Motion of Mr. DODSON, the following Amendment made:—In page 16, line 9, leave out "fourth part of the," and insert "second."

Clause, as amended, *agreed to.*

Clause 48 (Bailiffs to be appointed by county court judges).

On the Motion of Mr. DODSON, the following Amendments made:—In page 16, line 38, leave out "under this Act," and insert "on any holding to which this Act applies;" and, in line 39, leave out "such," and insert "a bailiff."

Clause, as amended, *agreed to.*

Clause 50 (Exception of non-agricultural and small holdings).

MR. BOLTON said, he wished to propose to add to the clause the words—

"Nor to any holding let to the tenant during his continuance in any office, appointment, or employment of the landlord."

The object of the Amendment was to exclude from the operation of the Act all holdings held by men in the employment of a landlord whose right of occupation ceased with the termination of their employment. He would ask permission to substitute the word "or" for "nor."

Amendment proposed,

In page 17, line 18, at end of Clause, add "or to any holding let to the tenant during his continuance in any office, appointment, or employment of the landlord."—(*Mr. Bolton.*)

Question proposed, "That those words be there added."

MR. DODSON said, the Government were ready to accept the Amendment.

SIR MICHAEL HICKS-BEACH said, he did not think these words really conveyed the intention of the hon. Member. They were not governed by the word landlord—at any rate, "office" and "appointment" were not; so that if a man held any office or appointment under a landlord he might be held not to come under the words as proposed.

Question put, and *agreed to;* words *added* accordingly.

Clause, as amended, *agreed to.*

Clause 51 (Avoidance of agreement inconsistent with Act).

On the Motion of Mr. DODSON, the following Amendment made:—In page 17, line 22, before "Schedule," insert "First."

Clause, as amended, *agreed to.*

Clause 52 (Right of tenant in respect of improvement purchased from outgoing tenant).

Amendment proposed,

In page 17, line 28, after "Act," insert "or of any agreement or custom sanctioned by this Act, or under or in pursuance of 'The Agricultural Holdings (England) Act, 1875.'"—(*Mr. Thomasson.*)

Question proposed, "That those words be there inserted."

MR. DODSON said, that, as a matter of drafting, he preferred to retain the Bill as it was.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 56 (Interpretation).

On the Motion of Mr. DODSON, the following Amendments made:—In page 18, line 26, leave out "or at will;" in line 27, leave out from "a tenancy at will" to "Act," in line 30, both inclusive; in page 19, lines 18 and 19, leave out "twenty and twenty-one," and insert "twenty-two and twenty-three;" and in line 19, before "Schedule," insert "First."

Clause, as amended, *agreed to.*

VISCOUNT FOLKESTONE said, he would ask the right hon. Gentleman opposite (Mr. Dodson) to look at his Bill as he held it up. The right hon. Gentleman was about to move an Amendment to page 19; but there was no page 19 in the Bill, or in the copy which had been supplied to him. Page 19 was blank, and the next page he had was 19½, containing Clause 59*a*. There was nothing on his Bill between Clause 56 and Clause 59*a*. Was there any hidden meaning in this?

MR. DODSON said, that if the noble Lord would look a little more closely at his Bill he would see that it was right, and that the Amendment which was about to be moved would come in.

VISCOUNT FOLKESTONE said, the Amendment did not come in properly in his copy of the Bill, which had evidently been wrongly bound up.

Schedule.

On the Motion of Mr. DODSON, the following Amendment made:—In page 20 line 1, before "Schedule," insert "First."

MR. SPEAKER called upon Mr. PUGH.

MR. A. J. BALFOUR rose to Order. He wished to move an Amendment at the end of the 1st Part of the Schedule.

MR. SPEAKER said, that Mr. Pugh had precedence.

MR. PUGH said, he wished to move an Amendment to line 12. It was not unusual for a tenant to set up a water-wheel, and to do that he had to make a pit, which was a very costly process. He (Mr. Pugh) did not find anything in the Schedule referring to an improvement of that kind. It should be a fixture; and he would, therefore, propose to insert after "works," "for the application of water power or."

Amendment proposed, in page 20, line 12, after "works," insert "for the application of water power or."—(*Mr. Pugh.*)

Question, "That those words be there inserted," put, and *agreed to.*

On the Motion of Mr. JAMES HOWARD, the following Amendment made:—In page 20, line 11, after the word "orchards," insert the words "or fruit bushes."

MR. A. J. BALFOUR said, he would now beg to move an Amendment which he should have moved at an earlier stage if he had known what he now knew. The Amendment was to put drainage in the 1st Part of the Schedule.

MR. DODSON rose to Order. He would take the opinion of Mr. Speaker whether, the Committee having decided by Clause 4 that drainage should be dealt with separately, and in a different manner to the other improvements, it was competent for the hon. Member to make the proposal he (Mr. Dodson) understood he was about to make—namely, to include drainage in the 1st Part of the Schedule?

MR. SPEAKER: The House having passed the clause to which the right hon. Gentleman has adverted, clearly it is not now competent for the hon. Member (Mr. A. J. Balfour) to propose anything which would really involve a new arrangement of the Bill.

MR. STORER said, he had placed two Amendments on the Paper which were not printed. The first was, in page 20, line 23, after "manures," to insert "not more than two years before the determination of the tenancy." He did not know whether he was under a correct impression; but he believed there was no limitation of time in the Bill. That could not be through inadvertence, because there was a limitation to every part of the Agricultural Holdings Act, from which this Bill appeared to be taken. It might not, perhaps, be necessary that there should be any limitation under Part I. or Part II., or under some portion of Part III.; but that Part which applied to manures and to cake consumed by the cattle ought to have some limitation as to the time the application of manures might be supposed to have existed. He hoped he had made his meaning clear. He should like to insert, after the word "manure," the words "not more than two years before the determination of a tenancy."

Amendment proposed,

> In page 20, line 33, after the word "manure," to insert the words "not more than two years before the determination of the tenancy."—(*Mr. Storer.*)

Question proposed, "That those words be there inserted."

MR. DODSON said, Her Majesty's Government were not prepared to accept the Amendment, which would be contrary to the principle upon which they had gone hitherto, which was that these matters were not to be minutely prescribed for by the Act of Parliament, but that they should lay down a principle of compensation according to value, and then leave it to experts and those interested in the locality to take the proper measures for ascertaining what the compensation should be.

MR. J. W. BARCLAY said, he thought they should accept the Amendment. Compensation for manures depended on the quantity applied to the soil.

Mr. STORER said, that after the observations of the right hon. Gentleman (Mr. Dodson) he would not persevere with his Amendment.

Amendment, by leave, *withdrawn.*

Mr. STORER said, he would move the next Amendment for the express purpose of giving hon. Members who voted in the Committee, under, he thought, a misapprehension as to the effect of the words, a chance of correcting themselves. In Committee, he had proposed to insert the word "horses;" but his proposal now was to leave out of line 34 of the Schedule, in page 20, the words "cattle, sheep, and pigs," and insert "animals." Many hon. Members had told him they had gone into the Lobby under a false impression as to what would be the effect of these words; and he thought that mistake had been brought about by the hon. Member for Mid Lincolnshire (Mr. Chaplin), who appeared, in the interests of the landlords, to be averse to the insertion of these words. Everyone who considered the nature and scope of the Bill must see that these words were in accordance with it. It could not signify what the animals were that a tenant kept on his farm in the ordinary course of farming —whether they were those mentioned in the Bill, or whether they were hired horses, or other animals which he was constantly in the habit of using on the farm. No one knew better than the hon. Member for Mid Lincolnshire that, in his county, it was the common practice for farmers to farm horses as a part of their ordinary trade. He had known farmers of Lincolnshire, Nottinghamshire, and Yorkshire, who kept as many as 40 or 50 horses on their land at a time, bringing them up for the large fairs which supplied the manufacturing districts and London. No doubt, they consumed a large quantity of corn, and sometimes a little cake, and left valuable manure behind them. Were the farmers to be deprived of the benefit of that manure? They ought not to be. The tenants of the country were looking to this Bill to give them some advantage, and great hardship would be felt if they did not give the benefit of these manures, which to 99 out of 100 tenants would be the very cream of the Bill, the rest of it being of no value to them. There was not one tenant out of 100 who could effect the material improvements on his landlord's property with which the Bill dealt; but the one thing they were all obliged to do, to carry on their farms, and which it ought to be the landlord's interest to urge them to do, was to make the best manure possible on their holdings. When they did that, it should be the object of a Liberal Government, at all events—and he trusted of the Conservative Party also—to allow them all the compensation to which they were justly entitled. If the House refused this, they would be refusing to very many tenants the only advantage that the Bill could possibly give them.

Amendment proposed,

In page 20, line 34, to leave out the words "cattle, sheep, and pigs," in order to insert the word "animals."—(*Mr. Storer.*)

Question proposed, "That the words proposed to be left out stand part of the Schedule."

Mr. DODSON said, the matter under notice had been discussed at sufficient length the other night. The hon. Member, however, had improved upon the position he had taken up on the last occasion, as he now proposed to use the term "animals" generally—a term which would, of course, include not only the horses which were part of the necessary machinery of the farm, but race-horses, harriers, pointers, setters, poultry, pheasants, and all other animals the tenant might keep.

Mr. JAMES HOWARD hoped the hon. Member opposite (Mr. Storer) would press his Amendment to a Division. The hon. Member had asserted a very sound principle—namely, that food brought on to a farm and consumed by any animal should be taken into account in any award for compensation. But what the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Dodson) said amounted to this— that the arbitrator and referee should take the whole amount into consideration. That was only an element to be taken into consideration, according to the Bill; and whether the food was consumed by a bullock, or a sheep, or a pig, or a growing horse, mattered very little. In the Fen Country the farmers raised young cart horses for sale; and the manure from these animals kept in yards was quite as valuable as that from other animals.

Question put, and *agreed to.*

MR. STORER said, he had an Amendment to propose which he hoped would meet with a better fate than the last Amendment; otherwise the farmers would have to consider before the next General Election who their friends were. After the word "cake" he proposed to insert "corn." On a previous occasion the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Dodson) had intimated that "corn" was covered by "cake" or "feeding stuff;" but it was well known to agriculturists that that was not the view taken by valuers, and they had never taken "corn" into account at all. There might be several words introduced; but no doubt "corn" would cover them. Owing to the low prices of cereals, farmers were obliged to turn their attention, as far as possible, to the breeding of stock; and, under this Schedule, they would have to purchase great quantities of corn. They already paid for maize, and meal, and other cereals, for which, unless it was understood they should be repaid under this clause, they would get no compensation whatever. It was not the custom of valuers to take into consideration these things; and although it might be very well for the right hon. Gentleman (Mr. Dodson) to put such implicit faith in the valuers, this was a grievance which had been long felt by the farmers, and everyone had supposed that it would be remedied by this Bill. The farmers considered they had not had sufficient compensation for unexhausted manure left on the land; and he wished to rectify that grievance as far as he could by this Amendment. It appeared not to be in consonance with the views of hon. Gentlemen opposite; but he hoped the Government would consider the necessity of putting some words into this clause, which would give full and fair compensation for what a farmer would be obliged to leave behind.

Amendment proposed, in page 20, line 34, after the word "cake," to insert the word "corn."—(*Mr. Storer.*)

Question proposed, "That the word 'corn' be there inserted."

MR. CHAPLIN said, that, to his great regret, he was obliged to differ from his hon. Friend (Mr. Storer), as he had an Amendment to precisely the opposite effect. The hon. Member had threatened them with a General Election; but that would not deter him from opposing an Amendment which was not necessary, and which would be mischievous if adopted. His first objection to it was that to give compensation for corn would lead to fraud to a greater extent than anything else he knew of. It had been found necessary in the Bill to insist that compensation should not be given for anything not produced on the holding. What would happen in the case of corn? Two neighbouring famers, if they were rogues, might exchange their corn. If this Amendment was adopted, a farmer would claim full compensation for all corn that was grown upon his farm. Who was to say for what purpose it had been used? It might be used for seed. [MR. STORER: There would be "witnesses."] How could witnesses for every quarter of corn be produced? It would be absolutely impossible. The corn might be used for seed, or given to horses, which were practically part of the machinery of the farm. Compensation might as well be asked for for coal used to work machines. The hon. Member for Bedfordshire (Mr. James Howard) had, the other night, quoted the case of a Lincolnshire farmer who was anxious to see this proposal adopted; but that case was an exception which proved the rule, and he had never heard of any other man asking for compensation for corn. He hoped, under these circumstances, that the Government would not accept the Amendment.

MR. JAMES HOWARD said, he had had a great many letters from the county which the hon. Member (Mr. Chaplin) represented (Lincolnshire), showing that the case he had quoted was not the only case by far in that county of farmers wishing for compensation for corn. They complained that in Lincolnshire it was the custom to limit compensation to oil-cake, which might be foreign, and to shut out corn, which might be produced on the holding. He believed that was a very general ground of objection to the custom of Lincolnshire on the part of thousands of farmers; and he hoped the House would very carefully consider this point before coming to a decision.

Mr. J. W. BARCLAY said, the Amendment of the hon. Member for Mid Lincolnshire (Mr. Chaplin) would exclude Indian corn, which was a very valuable, and frequently the cheapest food; but if it did that, then it would exclude all extraneous food. Refuse or manure remained very much on a farm; and he hoped the Government would accept the Amendment now before the House as a compromise; otherwise farmers would be placed at a disadvantage, and prices would be lowered.

Mr. DODSON said, both these Amendments had been discussed the other night, and he hoped the Schedule would be retained as it stood.

Question put, and *negatived.*

Mr. CHAPLIN, who had the following Amendment upon the Paper:—In page 20, line 35, after "stuff," to insert "not being corn, and," said, that, as he understood the Government would not accept his Amendment, and as the balance of opinion appeared to be in favour of the Schedule as it was, he would not press his Amendment.

Amendment proposed, in page 20, line 35, after the word "holding," to insert the words "or mole ploughing."—(*Mr. Duckham.*)

Question, "That the words 'mole ploughing' be there inserted," put, and *negatived.*

On the Motion of Mr. Dodson, the following Amendment made:—In page 21, line 1, leave out Part IV., and insert "Second Schedule."

Bill to be read the third time *To-morrow.*

AGRICULTURAL HOLDINGS (SCOTLAND) BILL.—[Bill 190.]

(*The Lord Advocate, Mr. Solicitor General for Scotland.*)

COMMITTEE. [*Progress 27th July.*]

[THIRD NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Regulations as to Estimates of Improvements.

Clause 6 (Set-off of benefit to tenant).

Mr. J. W. BARCLAY said, he did not see anything in the clause which gave a landlord the right to claim compensation from a tenant for the breach of any stipulation, and he should propose to omit all the words after "nothing."

Amendment proposed, in page 3, line 31, to leave out from "nothing" to end of Clause.—(*Mr. J. W. Barclay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The LORD ADVOCATE (Mr. J. B. Balfour) said, the object of this Proviso was to define the period over which the claim of a landlord was to be set off or dealt with in account. The object of the Bill was not to create a right to claim on the part of the landlord, but to provide the extent to which it could be entered in the account. It seemed fair and reasonable that there should be a certain period over which claims for deterioration should be so dealt with; and four years appeared to the Government to be a fair time.

Mr. J. W. BARCLAY said, he thought the right hon. and learned Lord Advocate had not given a fair representation of the matter. Notwithstanding anything in this Bill, a landlord would have a right to set up a claim for deterioration for a much longer period.

The LORD ADVOCATE (Mr. J. B. Balfour) said, what was provided was, that this Act should not help a landlord to compensation for deterioration applicable to a period prior to four years. The whole of the clause was directed to the time with reference to which conditions under the compensation account should be stated; and it seemed a fair and reasonable provision that there should be a time fixed, claims arising prior to which could not enter into the statutory compensation account.

Mr. J. W. BARCLAY said, the Proviso was entirely delusive, because the landlord would make his claim under the Common Law; and, therefore, he contended that the clause was delusive, and calculated to deceive tenants.

Question put, and *agreed to.*

Sir ALEXANDER GORDON proposed, as an Amendment, in page 3, line 34, to substitute "a matter of husbandry" for "cultivation or management." He said those were the words used in the English Bill, and also in the

Act of 1875; and they appeared to him to be much more suitable.

Amendment proposed, in page 3, line 34, to leave out "cultivation or management," in order to insert the words "a matter of husbandry."—(*Sir Alexander Gordon.*)

Question proposed, "That the words 'cultivation or management' stand part of the Clause."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, cultivation and management were provided for in the clause; it was not limited to cultivation alone.

MR. J. W. BARCLAY said, he should like the right hon. and learned Gentleman the Lord Advocate to explain whether it was a mere breach of the stipulations that was to be claimed for.

Question put, and *agreed to.*

SIR HERBERT MAXWELL said, he was at a loss to understand why the right hon. and learned Gentleman the Lord Advocate had selected the term "four years." He did not think there was anything to be said in support of four years, and instead of that term he would move that the landlord should be able to claim for deterioration within six years of the determination of the tenancy.

Amendment proposed, in page 3, line 34, to leave out "four," and insert "six."—(*Sir Herbert Maxwell.*)

Question proposed, "That the word 'four' stand part of the Clause."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, the period to be chosen in a matter of this sort was necessarily arbitrary. It was quite true that, in many parts of Scotland, six years would be better than four. Four years, however, seemed to the Government to be a fair average to fix upon. There was great diversity of opinion as to the precise time that should be taken; but, while admitting that the period of four years was arbitrary, it did appear to the Government to be the period in which deterioration could be readily and promptly ascertained.

MR. J. W. BARCLAY said, hon. Members had reason to complain of the obscurity with which the Bill was drawn. He did not know exactly what this Proviso meant; but, as a tenant, he thought the presumption was against the tenants. Holding those views, he would very much like to see the whole clause struck out of the Bill.

MR. RAMSAY said, he understood that when any claim was made by a proprietor for deterioration, he did not take into consideration any definite period, but the sum which would be requisite to place the farm in order. If that were the case, they might make the period six, or even seven years.

MR. M'LAGAN said, he thought it was decidedly a protection to the tenant that some period should be specified, though he should prefer to see the four years reduced to two. Provision was made in the Bill for compensation for breach of stipulation; and he maintained that whenever that took place, the landlord should at once call the attention of the tenant to it, and insist that matters should be put right.

Question put, and *agreed to.*

Clause 6, as amended, *agreed to.*

Procedure.

Clause 7 (Notice of intended claim).

MR. R. N. FOWLER said, he hoped the Government did not propose to go further that night. It was now past 1 o'clock, and many hon. Members were in the House until nearly 5 yesterday morning. ["Oh, oh!"] The hon. Members who growled were not there until 5 o'clock yesterday morning. The House was required to meet again at 12 o'clock; and, therefore, under the circumstances, it was most unreasonable they should be asked to sit longer. Hon. Members ought to have some consideration for the Speaker, who sat there 13 hours last night, and who would have to be in the Chair at 12 o'clock to-morrow. Though the right hon. Gentleman was not in the Chair at that moment, he was waiting the convenience of the Committee. He (Mr. R. N. Fowler) begged to move that Progress be now reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. R. N. Fowler.*)

SIR HERBERT MAXWELL said, he hoped his hon. Friend (Mr. R. N. Fowler) would not press his Motion. The Scotch Members had given most unremitting attention to the English Business for some time past, and it was hardly generous that they should not be allowed to transact their own Business when they were unanimous in a desire to do so.

Mr. M'LAGAN said, he was one of the few Members who sat up until 5 o'clock yesterday morning; but as he was very anxious to see this Bill passed, he was quite ready to sit up until 5 o'clock this morning.

Mr. WARTON said, it was stated that the Bill would not be brought on after half-past 12; but, as a matter of fact, it was brought on at nearly 1 o'clock. [An hon. Member: That was another Bill.] Anyhow, what he had stated was what he had understood. He had the greatest respect for the Scotch Members; and, in their own interest, he would suggest that the further consideration of the Bill be postponed till to-morrow. They would then, between 12 and 6 o'clock, be able to get through both this and the Local Government (Scotland) Bills.

Mr. J. W. BARCLAY said, he hoped the hon. Gentleman the Member for the City of London (Mr. R. N. Fowler) would not persist in the Motion to report Progress. The Scotch Members had been waiting up for two or three nights together in order to take the Bill; and he hoped that now they had a chance they would be allowed to do so. It was well he should remind the hon. and learned Member for Bridport (Mr. Warton) that it was the Local Government (Scotland) Bill that the Government promised not to take after half-past 12.

Mr. A. J. BALFOUR said, he must confess that he was very exhausted. He hoped the Government did not mean to rush the Bill through indefinitely; indeed, it was hardly fair that the Scotch Business should be transacted very late at night. Scotch Members must remember that if Progress were reported now, they would be able to resume the consideration of the Bill at 12 o'clock to-morrow.

Mr. R. N. FOWLER said, that as it seemed to be the wish of Scotch Members to proceed, he would ask leave to withdraw his Motion. He, however, did not consider the position he had taken up unreasonable.

Motion, by leave, *withdrawn.*

Sir Herbert Maxwell

Sir ALEXANDER GORDON moved, as an Amendment, in page 3, to leave out "two," in line 38, and insert "twelve." His object in proposing this Amendment was to give the incoming tenant and the landlord more time to arrange the terms on which the holding should be taken than they would have under the Bill as it was now drawn. If they adopted the proposal of the Government they increased the notice to quit from one year to two. The House of Commons passed that last year without a dissentient voice, and he imagined they would pass it this year at the instance of the Government. In consequence of having only two months' notice of a claim for compensation, the landlord and tenant would be in a state of uncertainty for 22 months after receiving notice to quit. During the whole of that time, the landlord would not know what the tenant intended to do with regard to compensation. He (Sir Alexander Gordon) thought it was desirable that notice should be given of a claim to compensation 12 months before the determination of a tenancy.

Amendment proposed, in page 3, line 38, to leave out "two," and insert "twelve."—(*Sir Alexander Gordon.*)

Question proposed, "That the word 'two' stand part of the Clause."

The LORD ADVOCATE (Mr. J. B. Balfour) said, he must point out that the clause had nothing to do with the removal of the tenant; it had merely to do with the time within which he was to make a claim for compensation. The hon. and gallant Gentleman (Sir Alexander Gordon) was therefore in error in supposing that there would be any impediment or bar to the landlord re-letting his farm to a new tenant. If they adopted the Amendment, they would put a great deal more on the tenant than would be put upon him by two months. A tenant might not know whether he would have good grounds for a claim 12 months beforehand; and, therefore, he (the Lord Advocate) submitted, it would put too great restraint upon the tenant to adopt the Amendment.

Question put, and *agreed to.*

Mr. COCHRAN-PATRICK proposed, as an Amendment, to leave out "fourteen days," in page 4, line 2, and insert "one month." He thought a fortnight was rather too short a time in which a landlord might make a counter-claim.

Amendment proposed, in page 4, line 2, to leave out "fourteen days," and insert "one month."—(*Mr. Cochran-Patrick.*)

Question proposed, "That the words 'fourteen days' stand part of the Clause."

MR. J. W. BARCLAY said, that as soon as a tenant gave notice, a landlord ought to be in a position to see the state in which the tenancy was left. Fourteen days' notice was too long.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) opposed the Amendment. He considered that it would be found the landlord would have plenty of time in which to make a counter-claim.

Amendment, by leave, *withdrawn.*

MR. A. J. BALFOUR said, if his memory served him aright, it was thought judicious to strike out the words "as far as reasonably may be" in the English Bill, and introduce the words "so far as possible."

MR. J. W. BARCLAY said, that was done on Clause 16.

MR. A. J. BALFOUR said, that if the words were introduced in Clause 16, it might be wise to introduce them here.

MR. WARTON considered there was great force in the suggestion of the hon. Gentleman (Mr. A. J. Balfour). It was quite true the alteration was made in a later part of the English Bill; but the principle involved was the same throughout. The Amendment appeared to him to be very desirable.

MR. A. J. BALFOUR begged to move, as an Amendment, to omit in lines 5 and 6 "as far as reasonably may be," and insert "so far as possible."

Amendment proposed, in page 4, lines 5 and 6, to leave out "as far as reasonably may be," and insert "so far as possible."—(*Mr. A. J. Balfour.*)

Question proposed, "That the words 'as far as reasonably may be' stand part of the Clause."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he was afraid that to adopt the Amendment might, in some cases, shut out just claims which would arise. It was possible that a person might not, through oversight or omission, make a claim he was justly entitled to make.

MR. RAMSAY said, he thought it would be an advantage that the claim, as far as possible, should be stated; and, therefore, it might be wise to accept the Amendment. The landlord would have previously obtained from the tenant the particulars of the claim he made against the landlord; therefore it was proper the tenant should have the particulars of the counter-claim made by the landlord.

MR. A. J. BALFOUR asked leave to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 8 (Compensation agreed or settled by reference) *agreed to.*

Clause 9 (Appointment of referee or referees and oversman).

MR. J. W. BARCLAY said, the clause provided that—

> "If before an award is pronounced one of two referees dies or becomes incapable of acting, or for seven days after notice from the party appointing him of his appointment fails to accept the reference and to act, the party appointing him shall appoint another referee."

He thought seven days was a very short notice; and he, therefore, begged to leave out "and to act."

Amendment proposed, in page 4, line 26, to leave out "and to act."—(*Mr. J. W. Barclay.*)

Question proposed, "That the words 'and to act' stand part of the Clause."

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, he did not think it was reasonable to require that the referee should act within seven days of his appointment; and, therefore, he could not, on behalf of the Government, accept the Amendment.

MR. J. W. BARCLAY said, he was of opinion that it would be impossible for farmers to carry out the reference in seven days. Lawyers did not usually act so expeditiously, and he did not see why farmers and country lawyers should be expected to proceed so promptly.

SIR HERBERT MAXWELL said, he agreed with the hon. Member for Forfarshire (Mr. J. W. Barclay) that it would be impossible for farmers to carry out the reference as quickly as the Act required.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, he was sure it would not be too much to require that the referee, as soon as he accepted the reference, should take some steps for executing the work. It was not unreasonable to call upon him to accept within seven days.

MR. J. W. BARCLAY said, the provision was that, after the appointment of the last of the referees, the award must be given in within 28 days, so that there was plenty of time. However, he would not press the Amendment.

Amendment, by leave, *withdrawn.*

SIR HERBERT MAXWELL moved, as an Amendment, to leave out, after "appointed," in page 4, line 36, all the words down to "oversman" in line 42, in order to insert the words, "and differ in opinion." He thought this would simplify matters, and he did not see any reason for the appointment of an oversman unless a difference of opinion arose between the referees; and in that case the easiest way of appointing an oversman was by reference to the authority referred to in the section. He submitted this point to the consideration of the right hon. and learned Gentleman the Lord Advocate.

Amendment proposed, in page 4, line 36, leave out after "appointed" to "oversman," in line 42, and insert "and differ in opinion."—(*Sir Herbert Maxwell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, it was generally found in practice that it was much more convenient to appoint the oversman before the arbiters.

MR. J. W. BARCLAY said, he thought there were practical objections to appointing an umpire before the arbiters differed; because, if one of the arbiters knew that the views of the umpire were inclined in his direction—and, of course, such things came to be known throughout the country—then he would hold out for much stronger terms than he otherwise would do. Besides, there was the question of expense.

Sir Herbert Maxwell

Question put, and *agreed to.*

Motion made, and Question proposed, "That the Clause stand part of the Bill."

GENERAL SIR GEORGE BALFOUR asked whether the word "sheriff" in the clause meant the sheriff of the county, or the sheriff substitute?

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, it was proposed to add to the definition, so that the sheriff substitute would be included in the term.

Question put, and *agreed to.*

Clause 10 (Mode of submission to reference) *agreed to.*

Clause 11 (Power for referee, &c. to require production of documents, administer oaths, &c.).

SIR ALEXANDER GORDON moved the following Amendment:—

> In page 5, line 18, at end, add "each party shall be entitled to inspect the documents produced by the other party, and to challenge the accuracy of such documents within fourteen days of their being deposited with the referee, or oversman, or sheriff, as the case may be; and any examination of parties or witnesses, whether on oath or otherwise, shall take place in presence of the opposing party, or his agent, if he desires to be present, sufficient notice being given to him for that purpose."

He thought the Committee ought to bear in mind that they were appointing a number of persons to act in a judicial capacity, and to take oaths—to act as Judges, in fact.

Question proposed, "That those words be there inserted.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, he must point out that the proposed Amendment was quite unnecessary, because everything it proposed to do must take place. It was the undoubted right of any one party to a reference to examine the documents produced by his opponent; and, certainly, no referee could take the evidence of a witness on one side of the case without the presence of the other party. It would be very undesirable to embody in the Bill provisions which were already in operation under the Common Law.

SIR ALEXANDER GORDON expressed his willingness to withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 12 (Power to proceed in absence); Clause 13 (Form of award); Clause 14 (Time for award or reference); and Clause 15 (Reference to and award by oversman) severally *agreed to.*

Clause 16 (Award to give particulars).

Mr. M'LAGAN said, he would point out that the words in line 9, "as far as reasonably may be," ought to be "as far as possible;" and he moved the substitution of the latter words for the former.

Amendment proposed, in page 6, line 9, to leave out the words "reasonably may be," in order to insert the word "possible,—(*Mr. M'Lagan,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Clause."

The LORD ADVOCATE (Mr. J. B. Balfour) said, it was true that this case was not quite the same case as the other; but the same considerations should apply to it. There were strong reasons for requiring specification, so that the parties might know precisely what the arbiters had done; but, at the same time, if the Amendment now proposed were carried, awards which were substantially good might be rendered liable to challenge by the parties decided against, who might come forward and say that it might have been possible, although it might not, perhaps, have been reasonable, to split up the items more than was done. That was clearly a thing to be avoided; and it appeared to him that if the arbiter, exercising an honest and fair judgment, set out the particulars or details as far as might be reasonable, that ought to be a good award, and it should not be open to challenge.

Mr. A. J. BALFOUR said, the question was discussed in the English Bill, when the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Dodson) took a very different view of it from that now taken by the right hon. and learned Lord Advocate. It would be convenient if the two right hon. Gentlemen would consult with each other, so that they might take up a particular line and keep to it. That would certainly conduce to greater uniformity.

Mr. M'LAGAN said, he should not have moved the Amendment if it had not already been made in the English Bill.

Question put.

The Committee *divided:*—Ayes 63; Noes 14: Majority 49.—(Div. List, No. 252.)

Mr. J. W. BARCLAY said, he wished to know what was meant by "acts and things?" The Bill only provided for compensation for improvements, and the award would specify what the compensation was for. What, then, was meant by these "acts and things?"

The LORD ADVOCATE (Mr. J. B. Balfour) said, that if the hon. Gentleman would refer to Clause 6 he would see what it was that these words referred to, and also at line 11 of the page with which they were now dealing. Improvements, no doubt, were the primary idea; but there were other claims which might have to be made, as, for instance, for deterioration of the land; and, therefore, these words were necessary. There were things done and things omitted that had to be provided for.

Sir HERBERT MAXWELL moved the following Amendment:—

In page 6, at end of Clause, add—"Nothing in this Act shall enable a tenant to obtain compensation in respect of any of the material specified in the third part of the Schedule used or applied more than six years before the termination of the tenancy in relation to lime and marl, or four years before such termination in relation to the other substances specified."

He said, this was a matter of some considerable importance, for was it to be supposed that there was no limit to the utility of these manures, or other substances? The tendency of modern scientific agriculture went more and more in the direction of the application of a particular kind of manure which would be exhausted by the crop; and there ought to be some indication in the Bill of an intelligible rule which should be applied to manures of a more or less permanent character. His feeling was in favour of the six and four years mentioned in the Amendment; but he attached no great importance to the particular number of years, and should be inclined to agree to any other number that the right hon.

and learned Gentleman's experience in agriculture might lead him to deem to be desirable.

Question proposed, "That those words be there added."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he must point out that the Amendment, supposing it to be good in substance, was inappropriate to the clause. The clause related to the particulars to be given in the awards—it was not a clause defining the conditions under which compensation was to be given, or for what compensation was to be given. It would, he thought, be a mistake to lay down a hard-and-fast rule in the Bill as to the time over which the claim should extend. He dared say it was only very seldom that anything in the nature of manure applied six years before would still be found valuable; but that was clearly a matter for the arbiter to determine. If there were any manures which, in the judgment of those who had to decide the question, survived for more than six years, there was no reason in principle why compensation should not be given for them. On these grounds he opposed the Amendment.

Question put, and *negatived.*

Clause *agreed to.*

Clause 17 (Expenses of reference).

SIR HERBERT MAXWELL, in moving, as an Amendment, in page 6, line 23, to leave out from "paid" to "paid" in line 30, in order to insert the words "by the parties in equal proportions," said, he did not see why the expenses of every application under the Act should not be borne equally by both parties. That, it seemed to him, would remove one element of uncertainty from the cases that would arise. Of course, it was desirable, in all questions of this sort, that each party should learn how he stood, and that there should be as little as possible of uncertainty in the circumstances. It seemed to him to be perfectly reasonable that the parties should be made to share the expenses, and that would really tend to limit the expense; because, so long as there was any chance of one of the parties being exempted from expense, there would always be a tendency to further litigation and to an increased expenditure. It was better that the expenses should be equally shared between the parties.

Amendment proposed, in page 6, line 23, to leave out from "paid" to "paid" in line 30, and insert "by the parties in equal proportions."—(*Sir Herbert Maxwell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, he hoped the Amendment would not be accepted, because he very much doubted whether it would not act in precisely the opposite direction to that suggested by the hon. Baronet. Those who had had experience in connection with disputed matters would realize this—that there was no more salutary check upon litigation in regard to claims that were not well founded than the consideration that those who put them forward would be paid half the expense incurred.

Question put, and *agreed to.*

Clause *agreed to.*

Clause 18 (Day for payment) *agreed to.*

Clause 19 (Appeal to sheriff).

On the Motion of The LORD ADVOCATE, the following Amendment made:—

In page 6, line 37, leave out from "Where" to end of Clause, and insert "the sum claimed for compensation exceeds one hundred pounds, either party may, within seven days after delivery of the award, appeal against it to the sheriff on all or any of the following grounds:—

(1.) That the award is invalid;

(2.) That compensation has been awarded for improvements, acts, or things, or for breaches of stipulations or agreements, or for committing or permitting deterioration, in respect of which the party claiming was not entitled to compensation;

(3.) That compensation has not been awarded for improvements, acts, or things, or for breaches of stipulations or agreements, or for committing or permitting deterioration in respect of which the party claiming was entitled to compensation;

and the sheriff shall hear and determine the appeal, and may, in his discretion, remit the case to be reheard as to the whole or any part thereof by the referee or referees or oversman, with such directions as he may think fit.

"If no appeal is so brought the award shall be final.

"The decision of the sheriff on appeal shall be final."

On the Motion of The Lord Advocate, the following Amendment made:—In page 6, line 41, after "pounds," leave out "such," and insert "either."

Mr. J. A. CAMPBELL said, he had the following Amendment on the Paper:—In page 7, line 2, after "case," to insert "on any question of Law, or of rejection or admission of evidence." The object of the Amendment was to limit the appeal; for there was a danger, when an appeal was given from the arbiters, that they would be less careful than they otherwise would be. The appeal, therefore, ought to be limited to questions of law; but as there seemed to be a difficulty about proposing anything which would make this Bill different from the English one, he should not move his Amendment.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 20 (Recovery of compensation).

Amendment proposed, in page 7, line 12, to leave out "fourteen days," and insert "one month."—(*Mr. Cochran-Patrick.*)

Question, "That the words 'fourteen days' stand part of the Clause," put, and *agreed to.*

Clause *agreed to.*

Clause 21 (Appointment of guardian) *agreed to.*

Committee report Progress; to sit again *To-morrow.*

REVENUE AND FRIENDLY SOCIETIES BILL.—[Bill 269.]

(*Mr. Courtney, Mr. Chancellor of the Exchequer.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Courtney.*)

Mr. TOMLINSON said, the Bill was one of a very exceptional character, and contained some peculiar provisions. For instance, there was a provision making the master of a vessel liable to a penalty for matters with which he had nothing to do. But a much more important part of the Bill, which he thought ought not to have been introduced at that late time of the Session, had reference to the funds of Friendly Societies. Though the Bill had been for a number of days before the public, sufficient time had not been given for its consideration; and he thought some explanation ought, at least, to be given before the House was asked to reduce the interest on the funds of Friendly Societies invested in Government securities. It was his belief that the cost of managing these funds was not so great as to absorb the difference between 2½ per cent and the present rate of 2*d.* per day. He would, therefore, move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Tomlinson.*)

Mr. WARTON said, it was too bad, at that time of the morning, to propose alterations which would work cruel injustice to Friendly Societies. This sort of thing was becoming intolerable. There were considerations higher than Friendly Societies. People invested their small savings, and a proposition of this sort ought to be brought forward before a sufficiently large House to give it proper consideration.

Question put.

The House proceeded to a Division:—

Mr. Speaker stated he thought the Noes had it; and, his decision being challenged, he directed the Ayes to stand up in their places, and Three Members only having stood up, Mr. Speaker declared the Noes had it.

Original Question put.

The House *divided*:—Ayes 41; Noes 4: Majority 37.—(Div. List, No. 253.)

Bill *committed* for *Thursday.*

MOTION.

HYDE PARK CORNER (NEW STREETS) BILL.

On Motion of Mr. Shaw Lefevre, Bill to provide for the maintenance of the New Streets at Hyde Park Corner, *ordered* to be brought in by Mr. Shaw Lefevre and Mr. Courtney.

Bill *presented,* and read the first time. [Bill 275.]

House adjourned at a quarte
after Two o'clock

HOUSE OF COMMONS,

Wednesday, 1st August, 1883.

MINUTES.]—Public Bills—*Ordered—First Reading*—Education (Scotland) Act (1872) Amendment* [276]; Epidemic and other Diseases Prevention* [277].

Committee — *Report* — Agricultural Holdings (Scotland) [190-278] [*Fourth Night*].

Considered as amended—Electric Lighting Provisional Orders (No. 5) [224]; Electric Lighting Provisional Orders (No. 8) [230].

Third Reading—Agricultural Holdings (England) [272]; Supreme Court of Judicature (Funds, &c.)* [270], and *passed*.

Withdrawn—Surrey (Trial of Causes)* [65]; Patents for Inventions (No. 3)* [99]; Spirits in Bond* [38].

ORDERS OF THE DAY.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 5) BILL.—[Bill 224.]

(*Mr. John Holms, Mr. Chamberlain.*)

CONSIDERATION.

Order for Consideration read.

Motion made, and Question proposed, "That the Bill, as amended, be now considered."—(*Mr. John Holms.*)

Mr. W. H. SMITH wanted to know whether this Bill contained the Order which related to the Strand District; because if it did he wished to ask the right hon. Gentleman the President of the Board of Trade to omit that district from the Order.

Mr. JOHN HOLMS said, that the Strand District Order was contained in the next Bill.

Motion *agreed to.*

Bill, as amended, *considered;* to be read the third time *To-morrow.*

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 8) BILL.—[Bill 230.]

(*Mr. John Holms, Mr. Chamberlain.*)

CONSIDERATION.

Order for Consideration read.

Motion made, and Question proposed, "That the Bill, as amended, be now considered."—(*Mr. John Holms.*)

Mr. W. H. SMITH desired to point out that the Bill, as amended, had not yet been printed; and he believed that there had been some Amendments introduced into the Bill by the Committee. It had been represented to him that the District Board of Works for the Strand objected strongly to the inclusion of their district within the Order made by the Board of Trade. He had no desire to cause any delay in the passing of the Bill, because he believed it was a matter of importance that it should go before the House of Lords at once; but he would ask the President of the Board of Trade to consent to the omission of the Strand District from the Order, or, at any rate, to allow a re-hearing of the case as far as that Board was concerned. It was stated that the other authorities included in the Order were satisfied, and assented to the powers which were given under the Bill; but the Strand District Board of Works had uniformly objected to the Order, and he thought the feeling of the local authorities in the matter ought to be consulted and respected.

Sir GEORGE CAMPBELL also desired to say a word in regard to another Order included in the Bill—namely, the Order which applied to the Kensington District. Not only had the Bill not been printed, but the Report of the Committee had not yet been printed, and he had not the least idea of what the Committee had done. The right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) was quite wrong in stating that all the other Boards were consenting parties to the Bill. The Local Board of Kensington had certainly not consented to the Order; and he wished to draw the attention of the House to the very great extent to which the local authority in that district had been superseded in the matter. He would not detain the House by making any remarks of his own; but he would read a statement from the Kensington Vestry, which was the local authority in the matter. The Clerk to the Vestry, in a letter to the Board of Trade, said—

> "I am directed by the Vestry of Kensington to acknowledge the receipt of your letter of the 19th instant, stating that the Board of Trade are willing to defer the consideration of the above Order until the 30th instant. In reply, I am instructed to state that, in the opinion of the Vestry, it will be utterly impossible to arrive at any satisfactory arrangement with the Companies in so short a time; in fact, the Swan United Electric Lighting Company have only just intimated that they are now preparing an Order, and hope to submit the same for the approval of the Vestry at the latter end of the present week; and it would appear highly inexpedient

that the Vestry should enter into any engagement which has not had deliberate and mature consideration. I am, therefore, instructed to request that the Board of Trade will be good enough to further extend the time for sending in replies for three months, so as to enable the Vestry to confer with the Companies, and make such arrangements as may, in the interests of the parishioners and the public generally, be deemed expedient."

That was the view of the Kensington Vestry, and the answer they received from the Board of Trade was a very curt one, refusing more time. The letter was written on the 26th of April, and when the matter was discussed the Provisional Order had only been submitted to the Vestry for two days; nevertheless, the Board of Trade refused to grant more time for its consideration. The position taken up by the Kensington Vestry was this—"We are not prepared to consent to your Order, and we are not prepared to refuse it. Therefore, if you go on with the Order we throw the responsibility upon you—the Board of Trade. Of course, you have power to do it, if you like; but we are not a consenting party. We object to the *onus* of proving that this is not a good Order being thrown upon us, and we think that the *onus* of proving that it is a good Order ought to be thrown upon the Company, and that they ought to obtain our consent." The other day, when the question was under discussion, the President of the Board of Trade said that local government was all very well, but that local authorities might, through ignorance or prejudice, put a stop to this great improvement. It was quite evident that the Board of Trade were bent upon coercing the local authorities. He quite admitted that the Bill of last year gave certain power to the Board of Trade; but he was surprised to find the Board carrying it to such an extent. Very few knew anything about the Electric Lighting Bill which was passed through the House at the end of last Session. They had had a Provisional Order presented under it to the Kensington Vestry only two days before they were required to appear before the Board of Trade. They were told that they must either consent to it, or show adequate reasons for throwing it out. He could only again express his surprise that the President of the Board of Trade, of all men in the world, should have taken this high-handed and despotic action. The Kensington Vestry, not having made up their mind on the subject, applied to the Board of Trade for three months' delay in the matter, but this was peremptorily refused; and it now appeared that this Order was to be thrust upon them in spite of that objection. Individually, he had no objection to the Bill; but, in the interest of local government, he was sorry to see an attempt to force it in this manner. The Kensington Vestry had no voice in the matter; and if the Bill were persisted in, as far as the Kensington Order was concerned, the entire responsibility must rest upon the Board of Trade and the Committee to which the Order was referred.

MR. CHAMBERLAIN said, he was very much surprised at the line of action taken by his hon. Friend the Member for Kirkcaldy (Sir George Campbell). It would be in the recollection of the House that when this Bill was proposed for second reading his hon. Friend dissented from it on the same ground that he had urged to-day; but, with the evident concurrence of the great majority of the House, the matter was referred to a Hybrid Committee for consideration, before whom all parties could be heard, and to whom the ordinary rules in regard to *locus standi* would not be applied. That Committee was presided over by the right hon. Member for North Hampshire (Mr. Sclater-Booth); and after having held several Sittings, and having heard all the parties, the Committee came to a decision. With respect to the Kensington Order, he believed that no alteration was made in the provisions of the Order as originally drawn; and he was surprised, after the careful inquiries of the Committee, that his hon. Friend still persisted in his opposition. The opposition of his hon. Friend was based on an entire misconception of the action of the Board of Trade; but he (Mr. Chamberlain) begged to say that the Board were not, in the slightest degree, concerned in the matter except as servants of the House. The Board of Trade had had imposed upon them the duty of carrying out the Bill passed last Session. His hon. Friend made a charge that the Bill was hurried through the House. It was nothing of the kind. It was altogether inaccurate to say that it was hurried through the House; on the contrary, it was discussed during nearly the whole of a Saturday Sitting, and all its provisions were adopted by the House. He believed that several Divisions took place, but that almost unanimously the feeling of the House was in favour of the Bill. Now, the principle of that Bill could be briefly stated. It was quite conceivable that the House might have taken the view that this question of electric lighting was one that concerned the local authorities only; and it might have allowed the local authorities to have the whole decision of the question without any interference, and have let them have the right of deciding absolutely whether the districts in which they were interested were to be lighted by electricity or not, and on what conditions the lighting was to be carried out. There appeared, however, to be a general feeling that if that were done it might happen that the local authorities, and especially those who happened to be in the possession of gas works, might think it to their interest to shut out the experiment; and it was also thought that if it were left to the local authorities to say whether a particular system should be introduced or not, it might possibly happen that over the greater part of England the experiment would be altogether prevented, and that was deemed to be undesirable. The duty was therefore cast upon the Board of Trade of carrying out the Act by enabling licences and Orders to be granted to Companies to light certain districts, preference being given, in the first place, to local authorities who wished to light their own districts, and power being given to the local authorities to settle the conditions upon which private Companies would come in. The Board of Trade had gone most carefully into the question submitted to them; and, generally speaking, the Orders were very nearly the same in all cases, and had been assented to by all the parties concerned. A great number of Orders had already passed the House, and some had passed the other House, and the local authorities had agreed to the terms arranged. There were one or two cases in which there had been objection, and the Kensington Vestry was one of them. What the Kensington Vestry said was—"We do not know enough about electric lighting to induce us to say anything about it at the present moment, and therefore we ask for further delay; but we do not seek to oppose the Order." The hon. Member for Kirkcaldy (Sir George Campbell) said the Vestry asked for three months' delay; but the hon. Member knew perfectly well that three months' delay meant the throwing over of the Bill until next Session. Under those circumstances, the Board of Trade felt it was not fair to refuse to hear what the Company which proposed to light the district had to say; and, being satisfied that it was a feasible and practicable scheme, the very limited power which the Bill alone gave had been conferred—namely, the power of lighting the district for 21 years, subject, however, to the possibility of another Company stepping in hereafter with some further discovery in electricity, or with a proposition to light the district upon more satisfactory terms. That was all he had to say with regard to the Kensington Vestry. He now came to the case of the Strand District, and he was sorry that he was not able to consent to the proposition of the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) to exclude that district from the Order. Perhaps the House would allow him to state what the question was. The Strand was a very peculiar district altogether, and was very strangely configured. It consisted of three parts. The Edison and Swan Companies proposed to light one part of the district; but the Strand Board favoured an agreement with the Jablochkoff Company. The Board of Trade, however, considered the matter, and refused the Order. Now, the district of St. Paul's, Covent Garden, was wholly surrounded by the district of St. Martin's, and the district of St. Martin's had agreed with the Edison Company to light their district; but the opinion of the Board of Trade was that it was absolutely impossible for the district to be lighted satisfactorily by any other Company than that which undertook the lighting of St. Martin's; and, after full consideration, they decided to give to the Edison Company power to light the inclosed district. Then there was a third district—the Strand proper—running down to the Embankment, for which an application was made by the "Swan" Company for an Order, and also an application for a licence from the Jablochkoff Company.

There was, however, evidence from the consumers that if the licence was granted to the Jablochkoff Company nothing whatever would be done—because the Company was not in a position to give satisfaction, not having a suitable amount of capital, and not being otherwise in a position to carry out the scheme if allowed to go on with it. Upon these facts an Order was made by the Board of Trade giving the district to the Swan Company; but with the proviso that if the Jablochkoff Company should apply for a licence within six months, and should be successful in obtaining it, the Swan Company should give up so much of the Strand District as the Jablochkoff Company could obtain a licence for. He was sorry that the Chairman of the Committee was not present. It was in that form that the Bill came before the Committee; and after going into the facts of the case carefully the Committee decided, he believed, to confirm the Edison and Swan Orders, and to strike out the proviso relating to the Jablochkoff Company. The Committee seemed to think that the application of the Jablochkoff Company was not a serious one, and that it ought not to be seriously entertained; and, furthermore, that the Board of Trade had exceeded their powers in making the Order of the Swan Company conditional. Therefore, the Committee decided upon making an absolute Order in favour of the Swan Company. They had, however, made some alteration in the district of St. Paul's, Covent Garden, and had made some other trifling alterations in the Bill. That Bill now came down to the Lower House with these alterations; and he hoped the House, after the statement he had made, and knowing how carefully the matter was gone into by the Board of Trade in the first instance, and afterwards by the Hybrid Committee, who heard all the evidence, and considering the enormous expense the parties would be put to by further opposition, would place no further obstacle in the way of the passing of the measure. With respect to Kensington, as he had already pointed out, a delay of three months meant a delay of a Session; and if the Kensington Vestry could not make up their minds before now, there was no reason to suppose that they could make it up in another year.

MR. J. R. YORKE said, he did not see what occasion there was for hurry in the matter, especially when the President of the Board of Trade himself admitted that he was not in a position to give an accurate account of the details of the Bill. He (Mr. Yorke) did not suppose that a single day's delay, which was all that his right hon. Friend the Member for Westminster (Mr. W. H. Smith) applied for, would interfere with the progress of the measure. If the control of the House over its Committees was to be a reality and not a farce, it was most desirable that there should be some opportunity afforded of ascertaining what the Committee had done, instead of passing the Bill as a matter of course, because the President of the Board of Trade said that great expense would be incurred, and it was to be presumed that the Committee had given their decision in accordance with the equities of the case. Not long ago the Bill was before the House for second reading, and it was then stated that the arrangement proposed for the Western District was by no means satisfactory. The House were then told that the Bill was to be referred to a Committee, and that a Committee was the proper tribunal to determine the matter. The Westminster District Board of Works went to great expense in employing Parliamentary agents and counsel and everything necessary to fight the Bill before the Committee. The progress of the Bill was delayed for some days in Committee, and then, in the end, the Company withdrew everything that applied to the Western District, so that all the expense incurred by the Western Local Authorities was thrown away. If the matter had been fairly fought out on the second reading of the Bill all that expense would have been spared. He, therefore, hoped the Board of Trade would not force this measure upon the House without affording the House an opportunity of knowing what the decision of the Committee was. There could be no extraordinary reason for hurriedly forcing these Electric Lighting Bills through the House. It could not be pretended for a moment that electric lighting was in such a state that it was absolutely perfect, and, therefore, it was desirable to enforce an experimental system upon a locality for 21 years without giving an opportunity to the district during that period of adopting any other principle, although they were quite on the threshold of electrical science. If electrical science were perfect, they might have colour for the manner in which these matters were being forced upon the House and upon the local authorities; but it was well known that electric lighting was still in its infancy, and it was most undesirable to give one Company a monopoly over another, especially for so long a period as 21 years. His own opinion was, that it was both impolitic and unwise to force these Provisional Orders upon a district without the full consent of the local authorities.

Mr. PULESTON said, he was not going into any of the questions involved in these Provisional Orders, and he had risen merely for the purpose of answering the remark made by the hon. Member for Kirkcaldy (Sir George Campbell), when he said that the Electric Lighting Bill of last Session was passed through the House with undue haste. He thought that that was a remark which ought to be flatly contradicted. He submitted, most respectfully, that every possible facility was afforded for the discussion of that Bill, even by having, at the request and with the assent of the entire House, a whole day for the discussion of the measure.

Sir GEORGE CAMPBELL remarked, that it was quite at the fag end of the Session.

Mr. PULESTON admitted that the House was by no means full at the time; but the Bill was taken on a Saturday, and was carefully considered and discussed in Committee. Although he had been upon the Select Committee himself, he was prepared to assert that no Bill was more thoroughly thrashed out; and he could only say that unless some means were found for giving effect to the decision of the House and of its Committees, all legislation would be at an end. He was not prepared to say whether the right hon. Gentleman the President of the Board of Trade would act wisely or unwisely in assenting to the proposal to put off the Bill for another day; that was another question altogether; but he thought some means ought to be found for giving effect to a measure which had been so elaborately prepared in the interests of the public as that which was before the House last Session.

Sir ALEXANDER GORDON wished to point out that his hon. Friend the Member for Kirkcaldy (Sir George Campbell) had not spoken on behalf of the Kensington Vestry in this matter. That Vestry applied for an extension of time, because they could not make up their minds in the few days allowed by the Board of Trade; and, being refused an extension of time, they were quite content to leave the question to the Board of Trade, reserving to themselves the right of adopting any scheme which might be found cheaper or more expedient in the course of the next 21 years. Upon that understanding they were not prepared to offer any further opposition to the measure.

Motion *agreed to.*

Bill, as amended, *considered;* to be read the third time *To-morrow.*

AGRICULTURAL HOLDINGS (ENGLAND) BILL.—[Bill 272.]

(*Mr. Dodson, Mr. Shaw Lefevre, Mr. Solicitor General.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Dodson.*)

Mr. DUNDAS said, he did not wish to detain the House; but he thought the words "fair and reasonable" in the Bill were somewhat indefinite. He hoped they would have an assurance from the Government that words would be inserted in "another place" with the view of making more clear what it was that constituted a fair and reasonable agreement—whether it was fair and reasonable at the time, under the circumstances and conditions which existed when the agreement was made.

Mr. DODSON said, that he had explained to his hon. Friend that the Government would consider the point to which he had referred.

Sir MICHAEL HICKS-BEACH said, it was impossible to exaggerate the importance of the point which had been raised by the hon. Gentleman. He had always felt that it was desirable, where compensation to tenants for unexhausted improvenents was not given by lease or agreement, that it should be provided by legislation; and he therefore regretted that the Agricultural Holdings Act of

1875 was only of a permissive character. The principle was embodied in the present Bill, and, on this account, he had felt himself able to support its second reading; but it appeared to him that a very great objection to the Bill was that there were scarcely any directions to guide the valuers in estimating the value of unexhausted improvements to the incoming tenant. The Bill had been improved by the insertion, in the 2nd clause, of words declaring the principle which he understood Her Majesty's Government had always had in their mind—that the tenant should not profit by anything that belonged to the landlord. But there was still so wide a scope left for difference of action on the part of ignorant or prejudiced valuers that it might lead to great contention between landlords and tenants, and to great inequality in the valuations that were made. Then came the alternative which the Government had proposed. They had proposed—and, he thought, necessarily—that it should be possible, where desired, for the landlord and tenant to contract themselves out of the Bill by an agreement giving fair and reasonable compensation. Such a proposal was, in his opinion, absolutely necessary in legislation of this kind, on account of the varying circumstances of different parts of the country. Those circumstances would make it unjust, and probably also impracticable, to apply a hard-and-fast rule of legislation all over England. But, having done that, the Government had not attempted to define what fair and reasonable compensation was, and they had left the question to the decision of a Court of Law, perhaps 30 or 40 years after the making of the agreement. It was obvious that when the time came—the end of the tenancy—for an agreement between the two parties to be construed, one or other of the parties, or their representatives, might not improbably find something in that agreement to which to take exception, though it had been accepted as perfectly fair at the time the agreement was made. It might be the landlord, it might be the tenant, who desired to set aside the agreement entered into giving to the tenant at the time it was made *bonâ fide* compensation for unexhausted improvements; but whether it was the landlord or tenant, he had the power to drag the other into a Court of Law. He (Sir Michael Hicks-Beach) had endeavoured to meet that by proposing that the two parties should be enabled to settle the question once for all before an impartial umpire; but the House did not adopt the proposal. He felt the importance of this matter so strongly that, agreeing as he did to the principle on which the Bill was based, he could hardly feel justified in giving his vote for the third reading, were it not for the hope and belief that this matter would be considered not only "elsewhere" by those whose practical knowledge and experience entitled them to express an opinion quite as much as any Members of that House, but that it would have the favourable consideration of Her Majesty's Government, so that the two parties might be enabled to make an agreement with some reasonable assurance that it would be binding, and both landlords and tenants might be saved from litigation.

Motion *agreed to.*

Bill (Queen's *Consent* signified on behalf of the Crown and the Duchy of Lancaster, and the Prince of Wales's *Consent* on behalf of the Duchy of Cornwall),—read the third time, and *passed.*

AGRICULTURAL HOLDINGS (SCOTLAND) BILL.—[BILL 190.]

(*The Lord Advocate, Mr. Solicitor General for Scotland.*)

COMMITTEE. [*Progress 31st July.*]

[FOURTH NIGHT.]

Bill *considered* in Committee.

(In the Committee.)

Charge of Tenant's Compensation.

Clause 23 (Power of landlord on paying compensation to obtain charge).

GENERAL SIR GEORGE BALFOUR said, he wished to move to leave out from "or," in page 7, line 31, to "Act," in line 33. It appeared to him that these words should be omitted; but he would leave the matter to the Lord Advocate, without any lengthened observations.

Amendment proposed, in page 7, line 31, to leave out from the word "or" to "Act," in line 33.—(*General Sir George Balfour.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The LORD ADVOCATE (Mr. J. B. Balfour) said, it appeared to him that the words in the Act were necessary, because the Bill provided not only for the compensation ascertained in the manner specified in it, but also for equivalent or substituted compensation. For instance, there might be an arrangement in the case of drainage; and he was afraid the Bill would be defective if it did not allow a charge to be made by the landlord in respect of such substituted as well as in respect to statutory compensation.

General Sir GEORGE BALFOUR said, that if a question of drafting was involved he should be bound to give way. He begged to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Sir ALEXANDER GORDON said, he desired to propose that after the word "Act," in line 33, they should insert "or on his defraying himself the cost of improvements proposed to be executed by the tenant." This Amendment had been adopted by Her Majesty's Government in the English Bill; therefore, he hoped it would be adopted in the Scotch Bill.

Amendment proposed,

In page 7, line 33, after the word "Act," to insert the words "or on his defraying himself the cost of improvements proposed to be executed by the tenant."—(*Sir Alexander Gordon.*)

Question proposed, "That those words be there inserted."

The LORD ADVOCATE (Mr. J. B. Balfour) said, that, as he understood, in the English Bill the question was limited to drainage, and was not general. Seeing that the landlord was forced to do a thing, as an alternative for the tenant doing it, he should have the same right to charge as if the tenant had done it, and claimed and been awarded compensation. He (the Lord Advocate) thought the principle of the Amendment just, and would accept it; but it might be necessary to amend the words on Report.

Amendment *agreed to.*

Sir HERBERT MAXWELL said, the next Amendment was in his name—namely, to leave out the words "the holding," in line 34, and to insert "his estate." The object of the Amendment was to provide that the area of charge should be the estate.

Amendment proposed, in page 7, line 34, to leave out the words "the holding," and insert the words "his estate."—(*Sir Herbert Maxwell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. COCHRAN-PATRICK said, he was in favour of the Amendment.

The LORD ADVOCATE (Mr. J. B. Balfour) said, if the hon. and gallant Baronet did not object, he should prefer the Amendment which stood next on the Paper in his own name, which was to insert, after the word "holding," the words "or the estate of which it forms part." The Amendment of the hon. and gallant Baronet would leave no option. There might be inconveniences in charging a particular holding; but, at the same time, in other cases it might be a convenient thing; therefore, it was only right to give the landlord an option.

Sir HERBERT MAXWELL asked whether, in the case of an entailed estate, it was possible to charge any particular part?

The LORD ADVOCATE (Mr. J. B. Balfour) said, that would depend upon the wording of the Acts.

Sir HERBERT MAXWELL said, that, with all due deference, he considered that his Amendment was the best. The right hon. and learned Gentleman's Amendment did not seem to meet the case where a single holding formed an entire estate.

The LORD ADVOCATE (Mr. J. B. Balfour) said, it was to meet that case that they gave the option.

Amendment *negatived.*

Amendment proposed,

In page 7, line 34, after the word "holding," to insert the words "or the estate of which it forms part."—(*The Lord Advocate.*)

Amendment *agreed to.*

General Sir GEORGE BALFOUR said, the next Amendment would render the clause more definite.

Amendment proposed,

In page 7, line 34, after the word "thereof," to insert the words "and the tenant shall pay such interest as provided by this Act along with his rent to the landlord, who shall be responsible for the interest to the bondholder."—(*General Sir George Balfour.*)

Question proposed, "That those words be there inserted.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, that, even assuming that the Amendment of the hon. and gallant Baronet was appropriate in substance, it would be scarcely appropriate to introduce it here. It would introduce a third party. Any arrangement as to interest should be an arrangement between the landlord and tenant himself.

Amendment, by leave, *withdrawn.*

SIR HERBERT MAXWELL said, he wished to move to omit the following words from the clause :—

"Or, if the landlord be himself a tenant of a holding, by executing and duly intimating an assignation of the lease in security and for repayment of the amount paid, or any part thereof, with such interest and by such instalments, as the sheriff may think fit. But, where the landlord obtaining the charge is not absolute owner of the holding for his own benefit, no instalment or interest shall be made payable after the time when the improvement in respect whereof compensation is paid will, where an award has been made, be taken to have been exhausted according to the declaration of the award, and in any other case after the time when any such improvement will, in the opinion of the sheriff, after hearing such evidence (if any) as it thinks expedient, have become exhausted."

He could not help thinking that the clause would be equally workable without the part he proposed to leave out. If they were to have a practical construction put upon these words, it would be found difficult to say when an improvement would be exhausted. How was any authority to decide how long the advantage to the tenant would last? And he presumed it was intended to fix the rate of interest for repayment of the outlay in proportion to the duration of the agreement. The greatest possible difficulty would be found in working the provision he wished to omit.

Amendment proposed, in page 8, line 1, to leave out all the words after "fit," to "exhausted," in line 14.—(*Sir Herbert Maxwell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he was quite sensible that there was a certain degree of difficulty and perplexity in this matter ; but he was afraid that unless the provisions to which the Amendment applied, or something equivalent were introduced, the Bill would fail of effect in very many cases. In the first place, as to the provision at the top of page 8, it was intended to meet a case of this kind—the object of the Bill was to give the tenant, who was the actual possessor and cultivator of the ground, the rights specified in the Bill generally. The tenant might either be the holder under the landlord or a sub-tenant ; and if there was no provision as to what was to be done between the tenant and the sub-tenant, there would be either a failure to apply the Bill to the case of a sub-tenant, or an injustice to the principal tenant, if they did not provide that he might charge his interest in the same way as the owner might charge his. It was to meet such a case that the provision at the top of page 8 was inserted. The provision which said—

"If the landlord be himself a tenant of a holding, by executing and duly intimating an assignation of the lease"—

in the only way he could by the law of Scotland—

"in security and for repayment of the amount paid, or any part thereof, with such interest and by such instalments, as the sheriff may think fit."

He would point out that the Interpretation Clause—Clause 37—contained the definition—

"'Landlord' in relation to a holding means any person for the time being entitled to receive the rents and profits of or to take possession of any holding."

So that it was essential, in order to give the benefits of the Bill to those who were the actual possessors, to confer on the principal tenant the same rights that the landlord would have, of not being obliged to pay compensation without charging his interest in the holding. That was the meaning of the first part of the clause. The other was to meet this difficulty. It was quite plain it would not do to allow charges in respect of improvements, which were, more or less, wasting improvements —some of them comparatively transient —to become permanent burdens on the estate, otherwise the estate might, in course of time, become overwhelmed with debt. For example, if, at the end of a 19 years' lease, charges for tenants' improvements were put on the estate, and at the end of the next 19 years' lease there were a fresh set of charges put upon it, and so on, the estate would be over-burdened, whilst the improvements for which compensation had been originally given would have become exhausted. The hon. and gallant Baronet, he thought, would see that it was quite essential to take safeguards that there should be a disappearance of the charges reasonably coincident with the exhaustion of the improvements. He ventured to think that that object was as well carried out as it could be. If any hon. Member could suggest a better method the Government would be glad to adopt it. In the first place, what they provided was for the case where the landlord was not absolute owner. Where he was absolute owner he could do with the estate as he pleased. The clause said—

> "But where the landlord obtaining the charge is not absolute owner of the holding for his own benefit, no instalment or interest shall be made payable after the time when the improvement in respect whereof compensation is paid will, where an award has been made, be taken to have been exhausted according to the declaration of the award."

That was to say, where compensation had been settled by an award, and the award had declared the duration of an improvement, there was no difficulty in taking that and making the charge coincident with the duration. But, lest there should be an award pronounced which did not declare the duration of the improvement, they provided—

> "And in any other case after the time when any such improvement will in the opinion of the sheriff, after hearing such evidence (if any) as it thinks expedient, have become exhausted."

They provided two means of defining the duration or life of the improvement from which, as they thought, ought to follow the duration or life of the charge. These two means were quite simple, and he thought the hon. and gallant Baronet would see that, without some such mechanism as that, there would be an imperfection in the Bill, and a great injustice to limited owners.

MR. PRESTON BRUCE said, he thought that if the latter part of the words the hon. and gallant Baronet wished to leave out were omitted the clause would be rather difficult to work. As regarded the first part, he (Mr. Preston Bruce) had proposed to omit the words from "or," to "fit," in line 5, because they appeared to him very obscure; but after the Lord Advocate's explanation he could quite conceive that they might be necessary in some cases—for instance, where the tenant held his farm from a proprietor whose interest was a long lease of, say, 999 years. He would suggest to the Lord Advocate whether it would not be possible to make the wording of the paragraph rather more clear, for what was apparently intended was that where the landlord's interest was a leasehold interest he should be able to create a charge by assignation. That idea, it occurred to him (Mr. Preston Bruce), might be more clearly expressed, and perhaps the Lord Advocate would consider the point before the Report.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he should be glad to consider whether the wording could be improved.

MR. ANDERSON said, he had not understood the bearing of the clause; but, after the explanation of the Lord Advocate, he considered it necessary to retain it. At the same time, he believed it could be rendered a little more clear. One of the points on which it was not very clear was this—that it put the sheriff in the neuter gender in line 13. The words were—

> "In the opinion of the sheriff, after hearing such evidence (if any) as it thinks expedient," &c.

That error, at least, ought to be corrected.

SIR HERBERT MAXWELL said, that one of the peculiarities of the Bill was that it provided, wherever a question arose which neither the common sense, nor the experience, nor the second sight of anyone else was able to decide, a *Deus ex machina* in the form of a sheriff should be invoked to solve the problem. There existed already sufficient machinery in the Court of Session to enable limited owners to charge their property for what were permanent improvements. However, he should not press the Amendment.

Amendment, by leave, *withdrawn.*

THE LORD ADVOCATE (Mr. J. B. BALFOUR) explained that they were desirous that charges under the Bill should be made in the simplest and least expensive form possible; therefore they preferred to have recourse to the sheriff rather than to the procedure under the Entail Acts. He thought it would be found really necessary to proceed as they proposed here.

SIR ALEXANDER GORDON said, he wished to move, in page 8, line 5, after "fit," to add—

"Provided that the whole repayment shall be made, and the charge on the holding removed, within twenty-five years from the date of the order, and that such charge by the sheriff shall be a first charge on the holding, having priority over every other then existing and future charge and incumbrance affecting such holding, except any previous charge under this Act, or under the Improvement of Lands Act of 1864."

He thought it undesirable that these charges should remain, as they sometimes did, upon the land for half a century or more. The late Lord Advocate (Mr. M'Laren) had more than once expressed the opinion that the charge should be wiped out in 25 years. If the Bill was intended to be a really effective measure it was absolutely necessary that the charge on the holding should have priority, otherwise there would be no margin for other mortgages upon which money could be raised. As he understood it, the principle he desired to recognize by the Amendment had already been adopted by the Government in regard to drainage in Clause 4. The right hon. and learned Gentleman had consented that the charge for drainage should be wiped out in 25 years. ["No!"] Well, at any rate, an Amendment to that effect had been proposed and discussed. His impression, certainly, was that the Government accepted it, and the House would have to remain in a state of uncertainty until they saw how the Bill was printed. If this Amendment were adopted it would only be carrying out the same principle as was adopted in the Bill of 1864, and would make the clause a reality instead of a sham.

Amendment proposed,

In page 8, line 5, after the word "fit," to insert the words—"Provided that the whole repayment shall be made, and the charge on the holding removed, within twenty-five years from the date of the order, and that such charge by the sheriff shall be a first charge on the holding, having priority over every other then existing and future charge and incumbrance affecting such holding, except any previous charge under this Act, or under the Improvement of Lands Act of 1864."—(*Sir Alexander Gordon.*)

Question proposed, "That those words be there inserted."

MR. WEBSTER said, he would call the attention of the Committee to the Proviso at the end of the clause, with the hope of inducing the Lord Advocate to reconsider its wording. It appeared to him extremely obscure, and such as would prevent money being advanced on the securities which it proposed. He might refer to the observations on this Proviso in the well-considered Report of the Writers to the Signet. They said of it—

"This Proviso appears to be quite unworkable, and it would be quite impossible to charge the estate satisfactorily under it."

He feared there was ground for this objection, and it would be a great pity if the beneficial objects of the Bill were defeated by imperfect wording. It was the rule of Scotch law that to make an heritable—that was, a real—security effectual on land, the amount secured or remaining a burden at the time must be perfectly definite, as well as the term of payment, on the face of the registered deed constituting the security. This did not appear to be adequately provided for in the Bill. He did not move an Amendment, because he had no wish to interfere with the carrying through of the Bill as quickly as possible; but he submitted the question to the consideration of the Law Officers of the Crown.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he was afraid he could not assent to the Amendment of the hon. and gallant Member. The first part of it provided for the repayment of the money within 25 years, which might apply either to the case of a fee-simple or the case of an entail. With regard to the former, it was not necessary, and might involve an interference of a kind not very reasonable on the part of Parliament. It would not be reasonable to dictate to fee-simple owners what charge they should put upon their estates. It would be an entire novelty to say to a fee-simple owner—"You shall not do as you like with your property—you shall not allow the tenant's charge for compensation to remain on it more than 25 years." That was the answer, so far as the case of the fee-simple was concerned; but, so far as the case of the limited or entailed proprietor was concerned, he submitted that the Amendment was not so good as the provisions of the Bill. They had not taken an arbitrary period of 25 years, but had provided that the duration of the charge should, by the terms of the instruments, be made to coincide with the exhaustion of the improvements. That accomplished what his hon. and gallant Friend proposed, and did so in a much better way, having regard to different kinds of improvements. Some improvements might last only a very few years, whilst others might last 25 years; therefore they said—"Make the charge coincide with the survival of the improvement." The next part of the Amendment seemed to him to involve a very serious proposal indeed. It was, that this charge for tenants' compensation should be a first charge—

> "Having priority over every other then existing and future charge and incumbrance affecting such holding, except any previous charge under this Act, or under the Improvement of Lands Act of 1864."

He should strongly object to putting the charge in front of bonds which had been granted to people who had lent money on the security of the estate. It should come in as a charge after those bonds were satisfied, or it would be unfair to the bondholders, and would make the security to a greater or less extent valueless. The hon. and gallant Gentleman said there were estates on which the course he recommended was followed in regard, though not exclusively, to drainage works, and no doubt he was right. These estates, however, were of an exceptional kind, and exceptional arrangements were made for payment in respect of these works. No one suffered in this case, for the works were executed under the eye of the Government Inspector, and there were a great many safeguards provided. He submitted that it would not be right to apply that which was adopted in exceptional cases to improvements of all kinds. With regard to what had fallen from the hon. Gentleman the Member for Aberdeen (Mr. Webster), he had correctly stated the law in regard to the security of the landlord's rights and the method of making that security effectual; and he (the Lord Advocate) had quite recognized that in framing the clause. He should be glad to confer with the hon. Member, and if the hon. Member could suggest a better way of carrying out their object the Government would be glad to accept his suggestion, and bring it forward on Report. The Report of the Writers to the Signet must have been written under some misapprehension as to the object and effect of the latter part of the clause. The clause said that no instalment should be made payable after the time of the exhaustion of the improvement, which, of course, meant after the term specified in the instrument constituting the charge. He hoped his hon. Friend would see that that would satisfy everything which was essential.

Mr. A. J. BALFOUR said, he could not imagine a proposal more cruel to the landlord, or more unjust to the mortgagees, than that proposed. In Scotland, as everyone knew, they had an admirable system of borrowing and of land security. That system would be shattered to its foundation if the proposal of the hon. and gallant Gentleman were carried out. The result of it would be that people who had money invested would find their security greatly diminished, and landlords who wanted to borrow in future would find that they would have to pay higher interest than at present. As to the proposal that everything should be paid off in 25 years, it had been, he thought, conclusively shown by the Lord Advocate that it would operate in exactly the opposite sense to what was intended by the hon. and gallant Member, which was to prevent certain estates being burdened longer than necessary.

Mr. RAMSAY said, it occurred to him that the language of the Bill might be made rather plainer as to the power of the sheriff to fix the time when the improvement should be regarded as exhausted. The sheriff had to fix the time; but there was no provision in the measure making it obligatory on him to determine the period at which the improvement should be held to be exhausted. It would be desirable, if the right hon. and learned Gentleman felt it could be done without altering the scope of the clause, to insert a provision requiring the sheriff to determine the period. He felt that there was great objection to the Amendment proposed, as it would prevent a proprietor from borrowing on any terms. The Amendment would have the effect of inducing persons who held bonds to call upon those to whom they had lent money to pay up. Generally, that would not be a great evil; but, at the present time, when estates would not sell, if lands were to be mortgaged at all it would be desirable to give the mortgagees the power they possessed at the present time.

General Sir GEORGE BALFOUR said, he was glad the bad wording of the Bill had been noticed. He would suggest that bonds should be paid off by a system of annuity, the amount to depend on the number of years to run. He should be glad to confer with the Lord Advocate to draw up an Amendment in this sense if the right hon. and learned Gentleman thought it desirable.

Mr. WEBSTER expressed himself satisfied with the statement of the Lord Advocate, with whom he should be glad to confer. His desire was to make the securities marketable according to Scotch law.

Amendment, by leave, *withdrawn.*

Sir ALEXANDER GORDON said, the chief difference between the present Bill and the Act of 1875 was that improvements here were not to be held to be exhausted until they were really exhausted; whereas the Act of 1875 contained a limitation of this provision. A time was named beforehand at which the improvements might be declared to have become exhausted.

The LORD ADVOCATE (Mr. J. B. Balfour) said, undoubtedly the principle of the clause was to enable the actual period of the duration of the improvements to be ascertained as nearly as possible. It was not like the Act of 1875, to take the aggregate amount, and then spread it over a number of years; but the landlord was authorized to make a charge during the time the improvements were still running—that was to say, during the time they were not exhausted.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

Mr. J. A. CAMPBELL said, the clause did not appear to him to be clear or easily understood, and his own impression was that it was unnecessary, because the law already gave power to proprietors, on paying compensation, to charge it on their estates. He gathered from what had fallen from the Lord Advocate that the right hon. and learned Gentleman considered that facilities were given by the clause which were not already to be had under the existing law. If that were so, he should not move his Amendment; but he could not help saying that the clause appeared, from the conversation which had taken place, to be difficult to understand; and, therefore, it was open to doubt whether they were improving the Bill by retaining it.

Mr. COCHRAN-PATRICK said, he thought the proposal of the Government was to do that which could already be done in a better, more expeditious, and a less expensive way; and he hoped that something would be done to make that perfectly clear. Certainly, if the Bill provided a less expensive and more expeditious way of doing it, it was desirable that the clause should stand.

Mr. RAMSAY said, he had no wish to provide facilities for mortgaging estates; but he thought that if obligations were placed upon a proprietor of the nature provided by the Act, it was desirable that he should have facilities for borrowing money in the cheapest manner. That, he thought, was the only benefit which could accrue from the provision introduced into the Bill; but as the Lord Advocate proposed to consider the matter before the Report stage, it would be, perhaps, better to defer the discussion upon the matter.

Mr. J. W. BARCLAY understood that the facilities given by the clause were to this effect—that the sheriff of the county was to do under the Bill what could only be done at present by an application to the Court of Session. That he understood to be the principle of the increased facilities given; and if that was so, he did not see why the proposal should be objected to.

The LORD ADVOCATE (Mr. J. B. Balfour) said, there were powers already contained in the Entail Acts to have recourse both in regard to the sheriff and to the Court of Session for having improvement expenditure charged; but they did not apply to wasting or temporary improvements, and the present clause would certainly afford a cheaper mode of dealing with that question, which could not arise under the existing law. There would, in fact, be a double advantage in retaining the clause.

Clause, as amended, *agreed to.*

Clause 24 (Advance made by a company).

General Sir GEORGE BALFOUR said, he had placed several Amendments on the Paper in connection with this clause, and his object in doing so was to enable more capital to be brought in. His Amendments provided that money might be advanced not only for the improvement of land, but also for the cultivation of and farming of land, and to assist farmers to purchase their holdings, and that the money might be advanced not only by Companies incorporated by Parliament, but by Companies incorporated under the Limited Liability Acts. He had been told by more than one of his constituents that one of the great objects they ought to obtain was the introduction of more capital into the cultivation of land; and his first Amendment was to insert, after the words "any Company now or hereafter incorporated by Parliament," the words "or incorporated under the Limited Liability Acts." Of course, hon. Members were aware that it would cost a considerable sum of money to get a Company specially incorporated; but under the Limited Liability Acts the expense was comparatively small. If that Amendment were passed the next Amendment would follow almost as a matter of course—namely, that such Companies, having power to advance money for the improvement of land, should also be empowered to advance it for the cultivation and farming of land, and to assist farmers to purchase their holdings. He hoped the Lord Advocate would see fit to accept these Amendments. In that event small Societies or Companies might be formed, by means of which, by the payment of a moderate rate of interest, the farmers might be enabled to obtain loans to assist them in acquiring their holdings. He believed it was a fact that wherever a farmer had hitherto been able to obtain funds for the cultivation of his holding very good results had followed; but with the limited capital he had been able to obtain during the last eight or nine years, it had been found impossible to undertake even necessary improvements. Upon these considerations he ventured to recommend these two Amendments for adoption to the Committee.

Amendment proposed, in page 8, line 17, after the word "Parliament," to insert the words "or incorporated under the Limited Liability Acts."—(*General Sir George Balfour.*)

Question proposed, "That those words be there inserted."

Sir JOHN HAY said, that upon this clause, and the Amendment proposed by the hon. and gallant Gentleman opposite (Sir George Balfour), he should like to ask the Lord Advocate whether a loan obtained under a sheriff's order would really do away with the expensive process of searching for encumbrances? It certainly appeared to him that that, which was a most expensive course of proceeding, would not be obviated by this clause.

The LORD ADVOCATE (Mr. J. B. Balfour) said, that any prudent lender, before he advanced his money, would probably make a search; because it was only by making a search that he could say whether there was a sufficient margin to justify the advance. He was afraid that under the Act there was no method by which they could dispense with the necessity of a search.

Sir JOHN HAY asked where, in that case, would be the economy of the process of obtaining a sheriff's order?

The LORD ADVOCATE (Mr. J. B. Balfour) said, there would be economy in working out the powers of the Entail Acts. With reference to the Amendments proposed by the hon. and gallant Member for Kincardineshire (Sir George Balfour), he should be prepared to accept the first with respect to Companies incorporated under Limited Liability Acts, which he certainly thought was an improvement. The object of the clause was, as had already been explained, an empowering clause to empower certain classes of Companies to lend money. There was no clause which empowered the owners to borrow, and this clause gave power to certain Companies to lend. He quite agreed with the hon. and gallant Member that the more widely that power was extended the better it would be for agriculture by bringing more lenders into the market. With regard to the other Amendment proposed by the hon. and gallant Member, he approved of it; but he would suggest to his hon. and gallant Friend whether it would not be better to strike out the latter part of it, which said—"And to assist farmers to purchase their holdings." The words of the second Amendment were directed to define the class of Companies who were to be the lenders. While it was quite right to provide that, under the Act, Companies having power to advance money for the improvement of land should have the power to lend under the Bill, because that was the object of the Government, and quite germane to the cultivation of the land, he must point out that to assist farmers to purchase their holdings was a very different proposition, altogether distinct from lending money to landlords for the improvement of the land. Certainly, to give power to Companies to lend money to landlords who had been called upon to pay compensation when the Companies had been formed to assist farmers in purchasing their holdings would be giving the Companies powers entirely different from those for which they were constituted; and, therefore, he thought these words had better be struck out. He entertained a strong objection to them; and he thought it was quite clear that they were not consistent with the principle of the Bill, which was simply to empower Companies created to lend money for the improvement of the land to lend money payable in respect of improvements already executed.

GENERAL SIR GEORGE BALFOUR said, the Lord Advocate was quite right in the objection he had raised; but he had thought that what was wanted was that much more land should be held by the farmers themselves than at present. There was no class between the landlords who held large estates and farmers; and it appeared to him that a Company might be so constituted as to be able to advance money to the farmers to convert the holding of a farm into a fee-simple. In that way it would tend to multiply the farming interest, and enable the farmers to retain the land they held as their own. If, however, the Lord Advocate thought the Amendment was objectionable, he would not press the latter part of it.

THE CHAIRMAN asked whether there was any objection raised to the insertion of the Amendment respecting Companies incorporated under the Limited Liability Acts?

THE LORD ADVOCATE (Mr. J. B. BALFOUR) replied in the negative.

SIR HERBERT MAXWELL said, he objected to these words, and he was surprised that his right hon. and learned Friend had not done so also. What was to prevent an absolute owner from borrowing from any Company?

THE LORD ADVOCATE (Mr. J. B. BALFOUR) pointed out that the clause was not applicable to an owner from his point of view. These Companies were to be constituted for the purpose of lending money for the improvement of land.

SIR HERBERT MAXWELL said, he did not understand that these Companies would require power under the Act to lend money. What was there to prevent an absolute owner from borrowing from a Company?

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, that if his hon. and gallant Friend would note the language of the clause, he would see that it was—

> "Any Company now or hereafter incorporated by Parliament, and having power to advance money for the improvement of land."

It was a Company with a constitution already defined, and it might be fairly said that the object of borrowing the money must be for the improvement of the land. The idea of lending for an improvement of the land was the primary object of the advancement. The money was to be applied in that way. It might be held, unless the clause were inserted, that a Company lending money for that purpose might be going beyond its powers. The object of the clause, therefore, was to empower a Company to go a little beyond the express provisions of the Act by which it was constituted, and to do something similar under the provisions of this Bill, although it might be authorized by the provisions of the Act by which the Company itself was constituted.

Amendment *agreed to.*

GENERAL SIR GEORGE BALFOUR moved, after the words "improvement of the land," to insert the words "or for the cultivation and farming of the land." After the suggestion which had been made by the Lord Advocate, he would leave out the last words of the Amendment—namely, "and to assist farmers to purchase their holdings."

Amendment proposed, in page 8, line 18, after the words "improvement of the land," to insert the words "or for the cultivation and farming of land."—(*General Sir George Balfour.*)

Question proposed, "That those words be there inserted."

Mr. A. J. BALFOUR said, he did not quite understand the principle upon which the Lord Advocate had advised the hon. and gallant Member to withdraw the latter part of the Amendment. If the argument was that they ought to increase, as far as possible, the number of Companies willing to lend money with the view of getting money on better terms, then they ought to accept the whole of the Amendment. If, on the other hand, their argument was that they ought only to permit those Companies to lend whose constitution was germane to the object of the Bill, then they ought to exclude the words "for the cultivation and farming of land," because the cultivation and farming of land meant very much the same thing as buying stock, which was a fair illustration. To lend money to a tenant farmer for the purpose of buying stock would be as little germane to the object of the Bill as to enable him to purchase his holding. There was very little difference between the two objects. He entirely agreed with the hon. and gallant Gentleman (Sir George Balfour) that every encouragement should be given to Companies to lend money to the farmers to enable them to buy their holdings. Everyone would desire that the farmers should more and more become the owners of the fee-simple of their land; but he did not admit that what agriculture was at this moment suffering from was a deficiency of capital. What agriculture was suffering from, in Scotland at all events, was not a deficiency in capital, but that farming did not pay, and it did not pay because there had been so many bad seasons; and the higher the farming, and the more capital put into the land, the more disastrous was the effect of bad seasons, and the more aggravated the evil, because there was an increased amount of capital upon which the loss fell. He should not have alluded to that matter, if the hon. and gallant Gentleman had not brought it before the Committee, because it really was not germane to the Amendment. He hoped the Government would either object to the whole Amendment or admit the whole of it. He did not think there was any distinction to be drawn between one part of it and the other.

Sir JOHN HAY said, he should like to ask the Lord Advocate a question both as to the clause and the Amendment. It struck him they were trespassing, in an unusual manner, upon the ordinary principles of legislation. He would take, for instance, the Land Improvement Company, or the Land Drainage Company, or any of the Companies which had been constituted under special Acts of Parliament. Were they not, by this legislation, incorporating provisions which would affect these very Companies? He had certainly no special knowledge of the matter; but he remembered very well the legislation which had previously taken place, and he thought it was unusual, without the advice of the English Law Officers of the Crown, to legislate by clauses in a Bill of this kind to an extent which would trench upon old-established Acts of Parliament, under which various existing Companies had already been constituted. He would make that suggestion to the Committee, and he hoped the Lord Advocate would state how an Act specially applied to Scotland was, in an Amendment of this kind, to be made to affect Companies already called into existence by other Acts of Parliament, and established for the purpose of advancing money for other objects.

The LORD ADVOCATE (Mr. J. B. Balfour) wished to explain that this was merely an empowering clause. He quite assented to the view which had been expressed both by his right hon. and gallant Friend (Sir John Hay) and by his hon. Friend the Member for Hertford (Mr. A. J. Balfour), that it would not be consistent with the principle of the Bill to give a power which was beyond the reasonable scope of the powers under which existing Companies had been constituted, but that the powers must be confined to the improvement of land. He took the words "for the improvement of land" to mean for a permanent improvement of the land; and the cultivation and farming of land was not only germane to the object of the Bill, but was almost comprehended under some of the kinds of improvements which were here provided for. There were two kinds of improvements—improvements that wasted in the course of time more or less, and improvements which were permanent, and of an entirely different character; and the Companies referred to were those which, by their constitution, had power to lend for permanent improvements—such, for example, as drainage. He failed to see that there would be any invasion of the essential principle of a Company's constitution in saying that it might lend such money as it liked for purposes of the description specified in this Bill. Then, as regarded the remarks of the hon. Member for Hertford (Mr. Balfour) with respect to the cultivation of land as distinguished from the purchase of a holding, he must point out that the cultivation and farming of land were not only germane, but that they were comprehended under some of the improvements specified in the Bill. Take, for instance, the case of manure. Surely the object of that was to make the land more valuable for cultivation; and the cultivation and farming of land must go together as farming operations. At the same time, he did not think they ought to go the length of conferring the power proposed upon Companies established for the purpose of assisting farmers to purchase their holdings; as if they gave such Companies power to lend to landlords for the purposes of this Bill, it would be giving power quite beyond the purpose for which the Companies were constituted.

MR. M'LAGAN said, it struck him that the effect of this Amendment would be to break down the monopoly of the Scotch banks, and to prevent their lending money for farming purposes. At present the Scotch banks had a monopoly, and abundant facilities were now given by them for lending money for farming purposes. There could be no doubt that the present proposal virtually amounted to giving by Statute powers to Limited Liability Companies which the Scottish banks enjoyed at the present time; and he could not see what security the farmers would have more than if they had borrowed from the Scottish banks. He was one of those who desired to see more capital introduced upon the land, and if the Amendment would have the effect of bringing more capital into Scotland, he should like to see it passed; but he did not think the Amendment would have any effect of that kind.

MR. ANDERSON said, the argument of the hon. Member for Linlithgow (Mr. M'Lagan) would go a long way with him in favour of the Amendment. He thought it was most desirable that the monopoly of the Scottish banks should be broken down, and the sooner it was done the better. At the same time, he thought the present Bill would not have very much effect in that direction. It would, however, be an immense advantage to give farmers and owners greater facilities for getting the money they wanted under greater competition. At present there was no competition with the monopoly of the Scottish banks. These banks fixed their rate from week to week in Edinburgh by mutual agreement; and, therefore, the farmers and owners were obliged to pay whatever rate these monopolists in Edinburgh chose to insist upon. He thought, however, that the latter part of the Amendment was not germane to the Bill in any sense whatever.

GENERAL SIR GEORGE BALFOUR said, he had already intimated his intention to withdraw that part of it.

MR. ANDERSON said, he was glad his hon. and gallant Friend did not intend to press it, for it certainly was not germane to the Bill, and, under the present wording, it would be necessary to form Companies, specified to be both for the purpose of lending money for the improvement of the land, and also for the purpose of assisting farmers to purchase their holdings. Unless a Company was designated as formed for both objects, it would be impossible for it to advance money for the purpose that was not named; and the introduction of that part of the Amendment would give an absolute limitation to the powers of the Company, if it had been promoted nominally for the one purpose and not for the other.

SIR EDWARD COLEBROOKE remarked, that, although he was unfavourable to the monopoly of the Scottish banks, he did not think they ought to break that monopoly down indirectly by an Amendment hostilely inserted in an Agricultural Bill. He thought it was very much to be regretted that they were going considerably beyond what he conceived to be the scope of the Bill by introducing this Amendment at all. He deprecated very strongly this mode of legislation. At the same time, he thought it would have very little effect, because those who had credit would not be benefited at all by the Amendment. The view he entertained of the Amendment was that it was altogether of a nugatory character, and that it ought not, therefore, to be inserted in the Bill.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 25 (Duration of charge).

Amendment proposed, in page 8, line 27, after the word "holding," to insert the words "or the part thereof charged."—(*The Lord Advocate.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Notice of Termination of Tenancy.

Clause 26 (Two years' notice to be given of termination of tenancy).

SIR HERBERT MAXWELL said, he thought there must have been some uncertainty in the drafting of this clause; and he would, therefore, move to insert, after "lease," the words "concluded after the commencement of this Act."

Amendment proposed, in page 8, line 32, after the word "lease," to insert the words "concluded after the commencement of this Act."—(*Sir Herbert Maxwell.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, it certainly was not the intention of the Government to interfere with the arrangements under existing leases. He would submit to the hon. and gallant Baronet that the clause, as it stood, did not effect any material interference with existing leases. This provision merely related to the notice which either party required to give in the event of his intending not to renew the lease. The existing rule was that the landlord might abstain from giving any notice to the tenant that he did not intend to renew the lease until 40 days beyond renewal. If there were two terms of renewal, then the notice would be under the 40 days immediately preceding. He believed there was a general consensus of opinion that that was not a good arrangement, either for the landlord or the tenant; and that it was extremely desirable that both parties should be brought together, for the purpose of deciding whether they were to settle permanently at the end of the lease. The clause would simply provide that, instead of the 40 days' notice required under the present law, two years' notice should be given before the termination of the lease. There would be no interference with existing contracts, but simply a change in the existing law with regard to a renewal, in the sense of making a new rule.

SIR JOHN HAY asked how this would affect a 19 years' lease after 17 years had run?

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) replied, that there was an express provision that the clause should not be applicable to a tenancy which was within two years of its termination.

MR. C. S. PARKER said, that, as there was that provision, it was evident that it would be in the power of a landlord, if he wished to protect himself, to give notice at once; and, therefore, it was hardly worth while to have a long discussion on the point.

MR. A. J. BALFOUR said, he hardly thought the Solicitor General for Scotland was correct in saying there would be no interference with existing contracts. There was interference with leases standing on the face of the clause—"Notwithstanding the existence of any lease." Everybody would admit that a rational landlord would give notice long beforehand in the interest of good agriculture; but was there any landlord so benighted that he would wait until he was within 40 days of the termination of the lease? If there was not, was it worth while to interfere with leases?

MR. J. W. BARCLAY said, he hoped the Government would adhere to this portion of the Bill, which, he believed, would confer great advantage on both landlords and tenants. It was unsatisfactory to both parties to have the time run on to within 40 days of the termination before anything was concluded; and he believed this clause would act as a considerable stimulus to landlords and tenants to agree some time before the end of the lease as to what they would do.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, the provision as to 40 days was not in the leases—it was a Common Law right, which would not be interfered with. All that was proposed was to change the

Common Law with regard to notice, and there would be no interference with express covenants.

SIR HERBERT MAXWELL said, he had listened with the greatest attention to the Solicitor General for Scotland; but he thought the hon. and learned Gentleman had overlooked the first words of the clause namely—"Notwithstanding the existence of any lease." That had nothing to do with the 40 days under the Common Law. The proposal would distinctly interfere with existing leases; and for that reason he objected to it, and should take the sense of the Committee upon it.

SIR EDWARD COLEBROOKE said, he had been engaged in the hopeless task of trying to get people to make up their minds or their wills. He had had a long experience with farmers, and he had found the greatest difficulty in getting them to make up their minds as to a renewal of leases before the expiration. He agreed with the hon. Member for Forfarshire (Mr. Barclay) that it was very inconvenient that things should go on in that way, but people could not be forced to make up their minds; and the resnlt of this clause would be to compel the practice of giving notice before the time. He did not think the farmers desired that. All through, this matter had been treated as a landlord's matter only; but the proposal was to compel a tenant to give two years' notice, and that he did not wish to do. It would be far better to leave matters as they were, and to let people come to agreements about a year beforehand. Any attempt to make them do otherwise would be objectionable, and he thought this kind of legislation was very puerile.

MR. RAMSAY concurred very much with the hon. Baronet; but he regarded a change of the 40 days to a longer period indispensable. He should approve of a longer period; but in the interest of the tenants, he should not like to have two years specified. One year would, he thought, be better; and in that case there need be no dread of any practical evil resulting from the lengthened period. He had consistently opposed two years; but thought the clause might be adopted with one year substituted.

SIR HERBERT MAXWELL rose to Order, and asked whether the hon. Member was not wandering away from the Amendment, which raised the question whether existing leases should be affected by the clause or not?

MR. RAMSAY said, he had no desire to detain the Committee with irrelevant remarks; but he wished to show the necessity of having regard to the other part of the clause when dealing with this. He deprecated interference with existing leases; but he thought they were sufficiently protected. He considered a change of practice in itself desirable.

SIR ALEXANDER GORDON said, the last two speakers had addressed the Committee apparently in the interest of the tenants, and he was certain the tenants did not wish to have a clause providing for two years' notice. But he could assure the Committee that there was not a clause in this Bill which the whole of the tenants in Scotland regarded as so valuable as this clause. They approved of the clause from one end of the country to the other; all tenants' meetings had been of opinion that two years was a most satisfactory term; and he, therefore, hoped the Committee would be very cautious before adopting this Amendment. If there were as many tenant farmers in that House as there were landlords, a very different story would be heard with regard to the question of two years.

SIR HERBERT MAXWELL rose to Order, and asked whether his Amendment ought not to be disposed of?

THE CHAIRMAN: There is no doubt that that would be more in conformity with Order; but, at the same time, I cannot say that the remarks which have been made are out of Order.

MR. M'LAGAN said, he thought the discussion of this point led up to the other point raised by the Amendment. He had always been in favour of two years' notice. He was not aware that there was such a terrible feeling in favour of it among the tenantry; but the more he considered it, the more he was convinced that it would be for the benefit of the tenants to have this period; and that would be the more necessary now that this Bill was about to be passed, because the landlords and tenants would be brought together, and compelled to make up claims upon each other. With regard to the point raised by the hon. and gallant Baronet opposite (Sir Herbert Maxwell), he had been under the impression that it applied to existing leases, and he was glad to hear that it did not.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, it did not apply to leases of less than three years to run.

MR. M'LAGAN said, there were many leases at the present time in which it was distinctly stated that there should be only one year's notice; and he understood that this clause would be overridden in such cases. He questioned very much whether that was fair. There were many circumstances and conditions in a lease that might have made the landlord and tenant agree to one year's notice; and he thought it would be a pity to reduce that condition. He hoped the Government would not change from two years to one year in the future.

COLONEL ALEXANDER said, he had received a good many communications stating that one year would be most desirable. He differed altogether from the hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon). Many tenants thought 40 days too short, and two years too long. The effect of having two years would be to make the whole of the landlords of Scotland give notice to their tenants whether they intended to part with them or not. Therefore, he hoped one year would be agreed to.

MR. RAMSAY said, he thought the diversity of opinion on this subject arose very much from the fact that this Bill had been framed exclusively with a view to arable land. For land under cultivation it might be desirable that the landlord should have two year's notice; but the Committee were passing a law which had reference to the whole of Scotland. The hon. and gallant Member (Sir Alexander Gordon) had spoken for the whole of the tenantry of Scotland. He himself was not authorized to speak in the name of the whole of the tenantry of Scotland; but he had had quite as much and quite as long experience as the hon. and gallant Member, and he never heard of one tenant who desired two years' notice. In fact, he had had difficulty in getting tenants to give six months' notice of what they were going to do at the expiration of their leases. To say that the whole of the tenants of Scotland desired a two years' notice, was as much as to say that the whole of Scotland was under cultivation; but there was not more than one-fifth of the land under cultivation. The Bill had been framed with reference to arable land, and had no reference to that part which was used for grazing purposes only; hence this great diversity of opinion. No doubt, the hon. and gallant Member had spoken of the general feeling in his own district; but the land there was exclusively arable. The proposal before the Committee would be detrimental to, and contrary to, the desires of the tenants of four-fifths of the land. He hoped the Government would not do an injury to that large number of the tenantry of Scotland through the mere theoretical desire of a few of the tenants.

MR. A. J. BALFOUR appealed to the Committee to decide the very simple question before them, which was a question quite apart from whether the period should be one or two years. The question was whether contracts should be considered sacred or not. In the vote he should give he wished it to be understood that he did not give it in the interest of landlords, but in the interest of the general principle that when a contract had been entered into it should be considered sacred. He did not think the Government had shown any sufficient reason for interfering with existing contracts, and he should support the Amendment.

MR. J. W. BARCLAY said, leases were not sacred now under the existing law, for the words were—

> "Notwithstanding it is stipulated in any lease that the tenant shall have forty days' notice;"

so that really the only alteration was to extend that principle to two years.

SIR HERBERT MAXWELL thought the hon. Member was mistaken.

SIR ALEXANDER GORDON said, he had spoken of tenant farmers' meeting, and he had not spoken for every tenant. He believed he was perfectly correct.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, no doubt the only Question before the Committee was whether Clause 26 should be made applicable to future leases; but he must point out that it was evident, from what had passed, that the general opinion was that the existing rule was not a salutary rule. It required changing; and he thought it would be better, in the interest of the landlords and tenants, to have a longer period than 40 days. Was it expedient to limit this clause in such a way that the tenants would be divided into two classes—tenants who, having leases, were to have the right to a long notice under the next Amendment; and tenants who, having entered into leases at any time within the last 19 years, would not have this new rule, but would be subject to the old rule of 40 days? The effect of the hon. and gallant Baronet's Amendment would be to deprive every tenant who at present occupied under subsisting leases of the benefit of the new rule, if he entered into these leases. He hoped the Committee would adopt the clause as it stood.

Mr. A. J. BALFOUR said, that, under Clause 2, there were certain things for which a tenant could not claim compensation, so that if there was an evil it existed under the present law.

Sir HERBERT MAXWELL said, he had no objection to the extension of the term of notice within certain limits under the Common Law; but what he wished to secure was, that if an "ish" was stipulated for in an existing lease it should be respected.

The SOLICITOR GENERAL for SCOTLAND (Mr. Asher) said, there was no proposal to change the "ish" of existing leases.

Mr. COCHRAN-PATRICK said, that as the Common Law notice of 40 days had been referred to, in point of practice where there was not one in 1,000 cases that notice was required to be given. If the proposed extension, which everyone seemed to think should be adopted, was made, it would be equally a Common Law rule, and would be equally disregarded. That was to say, it would probably involve the necessity of tenants and landlords coming to an arrangement at a somewhat earlier period; and he thought that would be a very great benefit. He agreed with the hon. Baronet (Sir Herbert Maxwell) that there existed great difficulty in getting tenants to make up their minds. That was inconvenient to them and to the landlords, and he believed this clause would, to a great extent, obviate that.

Mr. MARJORIBANKS said, he thought the hon. and gallant Baronet (Sir Herbert Maxwell) misunderstood the word "ish." It was not the notice, but the term of outgoing stipulated for in the lease.

Sir GEORGE CAMPBELL said, he had had a great deal of difficulty in understanding what "ish" meant. Though born and bred in Scotland, he had not a remote idea what it was until he saw it in the Bill, and he had only gathered from the context what it was. They would require to call in an expert—Max Müller, or some other person—to tell them what it meant. He was quite patriotic enough to believe that the best form of English was Scotch, and if the Government had used decent Scotch he would not have said a word; but he protested against the introduction of these unintelligible legal forms, and suggested that they should substitute words that would be more easily understood.

Amendment *negatived.*

Sir HERBERT MAXWELL proposed to leave out "two," in line 34, and insert "one." This Amendment raised the question as to the length of the notice to be given of an intention to terminate the tenancy, and he considered that one year was better, for all practical purposes, than two years. As a matter of fact, there was not much in the question of notice; and he had never heard it mentioned as the slightest grievance amongst the farmers. Of course, if they went to farmers and suggested all kinds of things they would get a certain degree of assent. Whether the notice to be given was one or two years, the result of it would be that, whichever was agreed upon, every landlord would give at that period formal notice to quit to every tenant, so that they would not be a bit nearer than they were at present. As there was nothing in the clause to compel landlords to announce to their tenants the conditions upon which the farm was to be re-let, he failed to see what advantage the farmer would get by an extension of the period to two years; but if the alteration were made, in order to stand in a free position the landlord would give the legal notice to quit, which might or might not be enforced, according to the agreement that might be come to between them. That being so, he thought it better that the term should be one rather than two years; therefore, he moved to substitute the word "one" for the word "two."

Amendment proposed, in page 8, line 34, to leave out the word "two," in order to insert the word "one."—(*Sir Herbert Maxwell.*)

Question proposed, "That the word 'two' stand part of the Clause."

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, the Government could not accept the Amendment. The question had been very carefully considered, to ascertain what term should be substituted for the 40 days' notice at present required, and the Government came to the conclusion that two years was as convenient a term as could be adopted. He quite admitted there was no specific principle upon which the term of two years could be adopted; but any period that was taken must be adopted upon an arbitrary rule. It was a question of degree, and was very much a matter of opinion; still, they held to the belief that, all things considered, two years was the most convenient period. He doubted very much whether that would take place which the hon. and gallant Baronet suggested; and he must confess that he was of opinion that where landlord and tenant were getting on well together the landlord would not be likely to take the extreme step of giving formal notice under the Act, so as to place each other at arm's length. On the contrary, as the two years before the termination of the lease approached, he believed it would be the means of getting landlord and tenant to approach each other; therefore, while he did not base the period of two years on any specific principle, it did not appear to the Government that there was any reason for altering the conclusion they had come to with regard to it.

SIR JOHN HAY said, it seemed to him that the arrangement which was suggested was not by any means one which would conduce to ill-feeling of any kind. In future, it would be an ordinary practice to give at the right time notice to quit. He confessed he did not agree with his hon. and gallant Friend that one year's notice would be better than two. The fact was, that under the 19 years' system of leases a five years' notice would be requisite if they obtained all they wanted, and if the cultivation of a farm was to be kept up to a high standard. In his opinion, the clause would have the effect of making a tenant who wished to remain upon the farm ascertain whether he was to be taken on again or not; and if he was a good tenant there was no doubt that the landlord would be glad to retain him. The real difficulty in the matter would be to ascertain whether the tenant himself wished to remain. He hoped the Amendment would not be pressed to a Division.

MR. COCHRAN-PATRICK said, it was the ordinary practice on well-managed estates to ascertain the views of the tenants three years before the expiration of the lease. Although a two years' notice could not be defended upon any principle, it would have this great advantage over one year's notice—it would enable the two parties to an arrangement to ascertain at an early date what was going to take place. If the matter, therefore, was taken to a Division, he should certainly support the proposal for two years' notice.

SIR EDWARD COLEBROOKE said, the question of notice was a very important one. He was of opinion that no tenant ought to be allowed to remain on suffrage in a position from which he could be turned out without notice. A lease was an agreement between two parties contracting together for a term of 19 years; and both parties knew that, unless they came to some agreement in the meantime, the tenancy would terminate at the end of the 19th year, and he thought the tenants of Scotland were quite sharp enough to understand their position. He believed that landlords would certainly give the formal notice in order to acquaint the tenant with the fact that the tenancy would come to an end in two years unless some agreement was entered into. If no agreement were come to, the tenant would know he could only hold on from six months to six months. In his (Sir Edward Colebrooke's) opinion, it was immaterial whether one or two years was fixed.

MR. J. W. BARCLAY confessed he had considerable difficulty in deciding between one and two years. He wished to point out to the Committee, and to the tenant farmers throughout the country, that tenants were required to give notice as well as landlords. According to the existing law the tenant was not required to give any notice before he left a farm. It was, however, incumbent upon the landlord to give the 40 days' notice; and it was now proposed to alter the law so as to provide for the tenant giving notice of his intention to leave. As he was desirous that the time should not be too long, and, on the other hand, that it should not be too short, in which notice should be given, he would suggest that the notice should be 18 months, and that, he thought, would cover all the objections they had in view. The 18 months would practically be as long to the farmer as two years, because he would be able to get two crops in the time.

Mr. DALRYMPLE said the hon. Gentleman the Member for Forfarshire (Mr. Barclay) had stated that he had great difficulty in deciding what the length of notice should be, yet he introduced into the matter another element of difficulty by suggesting an intermediate term—namely, that of 18 months. He (Mr. Dalrymple) was surprised at a remark made by the hon. and learned Gentleman the Solicitor General for Scotland a minute or two ago. After his hon. and gallant Friend (Sir Herbert Maxwell) had sufficiently defended the proposal for one year's notice, the Solicitor General for Scotland said the Government had determined upon a two years' notice, although the proposal could not be defended upon any specific principle. The hon. Member for North Ayrshire (Mr. Cochran-Patrick), who also defended the proposal of the Government, admitted that it could not be defended. Allusion had been made to practice in these matters. Practice was one thing and law was another. He thought it would be a fair compromise if one year's notice were fixed. No one maintained that two years' notice would really be used. Some little time ago the Member for East Aberdeenshire (Sir Alexander Gordon), who always spoke for the whole of the farmers of Scotland, said there was a universal feeling in Scotland in favour of a two years' notice.

Sir ALEXANDER GORDON said, the hon. Gentleman was not in the House when he (Sir Alexander Gordon) corrected that statement; he only spoke of what occurred at meetings of tenant farmers.

Mr. DALRYMPLE said, he only heard the remark made in the speech of the hon. and gallant Gentleman. He (Mr. Dalrymple) had never heard any weight of opinion in favour of the two years' proposal; and, certainly, if his hon. and gallant Friend (Sir Herbert Maxwell) went to a Division, he should follow him into the Lobby.

Mr. PRESTON BRUCE said, he hoped the Government would reconsider their decision; one year's notice would be found much more practicable and useful than a two years' notice. He did not attach much importance to notice, because he agreed with the hon. Member for Lanarkshire (Sir Edward Colebrooke) that the lease was itself notice when the contract and tenancy was to come to an end. He considered that two years' notice was much more likely to generate into a mere form than one year's notice. If the tenant farmers of Scotland were very much in favour of this clause, as had been alleged, they must labour under some misapprehension. Farmers evidently forgot that the mere receipt of formal notice did nothing; did not really enable them to decide finally whether they were to continue in the farm or not. The point raised by the hon. Member for Forfarshire (Mr. Barclay)—namely, that the obligation would be laid on the tenant as well as the landlord—was an important one. In case the landlord did not give notice, and the tenant forgot to do so, the tenant would be very disgusted to find himself under the necessity of remaining another year in the farm beyond the expiration of the lease. The hon. and learned Gentleman the Solicitor General for Scotland seemed to think that a landlord would hesitate very much to serve this notice, because it would be a hostile act towards the tenant. He (Mr .Preston Bruce) thought that was a mistake. It had always been well understood in Scotland that at the end of a 19 years' lease a thoroughly new bargain was to be entered into.

Mr. RAMSAY said, he hoped the Government would reconsider their decision to adhere to the two years' notice. It might be desirable that there should be two years' notice in the case of arable land; but in respect to grazing land and sheep farms—and four-fifths of the whole area of Scotland consisted of such land—he never heard of an arrangement being made between landlord and tenant two years previous to the expiration of the lease. He maintained that a two years' notice was not at all applicable to the greater part of Scotland. The obligation on the part of the tenant to give his landlord notice would be regarded by the tenant as a great burden. The expiration of a lease was well known as the time at which a tenant could leave his farm. A landlord would now have to go through the idle form of giving notice two years before the expiration of the lease, and that would be a great disadvantage to the tenant as well as to the landlord.

Sir ALEXANDER GORDON said, he could not conceive that any landlord who wished to retain a tenant would give even the form of notice. The advantage to the tenant of a two years' notice was, that if he found the landlord was nibbling at the holding, or desirous of giving it to someone else, he would go to the landlord and ask him if the notice to quit was a real one or not. He (Sir Alexander Gordon) thought a two years' notice was better than 18 months; indeed, he was surprised to find the hon. Gentleman the Member for Forfarshire (Mr. Barclay) making that suggestion, considering that the hon. Gentleman had been associated with him for some years in advocating two years' notice. He (Sir Alexander Gordon) hoped the Committee would support the Government in their proposal for two years' notice.

Mr. MACFARLANE asked whether the yearly tenants were to be left to the mercy of the 40 days' notice? These were the tenants who most needed protection; and he desired to know whether there was any clause in the Bill which extended the period within which they could be turned out?

Mr. WARTON said, he was not so vain as to suppose that any remarks he might make would produce much effect upon the Government; but he could not avoid commenting upon the intense anxiety which Her Majesty's Government always displayed to load even their good Bills with unnecessary matter. They were constantly complaining of their inability to pass many measures; but they either brought in a bad Bill which ought not to be passed at all, or if they happened to bring in a good Bill they loaded it with unnecessary clauses. This was one of those Bills which was loaded with unnecessary clauses; and he hoped it would afford a lesson to the Government to convince them that the best way of working a Bill in the House of Commons was to propose only such provisions as were absolutely necessary, and not to waste the time of the House by discussing a perfectly absurd provision like this, which required Parliament to tell people by a Statute when their leases came to an end. It was a provision that was worse than absurd, because it was absolutely dangerous, and it tended to support the dangerous principle introduced by the Irish Land Act.

The CHAIRMAN: The hon. and learned Member for Bridport (Mr. Warton) is going far beyond the Amendment now before the Committee. The Question is the insertion of "one" instead of "two;" and the hon. and learned Member, in discussing the clauses of the Irish Land Act, is entirely irregular.

Mr. WARTON remarked, that it was very difficult, under the New Rules, to know how far a Member was to go, and the precise point at which he might go astray. Some hon. Members, however, were allowed to go on while others were stopped, and he, unfortunately, was one of those who were not allowed to go on. What he objected to in the clause was a matter of principle—that any notice at all should be given. He strongly contended that no notice was required, because it was a wrong principle to lay down that a lease did not end when it did end; and he had been referring to the Act passed two years ago, in order to show that now-a-days a lease did not end when it did end, because there was something that remained after. With regard to the more immediate and more narrow question—namely, the saving of the ancient custom of Scotland in regard to 40 days' notice, he was anxious, personally, to preserve the ancient customs of any country; but the reason why he preferred one year to two years, was that one year was nearer to no notice at all than two years. He thought the Chairman would now admit that he had very gracefully led up to the point of the Amendment. That Amendment would prescribe a still shorter period, and, therefore, he should support it. He would have preferred six months to 12 months, on the simple principle that it was a shorter notice than the other. It was a very absurd idea that when a contract was made it should not be kept; and he would ask, in the name of common sense, why a tenant should not have to remember what his lease was, and why these obscurities and absurdities should be introduced by the Government into the Bill? He strongly objected to the principle that, so far as lease-holding tenants were concerned, any notice whatever was necessary; and he voted for one year, instead of two years, because it was nearer no notice at all, and he certainly thought there ought to be none.

The LORD ADVOCATE (Mr. J. B. Balfour) said, he thought the question which had been put by the hon. Member for Hertford (Mr. Balfour) must have been suggested by the fact that he was not very familiar with the customs of Scotland. He (the Lord Advocate) quite understood and completely followed the argument that the lease itself should be the notice of the date at which it terminated. A man saw from his lease that he had to go at the end of 19 years without being subject to notice at all; but in Scotland it had always been the practice to give notice antecedent to the termination of the lease, and the law was in conformity with that practice. It had never been the law or custom in Scotland to treat the lease as a notice. The question, therefore, was what the notice should be. In the primitive days of agriculture a short notice was considered enough; and he believed that it was enough under the conditions which then existed. Even 40 days might at one time have been enough to enable a man to make his arrangements; but there was an unanimous consensus of opinion that 40 days' notice was not enough now to enable a man to make a new arrangement. He admitted that there might be a difference of opinion as to one year or two years; but the Government had chosen two years, in order to give the tenant time to look out for a new farm and make arrangements for going out from his present one. He would also remind the Committee that last year a Bill was discussed and read a second time in which that period was inserted, although the question of duration was really left open.

Mr. M'LAGAN said, the question had been asked several times in the course of the discussion what was the reason for making it two years' notice rather than one; and he would ask why they should make it one year more than six months? The rule in Scotland used to be six months' notice, and it was purely by a mistake that 40 days were introduced. He supported the proposal for two years, and his reason for preferring two years was that it would allow the tenant more time to look about for a new farm. It was well known that at times it was very difficult to get a farm; and if the tenant had only 40 days' notice, he was thrown out of his home and had nowhere else to go to; whereas, if he received two years' notice to quit, he had plenty of time to look about him, and the landlord had also plenty of time to look after a new tenant. An additional reason for giving two years' notice was that under the Bill compensation was to be given for unexhausted improvements, and particularly for manures used during the last years of the lease. No doubt, the valuer would take that into account, and would carefully consider manures which had been used in the second and last year of the lease, giving compensation accordingly. A further reason why there should be a two years' notice was that the incoming tenant was required to give compensation to the outgoing tenant; and if notice were given at the proper time, the landlord and tenant would have more time to settle any dispute themselves, and thus avoid a resort to arbitration. If the landlord gave two years' notice to quit, the tenant would immediately begin to send in his claims, and in a few weeks the whole matter would be settled between the landlord and tenant. That was a strong reason why the tenant should have two years' notice, or, at any rate, a longer notice than one year or six months. With reference to the observations of the hon. and learned Member for Bridport (Mr. Warton), he would point out that it was now becoming a common practice in Scotland, as well as in England, to insert in the lease that there should be four years' notice to quit, in order that the tenant who was going to leave might have ample opportunity of making arrangements. Among the landlords who adopted this practice were the Duke of Richmond and the Earl of Leicester; and not only had the House decided last year that there should be two years' notice, but in the Entailed Estates Amendment Act the same notice was allowed. An hon. Member was of opinion that this ought not to apply to sheep farms; but the same reason which applied in the case of agricultural farms would apply to sheep farms. The tenant ought to receive compensation for all sheep drains, for liming his land, and for other agricultural improvements; and if a tenant got notice to quit, why should he not have two years in which to look about him, and to obtain compensation for all the improvements he had effected? He hoped he was not mistaken in the opinion he entertained, that the Bill would apply to grazing farms quite as much as to agricultural farms.

THE LORD ADVOCATE (Mr. J. B. BALFOUR), said, it would.

MR. M'LAGAN said, that, seeing the Bill would apply to all farms, he sincerely trusted the Government would not recede from the position they had taken up.

MR. MACFARLANE said, he had listened with great pleasure to the admirable manner in which the Lord Advocate had demolished an argument which he (Mr. Macfarlane) had never brought forward. The Lord Advocate had undoubtedly explained that two years would be a great boon. He (Mr. Macfarlane) did not dispute that fact, and he had never urged anything at all against two years, or against 10 years. All he wanted to know from the right hon. and learned Gentleman was why the yearly tenants—the crofters, for instance—were excluded from the advantages of the Bill, whilst those who had a 19 years' lease were to receive even more advantage than the Bill already provided? He wanted to know the reason which had induced the Government to exclude those who most needed the benefit? And if he did not get a satisfactory explanation he should move a clause upon another stage of the Bill to carry out his views on the subject.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he thought the hon. Gentleman was hardly correct in saying that yearly tenants, whether crofters or others, were excluded from anything in the Bill. As a matter of fact, they were not. But this provision for two years' notice was one which would be inappropriate to tenancies shorter than two years. It would be almost an absurdity to provide that a person who occupied a holding from year to year should have two years' notice to quit. It was suggested that 40 days was not long enough, and he had no objection whatever to a longer period in the case of a yearly tenancy; and he would be glad to consider, before the Report, whether in that case there should be a six months' notice.

MR. MACFARLANE asked if the hon. and learned Gentleman promised to reconsider the case of yearly tenancies?

THE LORD ADVOCATE (Mr. J. B. BALFOUR) replied in the affirmative.

Question put.

The Committee *divided:*—Ayes 109; Noes 43: Majority 66.—(Div. List, No. 254.)

SIR ALEXANDER GORDON said, he wished to amend the clause, in line 35, page 8, by inserting, after the word "other," the words "during the year immediately preceding the last two years of the lease." The object of the Amendment was to give practical effect to the decision they had arrived at, and to provide that notice should be given within three years of the termination of the tenancy. He believed the words he proposed were necessary, because it was sometimes the practice to give notice at the commencement of the lease. Sometimes a landlord gave a tenant a lease saying—"This is your notice to quit—it is a 19 years' lease, and therefore it is a 19 years' notice;" and that was practically an injustice to the tenant. The three years he proposed was only in accordance with that which the Committee had already accepted.

Amendment proposed,

In page 8, line 35, after the word "other," to insert the words "during the year immediately preceding the last two years of the lease."—(*Sir Alexander Gordon.*)

Question proposed, "That those words be there inserted."

MR. DALRYMPLE trusted they would have some expression of opinion from the Government on the subject of this Amendment. They had adopted the principle of two years' notice to quit; and now it was proposed that they should have an extra year's notice, which would make three years. He hoped the Committee would hear from the Government some reason in favour of this proposal, if they intended to adopt it, or some statement as to what they themselves proposed.

The SOLICITOR GENERAL for SCOTLAND (Mr. Asher) said, the clause required that there should be two years' notice to the tenant—that was to say, unless he received notice from the landlord that he was to be removed at the termination of his lease two years before that termination, he should have Common Law right to remain on the holding for another year. The object of the Amendment was that two years' notice to quit should be given during the 12 months immediately preceding the two years included in the notice. Under the clause, as it stood, it might be possible for a landlord to give the tenant notice that he would enter into possession at the end of the two years' lease. He would then be in a position to say that notice had been given prior to the expiration of the two years. He did not think that was the way the Committee would wish the clause to act; in fact, he believed they would wish the notice to be given at a period antecedent to the lapse of the two years. That was what his hon. and gallant Friend proposed.

Sir EDWARD COLEBROOKE said, he understood the object of the Amendment; but he should like to know what would be the effect if no notice was given in the year preceding the last last two years of the lease? Suppose a landlord gave a tenant notice. After that time what would then happen—that was to say, what would be the effect if within two years of the expiration of the lease notice to quit was given?

The SOLICITOR GENERAL for SCOTLAND (Mr. Asher) replied, that notice given within the two years would be too late, just as notice given within the 40 days at present would be insufficient. The result would be that the tenant would be entitled to remain on the tenancy for an additional year, subject to all the covenants of the lease which had expired. Under the clause, as it stood two years would be substituted for 40 days, and the Amendment required that the notice, which in any case must precede the currency of the two years, must be given some time during the 12 months immediately preceding the two years—that was, in the course of the third last year of the lease. He understood his hon. and gallant Friend proposed this for the purpose of securing that notice should be given during that year, and preventing its being given at any previous part of the lease. It might be given in the first year of the lease; and the landlord might be entitled to say—"You had notice more than two years before the expiration of the lease, therefore I shall be entitled to remove you at the end of the lease."

Sir EDWARD COLEBROOKE wished to know whether, if a tenant received notice a fortnight before the expiration of the lease, he would then have another year to run?

The SOLICITOR GENERAL for SCOTLAND (Mr. Asher) said, that if the clause were not amended as proposed by his hon. and gallant Friend (Sir Alexander Gordon), the landlord might give the notice at any time during the currency of the lease preceding the commencement of the last two years. It would be too late if he gave it within the two years, just as it would be too late at present if it were given within the 40 days. The notice must be given during the currency of the third last year.

Sir ALEXANDER GORDON said, a notice given one week before the close of a tenancy would result in the tenant being able to sit for two years longer, because two years would not have expired from the time of the notice and the proposed end of the tenancy.

Mr. ANDERSON said, the object of the Amendment would be better attained by inserting at the commencement of the Amendment the words "not earlier than," in place of the word "during," as the object was to invalidate a notice given earlier than that. He believed that would render the provision clearer.

Sir JOHN HAY said, he did not see that the Amendment was required at all. No doubt, the practice now would be that in each year a formal notice would be given continuously through the whole course of the 19 years—that would be the ordinary practice in estate management. The factor would be required to call the attention of the tenant to the fact that 18 years hence, 17 years hence, 16 years hence, 15 years hence, and so on, his lease would terminate. The hon. Gentleman the Member for Glasgow (Mr. Anderson) would not contend that it would be against the law for an intimation of this kind to be sent to the tenant; and, although it would not be binding as a notice, it would give the tenant clearly to understand that he would receive a notice to quit before the last two years of his tenancy which would operate at the expiration of the 19 years. The notice would become a formal and continuous document.

MR. PRESTON BRUCE would ask the Solicitor General for Scotland what notice would have to be given to a tenant holding under a tacit arrangement after the expiration of his lease? Would he be entitled to two years' or one year's notice? He understood that a tenant from year to year was only to have one year's notice; but what would be the tacit allocation?

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, that when a lease expired without statutory notice being given the position of the tenant would be this. He would continue in his holding in the position of a yearly tenant, the conditions under which he would sit being those of the covenants of the lease. As to the question put by the hon. Gentleman opposite (Mr. Preston Bruce) as to yearly tenancies, the result of a tacit agreement would be that a tenant would be entitled to 40 days' notice as at present.

MR. BOLTON trusted the Lord Advocate would reconsider his decision as to the acceptance of this Amendment.

THE CHAIRMAN: Does the hon. and gallant Baronet (Sir Alexander Gordon) retain the words as they are on the Paper?

SIR ALEXANDER GORDON replied in the affirmative. He believed they would be sufficient.

Amendment *agreed to.*

MR. DALRYMPLE said, that, in the absence of his hon. Friend the Member for Glasgow University (Mr. J. A. Campbell), he wished to propose to insert, in line 36, the word "may," instead of the word "shall," so that the form and manner of the notice should be optional. He would ask the right hon. and learned Gentleman the Lord Advocate to give careful consideration to this matter.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, it did not appear to him that it would be an improvement to make this change, as the effect of it would be to displace the requirement that the notice should be in the form prescribed by the Sheriffs' Courts (Scotland) Act, 1853. It was extremely convenient that there should be a well-known form prescribed by Statute in which the notice should be given. The statutory notice was an important step, and it was very desirable that it should be clear and distinct. The Act of 1853 was well known in Scotland.

MR. DALRYMPLE said, he would not press the Amendment.

Amendment, by leave, *withdrawn.*

MR. J. A. CAMPBELL said, he had to move an Amendment to provide that any extension of a lease by the operation of this section should terminate only at the time of year corresponding to the ish originally stipulated for in the lease.

Amendment proposed,

In page 8, line 39, after the word "act," to insert the words "Provided, That any extension of a lease by the operation of this section shall terminate only at a time of year corresponding to the ish originally stipulated for in the lease."—(*Mr. J. A. Campbell.*)

Question proposed, "That those words be there inserted."

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, there could be no doubt that a lease which was extended by a failure to give notice ought to come to an end at the same term as the natural termination. But he would suggest that any such provision as this was not necessary. The effect of no notice being given was that the tenant at the expiration of the lease acquired a right to continue in occupation for one year, and he became a yearly tenant thereafter. Under the circumstances, it did not seem necessary to introduce this Proviso. It might, in some instances, be disadvantageous. It would have an effect wider than that which the hon. Member imagined, and would not be necessary to secure what was the proper result.

Amendment, by leave, *withdrawn.*

GENERAL SIR GEORGE BALFOUR said, he wished to move the insertion, in page 8, line 40, of the following Proviso:—

"Provided, when a tenant is in arrear of rent for one year, the landlord shall be entitled to remove him, but only at his term of entry, with forty days' notice by registered letter, and that the portion of the Act of one thousand eight hundred and eighty, called 'The Hypothec Abolition Act,' authorising eviction on fourteen days' notice be repealed, also the Act of Sederunt by the Court of Session of one thousand seven hundred and fifty-six, anent removing of tenants be abolished, and that this Clause be made applicable to current leases."

He knew nothing which had caused more irritation to farmers in Scotland than the mode in which Hypothec was carried out; and he had put this Amendment on the Paper in the hope that some alteration of the law might be arrived at. He might incidentally mention that the Act of Sederunt was passed by the Court of Session, who had no power to do it, although they assumed the right.

Amendment proposed,

In page 8, line 40, from "Provided," leave out to end of Clause, and insert—"When a tenant is in arrear of rent for one year, the landlord shall be entitled to remove him, but only at his term of entry, with forty days' notice by registered letter, and that the portion of the Act of one thousand eight hundred and eighty, called 'The Hypothec Abolition Act,' authorising eviction on fourteen days' notice be repealed, also the Act of Sederunt by the Conrt of Session of one thousand seven hundred and fifty-six, anent removing of tenants be abolished, and that this Clause be made applicable to current leases."—(*General Sir George Balfour.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. W. BARCLAY rose to support the Amendment, and said, there was a strong feeling in Scotland upon this subject. It was considered a great hardship amongst the farmers of Scotland that a tenant should be evicted from his farm on receiving 10 or 14 days' notice. Such stringent powers were not necessary for the landlord, and unquestionably the feeling of the farmers in Scotland was very strongly against it. He hoped the Law Officers of the Crown would find a way of getting out of the difficulty; and in securing to the landlord power to recover his holding. they should only make that power operative at one of the terms. He believed the Amendment would facilitate settlements between landlords and tenants, and be advantageous in several respects. The abolition of Hypothec in the form in which it was done was not accepted by the farmers of Scotland as any settlement of the question. The Amendment was a technical and legal one; and he hoped the Law Officers of the Crown would direct their attention to the subject, and see, on Report, if they could not accept these words, whether they could not adopt others to carry out the object of the hon. and gallant Member.

DR. FARQUHARSON said, there was no question upon which the farmers of the North of Scotland felt more deeply than the question of the desirability of modifying the restrictions which pressed so hardly upon them. In this respect there was a great blot in the Bill; and he hoped the Law Officers of the Crown would find means of modifying these two injurious restrictions.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, that this was, nc doubt, a very important Amendment, as it dealt with the right of a landlord to remove his tenant on the non-payment of rent, and the conditions in which that right should be exercised. He was quite aware that it had been stated by hon. Members that this was a matter with regard to which the tenant farmers of Scotland felt very strongly, and it would be extremely desirable that some mode should be found to adjust the footing on which a tenant not paying his rent should be removed in such a way as, on the one hand, not to sacrifice the just rights of the landlord, and, on the other hand, not to sacrifice the just rights of the tenant who had failed to pay. He approached the consideration of this Amendment with all earnestness and desire to find a solution; but he must say that he and his Colleagues found themselves unable to accept the Amendment. It seemed to him to be somewhat more far-reaching than even his hon. and gallant Friend (Sir George Balfour) could, perhaps, have distinctly in view; because, if it were adopted, the result, it appeared to him, would be that, in certain circumstances, the tenant who had failed to pay his rent might continue the occupation of the farm for a period of two years. Now, he was quite sure that the tenant farmers of Scotland did not desire to have any such right as that. He had not heard it advocated by anyone that they should have the right of continuing in possession of their farms, notwithstanding the failure on their part to fulfil their obligation to the landlord of payment of rent. He would state, in a few words, how this Amendment would operate in the way he had suggested. There were, he thought, three leading features in the Amendment. In the first place, to enable the landlord to remove his tenant the tenant must be in arrear of rent for one year. In the second place, the right of removal that the landlord would have could only be exercised subject to the condition of 40 days' notice having been given prior to the period when the removal was to take place; and, in the last place, it was suggested that the Amendment should be applicable to current leases. It might be that the tenant entered on Whit Sunday and failed to pay his rent at Martinmas, and the landlord could take no action then because the rent would not be in arrear for a year. The following Whit Sunday came, and the tenant might still fail to pay his rent. No doubt, then, the first condition of the Amendment arose, for the tenant was in arrear for one year's rent. But then the Amendment provided that the landlord should not be entitled to remove the tenant except at the term of entry and with 40 days' notice prior to that term. He, therefore, could not remove him until the following Whit Sunday, prior to the recurrence of which period he would require to give him 40 days' notice of his intention to remove him. The result would be that two years would have elapsed during which the tenant would have paid no rent at all, and the landlord's hands would be entirely tied in the matter of removing him. He (the Solicitor General for Scotland) felt quite satisfied that the tenant farmers of Scotland did not require any protection of that nature. There was this great reason against its being conceded—namely, that it appeared to him that it would be entirely at variance with the most important principle which was always applicable to all mutual contracts—the principle that non-fulfilment by the one party of his covenant set free the other party; whereas, if the tenant were to be allowed to continue his position, notwithstanding the non-payment of his rent, the position would be this—that while the tenant had failed to fulfil his part of the bargain, the landlord would still be bound to fulfil his. Whilst the landlord was protected by the Law of Hypothec there might be reason for modifying his rights as a party to a mutual contract; but when the Law of Hypothec was abolished, in his humble judgment, by an Act which had conferred great benefit on the country, then there necessarily accrued to the landlord the ordinary rights of a party to a mutual contract, and in particular the right to take the position of being released from his contract if the opposite party failed to fulfil his part of it. Now, his hon. and gallant Friend, in introducing this Amendment, set up something which indicated an impression in his mind that there still subsisted in Scotland a remnant of the Law of Hypothec. It was quite understood by the Committee that in 1880, when the Law of Hypothec was abolished, there were two limitations — namely, that the Act did not apply to existing leases, and did not apply to agricultural or pasture farms of less than two acres. Therefore, when he spoke of the abolition of the Law of Hypothec, he should be understood to be excepting these two reserved classes of cases. But, subject to these two exceptions, it appeared to him that there no longer remained any portion of the Law of Hypothec in force in Scotland. With regard to the Act of Sederunt, which was frequently spoken of as keeping up the Law of Hypothec, anyone who studied the terms of the measure would be satisfied that it did nothing to extend the Law of Hypothec as a security established by law in favour of the landlord over the goods of the tenant. The Act of Sederunt did not give any such right at all. It prescribed the method by which the tenant who failed to pay his rent was to be removed, and it was a provision in favour of the tenant, because, when he had failed to pay his rent, under the Act of Sedernut he tendered security for his past rent and future rent, and was maintained in his holding, though he had not fulfilled the letter of his obligation. Then, with regard to the Act of 1880, that was nothing in the nature of a security given to the landlord over the goods of the tenant. There was, no doubt, a power in it to enable the landlord to obtain the payment of his rent out of the waygoing crop, or that portion of the rent which accrued over the waygoing crop. That was, in common sense, Hypothec; it was not giving a right over the goods of the tenant, but was a condition attached to the right of the tenant who had been removed, to go back and take away his waygoing crop. The condition was that the rent of that portion of the land that was producing the waygoing crop should be paid to the landlord out of the crop that was produced. Inconvenience had been found to result from the arrangements that were introduced consequent upon the abolition of the Law of Hypothec in 1880. With reference to the tenant who failed to pay his rent, the landlord at present had the power, upon the failure of the tenant to pay six months' rent, to take steps for his removal, though, of course, they knew quite well that the rent was never exacted in practice upon a term of six months. They had carefully considered whether anything could be done to remove the inconvenience which was generally felt throughout the country under the existing arrangement, and it had appeared to the Government that the step most likely to remove that inconvenience, and to do justice to all parties, would be this—on the one hand, not to displace the landlord's right to take steps for the removal of his tenant immediately after the latter had failed to pay his half-years' rent, but that the decree of removal which he should obtain should be limited, so as only to take effect at the next ensuing term. In that way they would be obviating all the inconvenience of the removals in mid-term, and the matter would be put upon such a footing that the interests of the landlord would be protected on the one hand, and justice would be done to the tenant on the other. The hon. Gentleman (Mr. Barclay), in what he had just said, had pointed to some such arrangement as that; and, whilst he could not accept the Amendment of his hon. and gallant Friend, the Government would be happy to consider whether they could not, between now and the Report, bring up a clause which would have some such meaning as he had now sketched, and which would remove the dissatisfaction which existed as to the existing arrangement.

General Sir GEORGE BALFOUR said, he should like to make one observation in regard to the Solicitor General's explanation. Of course, he could only trust to the Lord Advocate and to the Solicitor General for Scotland to carry out to the full extent the scheme that had been suggested; and the more extensively that was done, the better it would be for the Scotch farmers. Under the circumstances, he should withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. J. W. BARCLAY, who had given Notice of an Amendment to leave out the words "or otherwise," in line 2, page 9, said, he thought it was quite right that notice should be dispensed with in case of bankruptcy; but there were many other cases which ought to be taken into consideration.

The LORD ADVOCATE (Mr. J. B. Balfour) said, he really could not assent to the withdrawal of the words, because the provisions of the Bill were intended to be without prejudice to any other legitimate grounds of removal. There were many other grounds which were familiar to everybody, and it would not be just to bar them.

Amendment proposed, to leave out from line 3, page 9, the words "entitling the landlord to remove him," in order to insert the words "or other liability to be removed."—(*The Lord Advocate.*)

Amendment *agreed to.*

Sir JOHN HAY moved, merely for the purpose of putting it upon record, the omission, after the word "Act," of the words "which have less than two years to run at that date." If the clause finished with the word "Act," it would entirely meet the view he desired to express.

Amendment proposed, in page 9, line 5, after the word "Act," to leave out the words "which have less than two years to run at that date."—(*Sir John Hay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

The SOLICITOR GENERAL for SCOTLAND (Mr. Asher) objected to the proposed Amendment as unnecessary.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Fixtures.

Clause 27 (Tenant's property in fixtures, machinery, &c., with the omission of the proviso at the end as to steam engine).

Mr. J. W. BARCLAY (for Sir Alexander Gordon) moved to leave out from line 8, page 9, the words "after the commencement of this Act," so as to make the clause applicable to buildings and other fixtures put up by the tenant before as well as after the commencement of the Act. It was surely not too much to ask that the tenantry of Scotland should have the power of removing such fixtures if the landlord did not buy them.

Amendment proposed, in page 9, line 8, to leave out the words "after the commencement of this Act."—(*Mr. J. W. Barclay.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he appreciated the motive of the Amendment; but he was afraid he could not accept it, because, down to the time when the Bill would come into operation, it was the law, and would remain the law, that anything built on the land of the proprietor became the property of the proprietor. The effect of inserting this Amendment would be to take away from the landlord property which by law had become his own. No doubt, it was an unfortunate state of the law which permitted such buildings to become the property of the landlord; still they must recognize the law as it stood.

Amendment *negatived.*

THE LORD ADVOCATE (Mr. J. B. BALFOUR) moved, in page 9, line 9, after the word "machinery," to insert the word "fencing."

Amendment *agreed to.*

THE LORD ADVOCATE (Mr. J. B. BALFOUR) moved, in page 9, line 9, after the word "fixture," to insert the words "or erects any building."

Amendment *agreed to.*

GENERAL SIR GEORGE BALFOUR moved the following Amendment:—

> Page 9, line 9, after the word "fixture," to leave out from "for," to "tenant," in line 14, and insert "the same shall remain his property, and if in the opinion of referees appointed under this Act the same shall be considered necessary and suitable for the holding, then compensation shall be paid by the landlord the same as for any other improvement, and from and after the commencement of this Act the feudal law or custom of fixtures shall cease and determine."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said he could not accept the Amendment, and he would explain the grounds of his inability in a sentence. The law in time past had been that the buildings and other fixtures upon the land had become the property of the landlord, and that, no doubt, was unfortunate; but it was now proposed, under this Bill, that for the future they should remain the property of the tenant, and he should be allowed to remove them, if the landlord did not exercise the option, which was given him under this clause, of buying them. It was, therefore, provided by the Bill that for the future the tenant should be allowed to take away his fixtures, or to get money for them from the landlord; and that would seem to put the law into a very fair and equitable condition on both sides. But the present Amendment proposed to go a great deal further than that, by providing that referees should be called in, and if they decided that the fixture or building was suitable for the holding, the landlord should be forced to buy, whether he wanted to do so or not. That was an extreme, and hardly an equitable, course.

MR. J. W. BARCLAY said, he thought the proposal was thoroughly fair and just; but, as the Government were determined to sanction the confiscation by the landlords of all improvements, he would advise the withdrawal of the Amendment.

GENERAL SIR GEORGE BALFOUR said, he could only stand up and ask for justice between man and man; but, as the Government would not accept his Amendment, he would withdraw it.

Amendment, by leave, *withdrawn.*

On the Motion of the LORD ADVOCATE, the following Amendments were made:—Page 9, line 11, after "affixed," insert "or erected;" line, 12, after "fixture," insert "or building;" line 13, after "fixture," insert "or building."

MR. WARTON proposed to insert the word "such," before "fixture," in line 16.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) accepted the Amendment as an improvement.

Amendments *agreed to.*

The LORD ADVOCATE (Mr. J. B. Balfour) moved to insert the words "or building," after "fixture," in line 16.

Amendment *agreed to.*

Sir JOHN HAY suggested that some provision should be made to compel the tenant to take the whole of the fixture or building away when he interfered with it at all; he should not be allowed to leave any ruins behind, or it might lead to great inconvenience.

The LORD ADVOCATE (Mr. J. B. Balfour) said, the provision satisfied this requirement already. The tenant was to take all away, and not merely a bit, and leave a ruin; and that that was clearly provided for was shown by the fact that the clause declared that the tenant should not do any damage to any other building.

General Sir GEORGE BALFOUR said, the whole Bill had been drawn in the interests of the landlords, and not in the interests of the tenant farmers.

On the Motion of The Lord Advocate, the following Amendments were made:—Page 9, line 19, after "fixture," insert "or building;" line 20, after "any," insert "other;" line 22, after "fixture," insert "or building."

Sir HERBERT MAXWELL moved' in page 9, line 24, after "removal," to insert the words—

> "And, failing his doing so, the landlord shall have power to make it good at the expense of the tenant."

The LORD ADVOCATE (Mr. J. B. Balfour) said, he rather thought this matter was already sufficiently provided for, as the tenant was under a statutory obligation to make good the damage; and if he did not do so the landlord would have his remedy in damages, if not in specific performance. However, he would consider the matter.

Amendment, by leave, *withdrawn.*

General Sir GEORGE BALFOUR said, he had intended to propose to leave out Sub-section 4; but he should withdraw his intention.

Amendment proposed, in page 9, line 25, after the words "fixture," to insert the words "or building."—(*The Lord Advocate.*)

Amendment *agreed to.*

Sir HERBERT MAXWELL said, he should propose to omit "the notice of removal," in consequence of the foregoing section, and insert "such notice."

Amendment proposed, in page 9, line 28, to leave out the words "the notice of removal," and insert the words "such notice."—(*Sir Herbert Maxwell.*)

Amendment *negatived.*

Amendment proposed, in page 9, line 30, after the word "fixture," to insert the words "or building."—(*The Lord Advocate.*)

Amendment *agreed to.*

Amendment proposed, in page 9, line 31, after the word "fixture," to insert the words "or building."—(*The Lord Advocate.*)

Amendment *agreed to*

Sir ALEXANDER GORDON said, he had not been called upon to move an Amendment preceding these—namely, to omit Sub-section 5.

The CHAIRMAN: I called the Amendment of the hon. and gallant Member. In the meantime, an Amendment has been moved, and the hon. and gallant Member cannot now move to omit the section.

Sir ALEXANDER GORDON asked whether it was not competent to him to move to omit a clause after it had been altered?

The CHAIRMAN: Yes; certainly.

Sir ALEXANDER GORDON said, he would, then, move the omission of the whole clause.

The CHAIRMAN: I must point out, with regard to this matter, that the occasional errors which arise are due to the way in which Amendments are put on the Paper. It is the duty of an hon. Member, when an Amendment is being moved, to rise and claim a hearing.

Motion made, and Question proposed, "That the Clause, as amended, stand part of the Bill."

Sir ALEXANDER GORDON said, he should move to omit the whole clause, in order to bring in what he wished, although he did not object to some parts of the clause. He did not see why a landlord should have the right to claim to purchase a fixture, which was the tenant's property. The tenant was placed in this position—he received or gave notice to quit his holding two months before the end of the tenancy. Having made up his mind to quit, he might then sell his fixture to a neighbour; but for two months he would have to hold back, until the landlord had decided whether he would buy the fixture. If the property was the tenant's, he did not see why the tenant should not dispose of his property to anyone who would buy it.

MR. J. W. BARCLAY said, he should not propose to omit the clause altogether; but he wished to draw attention to a serious difficulty which would occur under it. According to the Amendment of the hon. Member opposite, which had been accepted at the beginning of Sub-section 5, the landlord might wait until the day when the tenant would quit, before saying whether he would take the fixture or not. That would inflict great hardship on the tenant, and he thought the clause ought to be amended on Report. Sub-section 5 provided that the tenant must give one month's notice, and then the landlord might, "at any time before the expiration," say whether he would take the fixtures or not. That would be exceedingly inconvenient, and a great hardship on the tenant; and he hoped the Committee would consider the point.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clauses 28 to 30, inclusive, *agreed to.*

General Provisions.

Clause 31 (Commencement of Act).

Amendment proposed, in page 10, line 34, to leave out the word "January," and insert the word "November."—(*General Sir George Balfour.*)

Question proposed, "That the word 'November' stand part of the Clause."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, this Bill would make a great change in the law affecting landlords and tenants; and he thought January 1, 1884, was early enough.

MR. J. W. BARCLAY pointed out that, if January was adhered to, that would exclude tenants moving in November from getting any compensation under Schedule 3. There was no reason why the Act should not come into operation in November.

Amendment *negatived.*

Sir Alexander Gordon

Clause *agreed to.*

Clause 32 (Exception of non-agricultural and small holdings).

Amendment proposed, in page 10, line 39, to leave out the words "or that is of less extent than two acres," and insert the words "or in whole or in part cultivated as a market garden."—(*The Lord Advocate.*)

Amendment *agreed to.*

Amendment proposed,

In page 10, line 40, after the word "acres," to add "or to any holding acquired and held by any Railway Company or Companies under the provisions of any Act of Parliament."—(*Mr. Bolton.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 33 (Avoidance of agreement inconsistent with Act).

Amendment proposed, in page 11, line 1, after the word "tenant," to insert the words "after the passing of this Act."—(*Sir Herbert Maxwell.*)

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he did not think this Amendment necessary. Section 33 was directed to securing the voidance of any agreements inconsistent with the Act.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clauses 34 and 35 *agreed to.*

Clause 36 (Provision as to change of tenancy).

SIR HERBERT MAXWELL said, he would make one last appeal to the Lord Advocate in the hope that he would accept an Amendment which he would now propose. Unless the right hon. and learned Gentleman wished to deprive the tenants of Scotland of the last benefit of this emasculated Bill, he would accept the Amendment. Surely, if a tenant at the close of a tenancy expressly discharged any claim he had, and acknowledged that he had been satisfied, that should be pleaded as the act of a sane man.

Amendment proposed,

In page 11, line 26, at end, add, "Provided always, That if, at the end of any tenancy, a tenant expressly discharges any claim or part of a claim he has or might have had for compensation under such tenancy, such discharge shall be effectual, and shall not be void under the thirty-third section of this Act."—(*Sir Herbert Maxwell.*)

Question proposed, "That those words be there added."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, this Proviso was entirely unnecessary. A discharge was granted to give satisfaction; but there was nothing to prevent the landlord and tenant, when the tenancy was ended, from settling as they best pleased. There were many ways in which the tenant might satisfy compensation; and if the hon. and gallant Baronet would look at Clause 8, he would see it was provided that—

> "The landlord and the tenant may agree on the amount and mode and time of payment of compensation to be paid to the tenant or to the landlord under this Act."

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 37 (Interpretation).

SIR ALEXANDER GORDON said, he wished, in explanation of the clause, to insert, in line 36, after "will," the words "or by tacit relocation."

Amendment proposed, in page 11, line 36, after the word "will," to insert the words "or by tacit relocation."—(*Sir Alexander Gordon.*)

Question proposed, "That those words be there inserted."

MR. WARTON said, he did not know whether it was the same in Scotland; but in England the words "at will" meant a tenant in possession before the termination of the tenancy. It would be very curious to have these complicated provisions for compensation for a tenant who might be only a tenant for one year; and he thought the words "or at will" had better be omitted."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he would agree to their omission.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 11, line 36, to leave out the words "or at will."

Amendment *agreed to.*

Amendment proposed, in page 11, line 36, after the word "year," to insert the words "or by tacit relocation."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, these words were not necessary, and he could not accept them.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 12, line 13, after the word "holding," to insert the words "and shall include the landlord's known factor."—(*Sir Alexander Gordon.*)

Question proposed, "That those words be there inserted."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he thought the definition was better as it stood.

Amendment *negatived.*

MR. J. A. CAMPBELL proposed, in page 12, line 15, to leave out the word "includes," and insert the words "may include." He proposed this Amendment for the purpose of introducing, in line 18, the words "wherever this is not inconsistent with covenant, or with the ordinary rules of Law."

Amendment proposed, in page 12, line 15, to leave out the word "includes," and insert the words "may include."—(*Mr. J. A. Campbell.*)

Question proposed, "That the word 'includes' stand part of the Clause."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he was afraid the clause would scarcely continue to be a clause of definition if it were to be altered as the hon. Gentleman proposed. The Amendment was quite unnecessary.

Amendment *negatived.*

On the Motion of The LORD ADVOCATE, the following Amendments were made:—Page 12, line 19, leave out "parcel," and insert "piece;" line 25, leave out "aggregate or sole;" line 30, add—"Sheriff includes Sheriff Substitute."

Clause, as amended, *agreed to.*

Clause 38 (Short title of Act) *agreed to.*

THE LORD ADVOCATE (Mr. J. B. BALFOUR) moved to insert the following new Clause after Clause 9:—

(Requisition for appointment of oversman by the sheriff.)

"Where two referees are appointed, an oversman may be appointed as follows:—If either party on appointing a referee requires by notice in writing to the other that the oversman shall be appointed by the sheriff, then the oversman and any successor to him shall be appointed, on the application of either party by the sheriff."

New Clause *brought up*, and read the first time.

Clause read a second time, and *added* to the Bill.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) moved to insert the following new Clause after Clause 26 :—

(Mortis causa assignment of lease.)

"A tenant may by will, or other mortis causa writing, assign or bequeath his lease to any person (hereinafter called 'the assignee'), subject to the following provisions :—

- (a) The assignee shall intimate the assignation or bequest to the landlord or his known agent within twenty-one days after the death of the tenant, unless he is prevented by some unavoidable cause from making intimation within that time, and in that event he shall make intimation as soon as possible thereafter;
- (b) Intimation to the landlord by the assignee shall import acceptance of the lease by the assignee;
- (c) Within one month after intimation has been made to the landlord he may intimate to the assignee that he objects to receive him as a tenant under the lease;

  If the landlord makes no such intimation within one month, the lease shall be binding on the landlord and the assignee respectively as landlord and tenant as from the date of the death of the deceased tenant;
- (d) If the landlord intimates that he objects to receive the assignee as tenant under the lease, the assignee may present a petition to the sheriff, praying for decree declaring that he is tenant under the lease as from the date of the death of the deceased tenant, of which petition due notice shall be given to the landlord; and in the event of the assignee proving to the satisfaction of the sheriff that he is possessed of the means and skill requisite for the proper stocking and cultivation of the holding, and for fulfilling any other obligations incumbent on the tenant under the lease, the sheriff shall decree and declare in terms of the prayer of the petition. In the event of the sheriff finding that the assignee has failed to prove that he is possessed of the means and skill requisite for the proper stocking and cultivation of the holding, and for fulfilling any other obligations incumbent upon the tenant under the lease, he shall declare the assignation or bequest null and void.
- (e) The decision of the sheriff under such petition as aforesaid shall be final.
- (f) Pending any proceedings under this section, the assignee shall have possession of the holding, unless the sheriff shall otherwise direct on cause shown."

He had to offer a few words of explanation. As the law now stood, agricultural leases were not assignable. By this clause it was not proposed to alter the law, which provided that such leases were not assignable so long as the tenant lived, and that for very obvious reasons. Accordingly, they felt it their duty to resist the Amendment of the hon. Member for Forfarshire (Mr. Barclay) to that effect. In fact, as well as by legal assumption, when a landlord agreed with a tenant he very frequently had regard to the personal qualifications of the tenant. Undoubtedly that element of personal choice often led to a tenant who was approved of getting his holding on very different terms from the mere market price. They did not think it right that the personal choice by the landlord of the particular tenant should be interfered with by Act of Parliament. In the case of the tenant dying, matters were very different. According to the law of Scotland, the lease descended to the heir. The law was different in England, where the lease descended to the executor or personal representative. He did not suppose it could be said that, in making a 19 years' lease, the landlord had in view the tenant's heir, or the choosing of the tenant's heir. When the tenant died it became necessary that, in some way, the person who was to take the lease after him should be designated. In the ordinary case the law designated the person who was to take by declaring that the lease descended to the heir. They proposed that there should be another mode of designation of the successor, provided that was designation by the tenant himself. The proposal would not invade the principle to which assignment of leases had always hitherto been subjected in Scotland. This was a power very much desired in Scotland; and, he believed, one which would be for the advantage of the landlord as well as the tenant. It often happened that when a tenant died, he would desire to leave the farm to his widow, or a younger son ; the heir might be insane or absent, or he might be devoted to other pursuits, and quite unsuited to take the farm. He (the Lord Advocate), therefore, submitted that the exercise of the proposed power would not only be a boon to the family of the deceased person, but an advantage to the landlord. This provision was one which would be greatly appreciated by the tenants, and one which would often prevent serious hardship to families.

New Clause *brought up,* and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

Mr. COCHRAN - PATRICK said, he hoped the Committee would assent to the clause of the Lord Advocate, because it would be a very great advantage to Scotch tenants. As the right hon. and learned Gentleman had pointed out, the heir-at-law must succeed to the tenancy under the existing state of the law; but it very often happened that the eldest son was engaged in some other occupation. Though he could not practically take up the farm, he must legally take up the lease. Perhaps the second son elected to go on with the farm; and, therefore, it would avoid a great difficulty if the tenant had himself the power to indicate the member of his family to whom the lease and the stock should go. No real disadvantage would result to the landlord, whose interests were, as far as one could judge, perfectly safeguarded by the provision.

Mr. A. J. BALFOUR said, he was very much startled when he first saw the clause. It appeared to introduce matters wholly alien to the principles of the Bill. After the speech of the Lord Advocate, he thought that the clause was unobjectionable, but that it would be a very great advantage. In the first place, the clause gave liberty where there was no liberty at present; and, in the next place, it would tend to the interests of agriculture, because it would be a direct inducement to the tenant to leave to his successor the necessary means for the judicious cultivation of the farm. The tenant being left to choose would probably choose someone capable of carrying on the business. He would know, too, that, if he chose a man without means, the landlord would object to him. There would, therefore, be a direct temptation to leave a man the means of carrying on the farm.

Sir JOHN HAY considered the clause would be very advantageous, and he intended to give it his entire support. He wished, however, to ask a question in reference to it. In many cases the tenant had a desire to leave the farm to his widow. The form of the clause appeared to exclude the widow.

The LORD ADVOCATE (Mr. J. B. Balfour) said, that anyone, male or female, might succeed. There was no intention to restrict the tenant in that sense. The masculine gender in an Act of Parliament included the feminine.

Mr. RAMSAY approved of the object of the clause; but he had pressed on the right hon. and learned Gentleman the desirability of conferring on the landlord the power of determining a tenancy in the event of his being dissatisfied with the successor to the tenant. The Lord Advocate, however, had been unable to accede to the suggestion, and therefore he (Mr. Ramsay) would not submit any Amendment on the subject.

Colonel ALEXANDER asked what would be the effect of the clause in a case where one of the sons was in the same lease with the father, and where the father died?

The LORD ADVOCATE (Mr. J. B. Balfour) said, in that case it was part of the arrangement that the son should take the succession. In such a case, there would be personal choice by the landlord of the son, as well as of the father.

Colonel KING-HARMAN said, that, supposing an assignee compelled a landlord to go before the sheriff, and the assignee was found to be in the right, upon whom would the costs fall?

The LORD ADVOCATE (Mr. J. B. Balfour) said, the usual course in the case of costs would be followed.

Motion *agreed to.*

Clause read a second time.

Amendment proposed to amend the new Clause, by adding, after "landlord," in line 9, "or his known agent."—(*The Lord Advocate.*)

Amendment *agreed to.*

Clause, as amended, *added* to the Bill.

The LORD ADVOCATE (Mr. J. B. Balfour) moved to insert the following new Clause after Clause 36:—

(General saving of rights.)

"Except as in this Act expressed, nothing in this Act shall take away, abridge, or prejudicially affect any power, right, or remedy of a landlord, tenant, or other person vested in or exercisable by him by virtue of any other Act or Law, or under any custom of the country, or otherwise, in respect of a lease or other contract, or of any improvements, deteriorations, away-going crops, fixtures, tax, rate, teind, rent, or other thing."

New Clause *brought up*, and read the first time.

Clause read a second time, and *added* to the Bill.

MR. J. W. BARCLAY moved the following Clause:—

(Assignment and bequest).

"Every tenant shall be entitled to assign his tenancy to any one person having sufficient means to cultivate the holding, and against whom there is no objection on reasonable grounds, and if any objection is raised it shall be decided by reference as in the case of improvements under this Act: Provided that the landlord may elect to determine the tenancy and to pay compensation in the manner provided by this Act to an outgoing tenant.

"(1.) Every tenant of a holding may bequeath his tenancy. When the tenant has bequeathed his tenancy to one person, and the personal representatives of the tenant have assented to the bequest, such person shall be the tenant of the holding for the residue of the term of the deceased tenant.

"(2.) When a tenant has bequeathed his tenancy to more than one person, or dies intestate, then, if his personal representatives give notice to the landlord nominating some one of the legatees or persons entitled under the statutes of distribution to his personal estate to succeed to the tenancy, such person shall be the tenant of the holding for the residue of the term of the deceased tenant, and in default of such notice the landlord may give notice to the personal representatives to determine the tenancy, and in this case one year's notice shall be sufficient. The personal representative of a deceased tenant may, by notice in writing, given one year before the day named in such notice, determine the tenancy, and upon the day so named the tenancy shall be determined.

"(3.) When the tenant of a holding dies intestate, and without leaving any persons entitled to his personal estate, or any part thereof, the tenancy shall be determined by the death of the tenant, but the amount of compensation, if any, due to the deceased tenant for improvements, shall be liable to the debts and liabilities of the deceased tenant."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he had already explained that the Government could not accept this clause.

Clause *negatived*.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) proposed to insert, in Part I. of the Schedule, page 13, line 5—

"2. Formation of Silos."

Amendment *agreed to*.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) proposed, in page 13, line 14, to insert "and sluices against floods."

Amendment *agreed to*.

SIR JOHN HAY proposed, in page 13, line 19, to leave out "Part III." His object in moving this Amendment was that Parts II. and III. should be one; that was, that there should only be two Parts of the Schedule. There were some Amendments in Part III. to which the consent of the landlord was not required. Considering that for some others the landlord had to pay, he ought to have some knowledge of them. For instance, it was right a landlord should have an opportunity of testing the value of the manure put on the land. There was bad as well as good manure, and it would be hard for a landlord to have to pay for manure which would not have the desired effect upon the land. It was to meet such cases that he (Sir John Hay) now proposed to omit Part III.

Amendment proposed, in page 13, line 19, to leave out "Part III."—(*Sir John Hay.*)

Question proposed, "That Part III. stand part of the Schedule."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, he could not accept the Amendment, from considerations which, he was sure, were present to the minds of the Committee. The Amendment was totally at variance with the principle of the Bill.

Amendment *negatived*.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) proposed, in page 13, line 22, after the words "claying of," to insert the words "or spreading blaes upon."

Amendment *agreed to*.

MR. J. W. BARCLAY proposed to add to Part III.—

"(17.) Drainage executed within five years before the commencement of the Act."

He wished to make a last effort to save the tenants of Scotland some part of the improvements they had already executed. He protested against the legalizing of this confiscation of tenants' improvements. The Bill, as it stood, might quite as properly be called a "Bill for legalizing the confiscation of tenants' improvements," as a Bill for compensation of tenants' improvements. The 2nd clause provided that no compensation should be paid to tenants in respect of improvements made before the passing of the Act; and the tenants of Scotland felt very strongly on this question of drainage executed before the passing of the Act. He should be extremely glad if the Government could see their way to accept his Amendment.

Amendment proposed,

In page 13, at the end of the Schedule, to add the words—"Drainage executed within five years before the commencement of the Act."—(*Mr. J. W. Barclay.*)

Question proposed, "That those words be there added."

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, this matter was very fully considered in the early part of the Bill; and the Government had seen no reason to alter the conclusion they had arrived at.

Question put.

The Committee *divided*:—Ayes 38; Noes 141: Majority 103.—(Div. List, No. 255.)

Schedule *agreed to.*

Bill *reported;* as amended, to be considered *To-morrow.*

PARLIAMENT—ORDER—TIME FOR PUTTING QUESTIONS.

MR. HEALY asked whether it was in Order to put a Question in Committee after a quarter to 6 o'clock?

MR. SPEAKER said, he understood the hon. Member to refer to a matter that had occurred in Committee. The Committee had settled that for itself, and he had no authority to interfere.

ORDER OF THE DAY.

LOCAL GOVERNMENT BOARD (SCOTLAND) BILL.—[BILL 251.]

(*Secretary Sir William Harcourt, The Lord Advocate.*)

SECOND READING.

Second Reading *deferred* till *To-morrow.*

MR. DALRYMPLE asked if the Government seriously intended to take the Bill to-morrow? Scotch Members would like to have some information on the subject, as Committee of Supply was fixed for to-morrow.

LORD RICHARD GROSVENOR explained that, as accidents did sometimes happen, this Bill and other Bills had been put on the Orders for to-morrow, to provide for the possibility of Supply not being taken; but if Supply was taken, then this Bill would not come on.

In reply to Mr. BUCHANAN,

LORD RICHARD GROSVENOR said, it was proposed to take the Bill on Friday at 2 o'clock.

QUESTIONS.

EGYPT—HEALTH OF THE TROOPS.

VISCOUNT FOLKESTONE said, that, seeing the Financial Secretary to the War Office in his place, he wished to ask him whether, in view of the report which had appeared in *The Daily News* that the health of the troops in Cairo was very bad, he had received any information from Egypt on the subject which he could communicate to the House?

SIR ARTHUR HAYTER: In reply to my noble Friend, I have to inform him that no telegram has been received up to half-past 5 o'clock to-day, when I left the War Office; but since I have been sitting here I have received a note from the Under Secretary of State to the following effect:—"Telegram just come in. It is simply, 'General health as last report.'" My noble Friend will recollect that the last telegram was a satisfactory one; and I beg to assure him—and the House will also be glad to hear—that there is no foundation for the startling rumours to which he has referred.

In answer to Mr. O'KELLY,

SIR ARTHUR HAYTER said, that he did not think that the number of men on the roll of the sick could possibly be given; but the number of those who had died, with their regimental numbers, had already been sent to the papers.

CONSTABULARY AND POLICE ADMINISTRATION (IRELAND) BILL.

MR. HEALY: I wish to ask why it is that the Constabulary and Police Administration (Ireland) Bill is not yet printed? Leave was obtained the other night to introduce the Bill, and when the Chief Secretary proposed to introduce it on Friday night last he had a draft of it before him. It is now Wednesday, and surely sufficient time has elapsed to have it printed. We know, of course, that the Government intend to abandon the Bill; but although it is to be abandoned, surely it ought to be printed, as leave has been obtained to introduce it. In the absence of the Chief Secretary, I would ask the Attorney General for Ireland to explain the matter.

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER): I am not able to give any information in reference to the matter at all.

MR. HEALY: I would ask the noble Lord.

LORD RICHARD GROSVENOR: I am not in a position to give any information.

MOTIONS.

EDUCATION (SCOTLAND) ACT (1872) AMENDMENT BILL.

On Motion of Dr. CAMERON, Bill to amend "The Education (Scotland) Act, 1872, *ordered* to be brought in by Dr. CAMERON, Mr. BUCHANAN, and Mr. HENDERSON.

Bill *presented*, and read the first time. [Bill 276.]

EPIDEMIC AND OTHER DISEASES PREVENTION BILL.

On Motion of Mr. GRAY, Bill to make better provision for the prevention of outbreaks of formidable epidemic, endemic, or infectious diseases, and to amend "The Public Health Act (England), 1875," and "The Public Health Act (Ireland), 1878," *ordered* to be brought in by Mr. GRAY, Mr. DAWSON, and Mr. BROOKS.

Bill *presented*, and read the first time. [Bill 277.]

HYDE PARK CORNER (NEW STREETS) BILL.

Ordered, That the Examiners of Petitions for Private Bills do examine the Hyde Park Corner (New Streets) Bill with respect to compliance with the Standing Orders, and that the said Examiners do proceed and report forthwith.—(*Mr. Shaw Lefevre.*)

House adjourned at three minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 2nd August, 1883.

MINUTES.]—PUBLIC BILLS—*First Reading*—Trial of Lunatics * (169); Agricultural Holdings (England) * (171); Public Health Act, 1875, (Support of Sewers) Amendment * (172); Electric Lighting Provisional Orders (No. 5) * (173); Electric Lighting Provisional Orders (No. 8) * (174).

Second Reading—Greenwich Hospital (165).

Committee—Summary Jurisdiction (Repeal, &c.)* (153); Merchant Shipping (Fishing Boats) (144-170).

Committee — Report — Metropolitan Board of Works (Money) * (149).

Report—Companies (Colonial Registers) * (150).

Royal Assent—Consolidated Fund (No. 4) [46 & 47 *Vict.* c. 23]; Turnpike Acts Continuance [46 & 47 *Vict.* c. 21]; Poor Relief (Ireland) [46 & 47 *Vict.* c. 24]; Sea Fisheries [46 & 47 *Vict.* c. 22]; Sea Fisheries (Ireland) [46 & 47 *Vict.* c. 26]; Prison Service (Ireland) [46 & 47 *Vict.* c. 25]; Tramways Provisional Orders [46 & 47 *Vict.* c. cxxxi]; Elementary Education Provisional Order Confirmation (London) [46 & 47 *Vict.* c. cxxxii]; Tramways Provisional Orders (No. 3) [46 & 47 *Vict.* c. cxxxiii]; Local Government (Gas) Provisional Order [46 & 47 *Vict.* c. cxxxiv]; Local Government Provisional Orders (No. 4) [46 & 47 *Vict.* c. cxxxv]; Local Government Provisional Orders (No. 5) [46 & 47 *Vict.* c. cxxxvi]; Local Government Provisional Orders (No. 7) [46 & 47 *Vict.* c. cxxxvii]; Local Government Provisional Orders (Poor Law) (No. 2) [46 & 47 *Vict.* c. cxxxviii].

MERCHANT SHIPPING (FISHING BOATS) BILL.—(No. 144.)

(*The Lord Thurlow.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, "That the House do now resolve itself into Committee."

LORD NORTON said, he was extremely sorry that the Bill had been delayed so long that its passage through Parliament had been endangered. It was an entire misapprehension to suppose that the Smackowners' Association of Hull was opposed to this measure. They had petitioned for delay; but he had the authority of Mr. Norwood, the Chairman of the Departmental Committee, for saying that they wished to withdraw that Memorial, and were anxious there should not be any further delay in the passing of the Bill. The Bill gave no more than necessary protection to a large number of lads employed in the fishing trade, who were often brutally treated, and who very much needed protection. They were often taken into the Service at the age of 11, many of them were orphans and paupers, and they were altogether without the protection they required both afloat and ashore. Merchant shipping legislation over-protected the men in the Service, who could look after themselves, and gave no protection to the boys, who were at their mercy. On the other hand, since recent legislation had deprived smackowners of their summary remedy against desertion or mutinous conduct, and left them only a pecuniary remedy, which was absolutely futile, the Act was necessary in the interests of the smackowners also. Under these circumstances, he trusted that the Bill might be allowed to become law this Session. It had been objected that they had only the Report of a Departmental Committee on this subject. But the inquiry of that Committee had been a most careful one; they had taken evidence from all parties concerned, and visited the places; and if they were to wait for a Parliamentary Committee, they would postpone the consideration of the matter *sine die.*

THE EARL OF WEMYSS said, he was sorry to take a different view to that of the noble Lord. This Bill did not merely give protection to the boys. It was a Bill which would compel every fishing vessel of over 20 tons to hold a certificate; it involved great changes with regard to the regulation of lodging-houses, and was a Bill of some importance. It enacted some of the strongest provisions of the Merchant Shipping Act. Mr. Birkbeck, who had signed the Report of the Special Committee, had written that he thought it "indispensable" the Bill should be postponed till another year, on the ground that the details seemed to be so little known in certain quarters. He (the Earl of Wemyss) therefore hoped that, with the view of making legislation effective, time would be given to all parties concerned to further consider the Bill.

THE MARQUESS OF SALISBURY said, he thought the appeal of the noble Earl was one to which their Lordships ought to give some attention. The Bill was a peculiar one. It proposed to make a great alteration in the existing law, and was being pushed on at a time when it was impossible to scrutinize its details. At first he had been strongly impressed in favour of the Bill by seeing on the Departmental Committee which sat on it the name of Mr. Birkbeck, M.P.; but it was now stated that Mr. Birkbeck considered the matter had not been sufficiently inquired into. There were great objections to it on the part of the population who would be subjected to its operation. Earnest representations had been made to him (the Marquess of Salisbury) on the subject by the Smackowners' Association, and they had not since informed him that their objections were withdrawn. As matters stood, their Lordships had no security that in passing this Bill they would not be doing harm instead of good, and going against the wishes of the people who would be affected by it. He, therefore, thought their Lordships should not go into Committee on the Bill at that time.

LORD NORTON explained, that Mr. Birkbeck signed the Report, except as to the size of vessels requiring the granting of certificates. The population Mr. Birkbeck represented were, therefore, committed to the Bill, with that exception. He denied that there was any great alteration as to existing provisions of the law in the Bill.

THE EARL OF KIMBERLEY said, the proceedings on this Bill were founded on the Report of the Departmental Committee. He thought it reasonable that when a Bill had been brought in, although some Gentlemen might change their minds with regard to it, it should receive full consideration. He understood that it was extremely desirable that this matter should be dealt with, and therefore he thought they might be allowed to get into Committee. He regretted that Mr. Birkbeck, after having declared in favour of the Bill, should have turned round in his opinion.

Motion *agreed to.*

House in Committee accordingly; Amendments made: The Report thereof to be received *To-morrow;* and Bill to be *printed,* as amended. (No. 170.)

GREENWICH HOSPITAL BILL.

(*The Earl of Northbrook.*)

(NO. 165.) SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF NORTHBROOK, in moving that the Bill be now read a second time, said, the object of the Bill was to provide the widows of seamen in the Royal Navy who lost their lives in the Service with pensions; and also to provide for sending their young boys to charitable institutions instead of to Greenwich Hospital School. In such cases as the loss of the *Atalanta* and *Eurydice*, the widows and children had received allowances from subscriptions raised by the country. This, however, was but a precarious provision, and failed to meet isolated cases. The proposals of this Bill were in accordance with the original objects of the foundation of Greenwich Hospital, and it was singular that so many years had elapsed without some such provision being made. Power was to be vested in the Admiralty of selecting the boys who were to be sent to the institutions referred to. He begged to move that the Bill be now read a second time.

Moved, "That the Bill be now read 2ª."—(*The Earl of Northbrook.*)

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

ECCLESIASTICAL COMMISSION — REPORT ON PUBLIC-HOUSES.

MOTION FOR A PAPER.

The Bishop of ROCHESTER, in rising to move for Copy of any minutes recently made by the Ecclesiastical Commissioners for England upon the subject of public-houses of which they are the owners, said, that he did so in consequence of a letter which was written in July of last year by Canon Basil Wilberforce, and which was remarkable for the courageous emphasis with which the author expressed his convictions, and for an important extract which it contained from a lively periodical called *The Sword and Trowel.* Almost the last public letter written by the late Archbishop of Canterbury was to express his opinion that some notice ought to be taken of that letter; and in the month of November the Ecclesiastical Commissioners appointed a Committee to consider the subject. The Report of the Committee had been made after full and careful consideration. In the extract to which he had alluded, two distinct charges had been made, one of which was of a sensational character, which had been copied into the newspapers, and had been made the subject of an elaborate attack in an American book of travels just published. It was to the effect that the Bishop of London, as he travelled from his house in St. James's Square to his Palace at Fulham, passed at least 100 public-houses built on Church property. It was impossible to meet that statement, because the route which his Lordship might take was not indicated; but it was stated, upon an authority which their Lordships would regard as supreme, that as a matter of fact the right rev. Prelate, in travelling from London to Fulham, passed by two public-houses upon ecclesiastical property. The other statement was, that there were four public-houses on ecclesiastical property, two of which were earning £10,000 a-year. Two gin palaces were stated to be in Knightsbridge; but those houses had never come under the control of the Ecclesiastical Commissioners. They were let some years ago by the Dean and Chapter of Westminster on a beneficial lease, which had still 16 years to run. With respect to the "Royal Oak" public-house, at Notting Hill, which was said to bring in an enormous revenue, it was not on the Commissioners' estate, or in any sense on Church property. As to the "Hero of Waterloo," it was sold to the South-Eastern Railway Company by the Archbishop of Canterbury 23 years ago, and the Ecclesiastical Commissioners never had any kind of control over it. The public-house property of the Ecclesiastical Commissioners might be divided into three categories. In the first category were the houses of which they had only the reversion, and of which the beneficial lessees were practically the landlords. Of at least one-half of these, the Commissioners had not yet come into possession. The majority of the leases extended to the year 1900, and had 50 or 60 years to run. The Commissioners received only a very small ground rent from these properties; the leases gave them very little control; and they had no power of buying out the lessees. In the next category were public-houses on old building estates. In regard to these, he had to inform their Lordships that vigilance and discretion were exercised in re-letting those houses as the leases fell in. Within the last two years 21 cases of re-letting had been considered. Of these, nine had been suppressed, 11 extended, and one not dealt with at all. In the third category were public-houses on new building estates recently laid out and leased by the Commissioners. On these estates the public-houses were few, and liberty to lessees to erect public-houses was sparsely granted and strictly limited. The Commissioners owned 19 building estates in the Metropolis, including 1,154 acres, and 4,500 houses. On nine of these estates there were no public-houses at all, and on 10 there were 24. Of course, if it was to be admitted as an axiom that it was an offence against society, and a grave moral evil, either to manufacture or sell intoxicating liquors, then the Commissioners must be held to be culpable in granting or renewing these leases; but, perhaps, their Lordships would be of opinion that that was philanthropy gone mad. It was not the practice of the Commissioners to let as a public-house a house which had not before been used as such. They suppressed beerhouses as much as they could, and had already suppressed many. The Commissioners were clearly of opinion that their interest in this class of property should be diminished as far as practicable. The Commissioners further recommended that where it could be advantageously done progress should be made in selling public-houses and in declining new leases, and that no more considerations of income should induce them to sanction the extension of public-houses maintained by the sale of intoxicating liquors. The Commissioners could not, however, promise that no public-houses should be erected on estates which were in process of development. He trusted that when the Report came into their Lordships' hands they would consider that the Commissioners had been acting properly under the duties and responsibilities laid upon them. He begged to move the Motion which stood in his name.

Moved, That there be laid before the House—

"Copy of any minutes recently made by the Ecclesiastical Commissioners for England upon the subject of public-houses of which they are the owners."—(*The Lord Bishop of Rochester.*)

Earl STANHOPE, on behalf of the Commissioners, said, that he had no objection to the publication of the Minutes referred to in the Motion. After the comprehensive statement of the right rev. Prelate, it was not necessary for him to enter into the details of the public-house property held by the Commissioners. He might observe, however, that some important hotels, such as the Westminster Palace Hotel, belonged to that Body. The Commissioners dealt with their public-house property very much as large private owners of similar property dealt with theirs; and, like the Duke of Westminster, they had in the last few years suppressed, actually or prospectively, a great number of public-houses. That very day a recommendation had been made by the Estates Committee of the Commission, with a view to the suppression of a public-house in St. Saviour's Parish, Southwark, on the ground that there was already too large a number of such houses in that parish. He hoped their Lordships would consent to the Motion and printing of the Papers asked for.

Motion *agreed to.*

TRIAL OF LUNATICS BILL [H.L.]

A Bill to amend the law respecting the trial and custody of insane persons charged with offences—Was *presented* by The Lord Chancellor; read 1ª. (No. 169.)

House adjourned at half past Five o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 2nd August, 1883.

MINUTES.]—Supply—*considered in Committee*—Civil Service Estimates—Class II.—Salaries and Expenses of Civil Departments, Votes 26, 27, 29, 30 to 33; Class III.—Law and Justice, Votes 1 to 8.

Public Bills — *Ordered* — *First Reading* — Diseases Prevention (Metropolis) [279].

Third Reading—Electric Lighting Provisional Orders (No. 5) [224]; Electric Lighting Provisional Orders (No. 8) [230], and *passed.*

ORDERS OF THE DAY.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 5) BILL.

(*Mr. John Holms, Mr. Chamberlain.*)

[BILL 224.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. John Holms.*)

Sir JOSEPH M'KENNA wished to ask for the ruling of the Speaker upon a point of Order. He wanted to know whether, as it was intended to oppose the third reading of the Bill, it would be regular to discuss it now, or whether it would not be necessary for the Bill to stand over until another day?

Mr. SPEAKER: In the case of a Private Bill, if the hon. Member opposed the third reading, it would have to stand over. But this is a Public and not a Private Bill, and the discussion can be taken now.

Sir JOSEPH M'KENNA said, he was altogether without documents that were necessary for him to lay his case before the House; and, therefore, he should have preferred the postponement of the discussion. But if it was ruled that the debate was to go on, he would be prepared to explain his views in regard to the Bill, although he believed that the opposition would apply more to the second Bill upon the Paper than the present one.

Mr. SHERIDAN said, he had a Notice on the Paper in reference to the second Bill. He thought it was absolutely necessary that both Bills should be taken together.

Mr. SPEAKER: The hon. Member's Notice which appears upon the Paper applies to the next Order of the Day.

Mr. SHERIDAN said, he was under the impression that by the Standing Order any Notice of opposition given to a Bill of this nature rendered it essential that the discussion should be postponed until another day.

Mr. SPEAKER: The hon. Member is mistaken. The Standing Order does not apply in this case, because the Bill is a Public Bill.

Mr. SHERIDAN wished to point out that it was promoted by a private Company.

Mr. SPEAKER: It is a Provisional Order Bill, and all Provisional Order Bills are Public Bills.

Mr. SHERIDAN said, he understood the right hon. Gentleman the President of the Board of Trade to intimate that in face of the opposition raised to the second Bill it would go over until to-morrow.

Mr. JOHN HOLMS said, that was a mistake.

Mr. TOMLINSON, on a point of Order, wished to know how it was, if this were a Private Bill, that it came on at the time of Private Business?

Mr. SPEAKER: Provisional Order Bills are always taken after Private Bills.

Mr. SHERIDAN said, he would make an appeal to his hon. Friend the Secretary to the Board of Trade to allow the Bill to stand over.

Mr. HICKS asked if it was competent for any Member to move that the Bill be re-committed?

Mr. SPEAKER: Certainly.

Mr. HICKS said, he thought that would be the best way to relieve the House from its present difficulty. He would therefore move that the Bill be re-committed in reference to the Strand District Order.

Amendment proposed, to leave out the words "now read the third time," and add the word "re-committed,"—(*Mr. Hicks,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir GEORGE CAMPBELL said, he strongly objected to the manner in which this question of electric lighting was being dealt with. He had already said what he desired to say in reference to these Bills.

Message to attend the Lords Commissioners;—

The House went;—and being returned;—

Mr. Speaker *reported* the *Royal Assent to* several Bills.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 5) BILL.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Mr. JOHN HOLMS said, that in supporting the third reading of the Bill he would point out that this Provisional Order, along with others, had been referred not only to an ordinary Select Committee, but to a Hybrid Committee, in order that anybody might appear before the Committee who had anything to say upon the subject. He believed that the matter had been investigated with great care, and that no substantial opposition was raised to the Bill. Under those circumstances, he hoped the House would assent to the third reading.

SIR JOSEPH M'KENNA said, he hoped that his hon. Friend the Member for Cambridgeshire (Mr. Hicks), who had moved the re-committal of the Bill, would now allow the Bill to pass the third reading, in order that the House might come to Bill (No. 8), against which the principal objection was raised; and in regard to that Bill he would ask his hon. Friend the Secretary to the Board of Trade to put off its consideration until to-morrow, in the event of the opposition to (No. 5) Bill being withdrawn. As one reason, he would point out that it was most desirable that the right hon. Gentleman the President of the Board of Trade should be present when the question was discussed.

MR. HICKS said, that after the remarks of the hon. Member (Sir Joseph M'Kenna), if it was the wish of the House he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 8) BILL.

(*Mr. John Holms, Mr. Chamberlain.*)

[BILL 230.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. John Holms.*)

MR. SHERIDAN said, he had been in hopes that his hon. Friend the Secretary to the Board of Trade would have permitted this Bill to have been postponed until to-morrow, according to the usual custom of the House, because, practically, the Bill was a Private Bill. The Speaker, however, had ruled that the Bill was a Public Bill, although it was put down for consideration at the time of Private Business. Those who were entitled to oppose the Bill would have preferred that the discussion should have been postponed, in order that the House might have been placed in possession of more information in regard to it. He thought that a great deal of haste had been exhibited in connection with the progress of this Bill. It was only on Tuesday that hon. Members were made aware that it had been reported by the Committee, and then they were only made aware of it by means of the public papers. Yesterday they were asked to take the Report into consideration, notwithstanding the fact that there was nothing whatever for the House to consider. There was no Report; not a scrap of evidence which had been taken before the Committee was in the hands of Members. They were just as wise after the Committee had reported as they were before; and they had no means to enable them to arrive at a correct conclusion in reference to the decision of the Committee. More than that, there was no Member of the Committee present to support their conclusions, and yet that stage of the Bill was forced through, and the next stage put down for to-day. Considering that the Bill abolished the right of private contract, considering that it prevented a very important section of the community from taking advantage of the Electric Lighting Act, and obtaining from the Board of Trade a licence in order to light their district, and considering that the Bill confiscated an agreement entered into between the Strand District and the Jablochkoff Company, he thought the least they could have done would have been to give one day between the various stages of the Bill, in order that those persons who were so largely interested in it might have an opportunity for consultation. The question between the Board of Trade and the Strand District stood thus. The Strand District consented to give a licence to the Jablochkoff Company for the electric lighting of the district for seven years. It had been thought expedient to authorize the Jablochkoff Company to make a contract only for seven years on terms which were thought to be reasonable, because it was assumed that by the time those seven years had expired fresh inventions might have been brought to light, or new means discovered, which would altogether have changed the conditions of electric lighting. The Strand District said very wisely—"We do not want to make a contract for a longer term than seven years; and therefore we applied to the Board of Trade, under the powers given by the Electric Lighting Act, for the necessary authority to grant a licence." But the Board of Trade said—"We repudiate your contract altogether, and we do not intend to give you a licence, because we have already promoted a Bill giving a monopoly to the Edison and Swan Companies to light the whole of the district for 21 years. We, therefore, reject your claim altogether, and will not assent to your desire to be prudent and economical. We refuse your right altogether to enter into any commercial contract with reference to lighting your district." This was a very arbitrary proceeding on the part of the Board of Trade; and, to justify it, it ought to be fortified by strong reasons. He was not aware why it was that the officers of the Board of Trade preferred the Swan and Edison Lighting Companies; but it certainly did appear that there was something in the shape of a preference shown. No doubt the Board of Trade had its preferences as well as other people; but it was a very different thing when they proposed to force their preferences upon the ratepayers of the Strand for 21 years, and compel them to accept a contract with the Edison and Swan Companies, which they had no desire whatever to make. This was very arbitrary conduct on the part of the Board of Trade, and they ought to be in a position fully to justify it. It was said that the Jablochkoff Company were not in a position to carry out their contract; but when hon. Members were asked to confirm a monopoly upon other Companies, and to hand over the ratepayers of the Strand for 21 years, and to violate and tear up an agreement which the Strand District had already entered into with the Jablochkoff Company, he thought it was quite time for the House to inquire into the nature and character of the proceedings which had impelled the Board of Trade to this course. He had nothing in the world to say against the Edison Company, which, he believed, provided an excellent light; but he would remind the House that the Jablochkoff Company, which had made an agreement with the Strand District—which agreement the Board of Trade said they were not willing the Company should carry out—also provided a good light. What he asked was, what were the objections of the Board of Trade to the Strand authorities making an agreement of a commercial character for the lighting of the district? Major Marindin had tried to induce the Strand authorities to adopt the Edison Company; but they said that they preferred the Jablochkoff Company, and that they were perfectly satisfied that they were the proper authorities constituted under the Act of Parliament to deal with the question, and to treat with the Board of Trade, and they could see no reason whatever why the agreement they had entered into should be ignored by the Board of Trade. The Board of Trade thereupon said—"We have no means of knowing that the Jablochkoff Company can carry out their agreement, if it is confirmed by the Board of Trade." But with regard to the other two Companies, which it was now proposed to force upon the Strand District, were they in a position to perform their contract? Not a word upon that subject had been uttered; but, on the contrary, when the parties were before the Committee, it was agreed that the question of means and ability to carry out agreements should be admitted on all hands. Therefore, the question of ability was not one of the questions for the consideration of the House, nor was it a question which the Committee had under consideration when they reported. Nevertheless, the Board of Trade said —"We have no means of ascertaining that the Jablochkoff Company could carry out its contracts." Now, as a matter of fact, the lighting of the Thames Embankment was undertaken by the Jablochkoff Company, and had been performed by them for some years. Was not that a sufficient means of enabling the Board of Trade to ascertain whether the Jablochkoff Company could carry out electric lighting or not? Surely the lighting of the Embankment was strong evidence of the ability of that Company to provide electric lighting. At all events, no other Company had given the same evidence of ability, and no other of these Companies had had any lights of the sort for the last five years. The Jablochkoff Company alone was the Company which had given hostages to the public in respect of the value of this light; and in addition to the Thames Embankment they had lighted Paris—the operas and theatres there—Spiers and Pond's establishments in London, the Gaiety Theatre, Whiteley's, Shoolbred's, and other large establishments. He believed it was the permanent officials of the Board of

Trade who were opposed to the Jablochkoff Company. He was told that two of the permanent officials of the Board of Trade attended the Select Committee, and endeavoured to force their views upon the Committee. He did not know what object they had in endeavouring to force the Swan-Edison lights upon the ratepayers of the Metropolis who did not desire to have those lights. Surely, the ratepayers and the local authorities had a right to enter into private contracts, and that right ought not to be taken away by the Board of Trade. Under what circumstances could the Board of Trade say that the Strand District had no right to enter into a contract with the Jablochkoff Company to light their district? It was not desirable that he should enter at any length into this question; but he submitted that there were questions of a very serious character involved in the action of the Board of Trade, and unless the House took the whole matter into their consideration they would sanction a proceeding which would place the Board of Trade in direct opposition to the local authorities, and, in regard to centralization, in a position that would be dangerous to the liberties of the people. He was at a loss to understand upon what ground the Board of Trade had come to the conclusion that these two parties were not to be able to enter into an agreement. The right hon. Gentleman at the head of the Board of Trade said yesterday—and it was a very remarkable admission—that it was in consequence of private letters—not clandestine letters, but private letters from private consumers—which had induced the Board to come to the conclusion they had.

MR. CHAMBERLAIN remarked, that he had never said anything of the kind.

MR. SHERIDAN said, the right hon. Gentleman was reported to have said so, and he had a shorthand report of the right hon. Gentleman's speech.

MR. CHAMBERLAIN said, he would tell his hon. Friend, if he would allow him, what it was that he did say. What he had said was that the Committee had before them the evidence of private consumers, and especially of the lessees of some of the theatres, who protested against the district being handed over to the Jablochkoff Company.

MR. SHERIDAN remarked, that the right hon. Gentleman had also said that those private letters had been sent to the Board of Trade, and had influenced the Board of Trade in promoting the Bills now before the House. The right hon. Gentleman knew perfectly well that these were private authorities constituted to deal with these matters, and that the Board of Trade ought not to be influenced by private letters. If the right hon. Gentleman had made inquiries he would have ascertained that the overwhelming decision of the district was in favour of the Jablochkoff Company. At present the district and the local authorities were placed in the most disadvantageous position. They were of opinion that they had made a most advantageous contract; but the Board of Trade insisted upon fastening upon them a contract which would be most disadvantageous and most expensive. The local authorities had no desire to accept the Edison-Swan lighting; but the Board of Trade said—"You shall accept it." He wanted to know under what right the Board of Trade assumed this dictation to the Strand District? If they said—"We prefer a Swan light to any other light," did they forget that the Jablochkoff Company could supply Swan lights as well as any other Company? Then, by what right did they say that the Jablochkoff Company could have its agreement torn up, and that the Strand District should not have the right of supplying its own lighting?

MR. JOHN HOLMS said, he wished to make a few remarks in answer to the speech of the hon. Member.

MR. SPEAKER: Do I understand the hon. Member for Dudley to move the Amendment of which he has given Notice?

MR. SHERIDAN: Yes.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be re-committed in reference to the Strand District Provisional Order,"—(*Mr. Sheridan,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. JOHN HOLMS said, he deeply regretted the absence of his right hon.

Friend the Member for North Hampshire (Mr. Sclater-Booth), who was Chairman of the Select Committee, and who could have spoken with much greater authority upon this subject than anyone else. He must, however, say that much of that which had just been urged by the hon. Member (Mr. Sheridan) against the Bill, and in favour of the Jablochkoff Company, was submitted to the Committee, at great length, and yet the Committee had no hesitation in coming to the decision at which it arrived. He thought his hon. Friend had made a great mistake in asserting that the Board of Trade was in any way influenced by any partiality for any particular Company. They had endeavoured to give all Companies, who had shown themselves worthy of it, a certain portion of the Metropolis for testing their powers, and they did not seek to fasten any monopoly whatever upon any particular Company. Every Company which received a Provisional Order for 21 years, understood that if it failed to supply effective lighting, or at a price as cheap and with quality as good as that supplied by another Company, then a second Company might receive a Provisional Order within the same area. The Board of Trade had, therefore, guarded itself against the establishment of any monopoly whatever. As regarded the Jablochkoff Company, he had no desire to say a word against it; but he might mention that they did not come to the Board of Trade until May last; whereas the Swan Company made their application in September 1882. Moreover, it would be in the recollection of the House that the object of having a Hybrid Committee was that all classes might be heard, whether they had a *locus standi* or not; and the Strand authority did give their reasons why the Bill ought not to pass, and the Board of Trade accepted their point of view as one worthy of consideration. He had only to say that, instead of encouraging a monopoly in any way, or having hurried the measure through, the Bill did not go upstairs before the Committee until the 19th of July.

Mr. SHERIDAN said, he had referred to the haste which had been evinced in regard to the measure since the Report.

Mr. JOHN HOLMS denied that there had been any undue haste, and trusted the House would assent to the proposal that the Bill be now read the third time.

Sir JOSEPH M'KENNA regretted that he was obliged to trouble the House with some remarks in reply to the speech of the hon. Gentleman who had just spoken. As to the remark of the hon. Gentleman that the application of the Jablochkoff Company in respect of the lighting of the Strand District had not been placed in due time before the Board of Trade, he begged to give that assertion a complete and flat denial; in point of fact, as flat a denial as could possibly be given in accordance with the Rules of the House. The Strand District and the Jablochkoff Company had acted strictly in accordance with the terms of the Act of Parliament of 1882. By the 1st section of that Act, there was a right of contract given between certain Companies and local authorities; and he would read a short portion of that section, in order to show that he was quite within the truth when he made this statement. The 1st section of the Act dealt with the mode of granting power to light a particular district; and these were the words of the Act—

> "The Board of Trade may from time to time license any Local Authorities defined by the Act, or any other Company or persons, to supply electricity under this Act for any public or private purpose within any area, subject to the following provisions."

The provisions were to limit what the Board of Trade was to do, and the first part was to obtain the consent of every local authority having jurisdiction without the area, or any part of the area, within which the supply was licensed to be furnished, which consent the local authority was authorized to give with certain conditions, subject to the approval of the Board of Trade, which the local authority might prescribe. It was quite true that the Jablochkoff Company went first to the Board of Trade, or the Board of Trade went first to the Jablochkoff Company—he would not pledge himself as to which took precedence; but an application was made for power under the Act, because the local authorities did not intend to go for a Provisional Order. No doubt a Provisional Order had considerable advantage over a temporary licence. A Provisional Order was granted for 21 years; whereas licences granted by local authorities, and approved of by the Board of Trade, were only granted for seven years. Now, the Jablochkoff Company and the Strand District, on their part, were perfectly confident that seven years would be a sufficient time; and accordingly the Strand District applied for a licence for the Jablochkoff Company for seven years, and gave an undertaking that if the Jablochkoff Company failed to carry out their contract, that they would then go themselves before the Board of Trade and make an application in their own name. Nothing could be more strictly regular than the proceeding of the local authority. But what had the Board of Trade done? The Board of Trade, whilst this competition was going on between two or three Companies, promoted a Provisional Order to take away the power from the local authorities for 21 years, and to place on the shoulders of the local authority what might turn out to be an incubus for so long a space of time. The hon. Gentleman who had just spoken said that the Bill had not been hurried forward at all. Now, the Bill was, in the first instance, referred to a Hybrid Committee. He had no particular faith in a Hybrid Committee over any other Committee. It was appointed *pro hâc vice*, and, generally speaking, conducted its business in a respectable but somewhat perfunctory manner. What was it that this Committee had to do? It had to consider two Bills, equal in volume to the Journals of the House, within the space of four or five Sittings. The House yesterday passed the Report of the Committee; but there was no Report at all before the House. He ventured to say that nothing was more irregular or defective, he would not say on the part of the Committee, because they had, no doubt, pursued the usual course, but on the part of the arrangements of the House. It was not the usual course for a Bill to be reported without any Report, and for the House to decide that the Report was considered when there was no Report at all before the House, not even a skeleton, or a fiction, or a fragment. He now came to this voluminous Bill (No. 8), which contained, in fact, several Acts of Parliament, and he asked that it should be referred back again to the Committee, in consequence of what he believed to be a great misapprehension on the part of the Board of Trade. He did not speak without authority on this matter. The right hon. Gentleman the President of the Board of Trade was present, and he would, perhaps, give his attention for one or two moments. He was reported in *The Times* of that morning to have stated—

> "With respect to the Strand District, proposals have been made by the Jablochkoff Company; but the Committee did not think they were seriously intended."

He did not know whether the right hon. Gentleman was given to jesting; but if he was not, he was certainly given to sarcasm, and such sarcasm which would scarcely be justified in any other matter of business. The right hon. Gentleman went on to say—

> "Accordingly, after hearing representations from private consumers, the Committee passed an Order in favour of the Swan Company, subject to certain limitations. He hoped the House would not put any further obstacles in the way of the Order."

Well, that was an entire mis-statement of the case. When the Report was before the House, together with the Evidence, and in the hands of hon. Members, they would see that the Committee fully acknowledged the value of the Jablochkoff Company and the Jablochkoff light. He pledged himself that that would be found in the shorthand report whenever it was in the hands of hon. Members. But, of course, the right hon. Gentleman must have believed this statement, or he would never have made use of it. He asked, then, to have the Bill re-committed, in order that the matter might be cleared up, because it was a very serious matter indeed, inasmuch as it involved the necessity of the Strand Board of Works going to "another place," from which very frequently Bills of this kind did not return. He really thought it would be consistent with the dignity of the Board of Trade, and only fair to Parliament, that the right hon. Gentleman should agree to this reference back to the Committee, simply with regard to this particular Provisional Order; and he ventured to say that if the question did go before the Committee again, when they had the opportunity of reconsidering the matter by the light of the statement made by the right hon. Gentleman the President of the Board of Trade, they would admit that they had been overborne by the dead weight and *vis inertia* of the Board of Trade in promoting this enormous Bill and smothering the local authority.

Mr. STORY-MASKELYNE said, the hon. Member for Youghal (Sir Joseph M'Kenna) asserted that the question had not been thoroughly thrashed out by the Hybrid Committee. He (Mr. Story-Maskelyne) could only say that it was a very strong Committee to which the question was referred; and if ever there was a question which had been thoroughly thrashed out, carefully studied, and a decision come to after very full consideration, it was in the case of this Provisional Order. The Committee sat steadily nearly every day, and there was never a single Member of the Committee absent; and when he said that this Order was passed by the Committee unanimously, and was the first Order upon which they came to any decision, he thought the House would see that the question was not one upon which it was worth while to detain the House at that hour of the day. He would only say one thing with regard to the statement that had been made in reference to the Board of Trade. The line of argument taken up by hon. Members who opposed this Order was that the Board of Trade had not properly considered the representations of the Strand District as the local authority in asking for a particular light in that district. Now, he asserted that that was not the case. The Board of Trade heard both sides most carefully. They had provisionally consented to the Order at the time this request was made to them; but they went into the whole of the matter, and the Board of Trade put into the Provisional Order proposed to be granted to the Swan Company a special clause to provide that, if within six months after date of the commencement of the Order a licence was granted by the Board of Trade authorizing the Board of Works of the Strand District, or the Jablochkoff Company, to supply lighting by electricity within any part of the area in which the Swan Company were authorized to supply lighting by electricity, the Board of Trade should have power to revoke the Order as to the whole of the area included in Schedules A and B. With that clause in their Provisional Order, the Edison and Swan Companies were left to lay their case before the Committee; and the case, which, no doubt, was a complicated one, was thoroughly thrashed out. The matter was not by any means so simple as hon. Gentlemen imagined. In the first place, the Jablochkoff asked for a large area—a much larger area than, he ventured to say, they intended to cover. They asked for an area bounded by limits which curiously intersected the rights of other districts in the neighbourhood of Covent Garden and the Savoy. The Committee had to go into the whole of the matter; and, as he had already stated, if ever there was a question not partially but thoroughly examined and considered, it was this. The very first Resolution the Committee came to was that Clause 67 should be struck out of the Order; and, subsequently, the area was divided in what was considered to be an equitable manner, and in a manner best suited for the public interests between the Edison and Swan Companies. Indeed, so thoroughly had the question been thrashed out that he could assure the House if they sat there discussing it for two hours they would find it impossible to get more seed out of it, although they might discover a little more chaff. If they were called upon to go to a Division he hoped the House would support the Committee, who had conscientiously endeavoured to do their duty.

Question put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

QUESTIONS.

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INDIA (CODE OF CRIMINAL PROCEDURE)—CORPORAL PUNISHMENTS.

Mr. T. C. THOMPSON asked the Under Secretary of State for India, Whether the punishment by whipping inflicted in lieu of other punishment on 26,761 persons in India, in 1880, was by sentence of a judge; and, if not, by what authority?

Mr. J. K. CROSS, in reply, said, that the punishments by whipping referred to in the Question were inflicted under the sentences of the various Civil Courts, empowered by the Criminal Procedure Code to order this form of punishment.

Mr. T. C. THOMPSON inquired whether the floggings were not sometimes inflicted by officers in charge of the gaols?

MR. J. K. CROSS: No, Sir; I understand not.

CRIMINAL LUNATICS — REPORT OF THE COMMISSION—LEGISLATION.

MR. R. H. PAGET asked the Secretary of State for the Home Department, If he will be good enough to state to the House what steps, if any, have been taken by the Treasury or other Department of Her Majesty's Government to give effect to the various Recommendations contained in the Report of the Departmental Commission of the Home Office on Criminal Lunatics, which was presented to Parliament on the 9th of November 1882?

SIR WILLIAM HARCOURT, in reply, said, that the hon. Member was probably aware that a recent decision of the House of Lords practically settled the liability of the Treasury to pay in the cases in which the Commissioners recommended that it should do so. In this way a great part of the object aimed at had been already attained substantially, and what further had to be done would be accomplished without delay.

CRIMINAL LAW (SCOTLAND)—SUNDAY TRADING — THE STROME FERRY CASE.

MR. DICK-PEDDIE asked the Secretary of State for the Home Department, Whether he has received a Memorial, largely and influentially signed, earnestly praying him to recommend Her Majesty to mitigate the sentence passed on the men convicted in the Strome Ferry case; and, whether, considering the hitherto unquestioned character of these men, and the fact that no destruction of property or serious personal injury was committed by them, and all the circumstances of the case, he is prepared to comply with the petition of the Memorialists? He should like to add to the Question by asking whether the right hon. and learned Gentleman had received a further Memorial from the jury who tried the case, signed by 12 out of the 15 jurymen?

SIR WILLIAM HARCOURT: Yes; I have received the Memorial referred to by the hon. Member. In this case sentence was pronounced by the Lord Justice Clerk, Lord Moncreiff, a Judge of great humanity and experience, who took a day to consider what judgment should be passed The sentence was passed a very short time ago; and if I were to presume to interfere now I should take upon myself the administration of the law, I should shake altogether the authority of justice, and I should do extreme mischief in regard to encouraging the non-observance of the law.

INDIA (BOMBAY)—ADEN—THE MILITARY ESTABLISHMENT.

MR. J. W. BARCLAY asked the Under Secretary of State for India, Whether the whole cost of the Military Establishment at Aden is charged to the Indian Treasury; what is the total cost of the Establishment, including the pay of the troops; what amount (approximately) has been expended since 1858 on the fortifications of Aden and their equipment?

MR. J. K. CROSS: I may say that Aden is administered as part of the Presidency of Bombay. The whole cost of the Military Establishment there is charged to Indian Revenues. The Finance and Revenue Accounts do not enable me to answer the Question of my hon. Friend as to the cost of the establishment and of the fortifications. But it appears, from a Return furnished by the Government of India in 1875, that for the average of three years ending 1873-4 the annual net cost of Aden to India (including public works and marine) was over 21 lakhs of rupees. The cost of the Military Establishment was 16 lakhs; of civil administration, 1½ lakh; of public works (including military works), 2½ lakhs; of marine, 1¼ lakh. The India Office has no detailed information of the total expenditure on these fortifications.

POOR LAW (ENGLAND AND WALES)—THE GUARDIANS OF THE PARISH OF ST. PANCRAS—VACCINATION OF FEMALE PAUPERS IMMEDIATELY AFTER CHILD-BIRTH.

MR. HOPWOOD asked the Secretary to the Local Government Board, Whether the Vestry or Guardians of Saint Pancras have applied to the Local Government Board for advice as to the propriety of vaccinating women within a few hours after childbirth; and, what, if any, answer has been given?

MR. GEORGE RUSSELL: The Guardians of St. Pancras have approved a Report of a Committee in which they stated with reference to the case of the late Herbert Walsh, which has been the subject of several Questions in this House, that they do not see in the reported proceedings of the Coroner's inquest any evidence connecting the vaccination of the mother (Rosina Walsh) with the subsequent drying up of her milk. The Committee, however, regarded this question, as well as that raised by Mr. Dunlop, the medical officer, whether the possibility of small-pox ravaging a lying-in ward would, under the circumstances existing at the time, justify vaccination at so early a period as one day after confinement, as questions solvable by medical men only, and suggested that the matter be referred to the Board. The Board have replied that they have nothing to add to the expression of their views contained in their Circular Letter to Metropolitan Boards of Guardians of the 27th of January, 1881, and in the letter addressed to Mr. Dunlop in June last, a copy of which has been sent to the Guardians. In the last-mentioned letter the Board stated that they were advised that, while providing for the inmates of the workhouse in its several departments such re-vaccination as is proper in order to guard each department from danger of small-pox, it is undesirable to allow the accidents of the lying-in room to become confused in the minds of patients with the results of vaccination, and that the medical officer would do well to hold this consideration in view, as affecting the question of re-vaccinating women within a short period after labour.

CONTAGIOUS DISEASES (ANIMALS) ACTS—FOOT-AND-MOUTH DISEASE, IRELAND.

Mr. R. H. PAGET asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will be good enough to cause weekly statements to be published in the "Gazette," showing the extent to which foot and mouth disease is prevalent in Ireland?

Mr. TREVELYAN: Returns of the character mentioned are already published regularly in *The Dublin Gazette* and also every week in the Dublin morning newspapers. If the hon. Member thinks that this does not secure sufficient publicity, I shall be happy to make further arrangements?

ROYAL IRISH CONSTABULARY—MEDICAL OFFICERS.

Mr. JUSTIN M'CARTHY (for Mr. Healy) asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that the police at Emly have had appointed as doctor a medical gentleman in Tipperary seven miles distant, so that if a constable falls sick 24 hours may elapse before the doctor's visit; and that the men are dissatisfied with this arrangement; why the local doctor on the spot, in whom the men have confidence, has not been selected; whether he will inquire if the fact of the latter being a Catholic has prevented his appointment; by whom the Tipperary gentleman was recommended; and, if it is the fact that, if a constable were known to have communicated with a Member of Parliament on the subject, he would be dismissed?

Mr. TREVELYAN: The medical attendant of the Constabulary at Emly is Dr. Nadin, who resides at Tipperary. There is railway communication between the two places, and several trains run daily each way, so that it could not take 24 hours to secure the services of the doctor. The Sub-Inspector reports that Dr. Nadin attends most regularly when required, and that he is not aware of any dissatisfaction with the present arrangement. As Dr. Nadin has held the appointment for the last 26 years, it would be difficult for me to ascertain who recommended him, or why any other gentleman was not selected; but I do not think it probable that the local doctor at Emly, to whom the hon. Member refers, and who, as I am informed, is now a young man, could have been a candidate for the post 26 years ago. It is not the case that if a constable were known to have communicated with a Member of Parliament on the subject he would be dismissed.

POOR RELIEF (IRELAND) ACT—RATING OF CEMETERIES AND BUILDINGS, CO. DUBLIN.

Mr. JUSTIN M'CARTHY (for Mr. Healy) asked Mr. Attorney General for Ireland, Whether it is the fact that, as, according to the sixty-third section of the Irish Poor Relief Act, churches, schools, burial grounds, cemeteries, &c., and any building used exclusively for charitable purposes, or dedicated or used for public purposes are exempt from rating, it is the case that Glasnevin Cemetery, with the dwelling-houses built thereon, are so exempt, and also the sexton's residence built in Swords Protestant Churchyard; if so, can he explain why the poor rate and county cess collectors have prosecuted the Catholic curate at Donabate, county Dublin, for rates on a house similarly circumstanced, i.e., within a cemetery; whether the magistrates were justified in making an order for their payment; and, if he can have the local authorities instructed to treat the erection at Donabate on the same footing as those at Glasnevin and Swords?

The ATTORNEY GENERAL for IRELAND (Mr. Porter): Sir, the Glasnevin Cemetery is exempt from rates by virtue of the 93rd section of the Irish Poor Relief Act, and the buildings on it, being for the purposes of the cemetery, are also exempt. Under similar circumstances, the house of the sexton in the Swords Churchyard is exempt; but both cases will be inquired into. In the case of the Rev. Mr. O'Kell, the claim for exemption does not appear to be the same, for although the house was built in the cemetery, it was used for two years for private purposes. On the 1st of May the county cess collector proceeded against the Rev. Mr. O'Kell. He was represented, and the case was adjourned to the 24th of May, on which day he did not appear, and a decree was pronounced. On the 14th of July he was again proceeded against, and he did not appear, and a decree was pronounced. The Government has no power to interfere in the matter; and the rev. gentleman, if he thinks the decision is illegal, has power to appeal under the statute.

PARKS (METROPOLIS)—THE INCLOSURES IN REGENT'S PARK.

Mr. D. GRANT asked the First Commissioner of Works, Whether, in connection with the Inclosures in Regent's Park, the terms upon which leases are to be granted are the same throughout; and, if not, will he state to the House the varying terms and conditions?

Mr. COURTNEY: The Commissioners of Woods and Forests are responsible for these leases; and the hon. Member will therefore, perhaps, allow me to answer the Question. The conditions are practically the same for all, the inclosure being granted in each case for the unexpired term of the lease of the house to which it is attached. Full particulars will be given in the Papers now being prepared for Parliament.

THE MAGISTRACY (IRELAND) — ALLEGED PERJURY BY A MAGISTRATE, CAVAN CO.

Mr. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to a case brought by Dr. Michael Davis, J.P. against Terence Reilly, for possession of a holding in Coravillis, Inniskeen, county Cavan, and which was tried before Captain Mansfield, R.M. and Messrs. Gibson and Chambers, J.P., who, on examining the documentary evidence, pronounced the complainant guilty of perjury; and, whether he will direct any proceedings to be taken against Dr. Davis?

Mr. TREVELYAN: Sir, I understand that the case to which this Question refers is still *sub judice*—having been adjourned by the magistrates to the 7th instant. I am unable, therefore, at present, to express any opinion on the subject.

PUBLIC HEALTH (IRELAND)—CHOLERA HOSPITALS.

Colonel NOLAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If the Local Government Board are provided with a temporary portable hospital, fit to be erected in any Union in which an outbreak of cholera may render it advisable to have an additional or detached or portable hospital; and, if the Local Government Board will have legal powers to occupy any site which they may consider suitable for a special cholera hospital?

Mr. TREVELYAN: Sir, it rests with the several sanitary authorities, and not with the Local Government Board, to provide temporary hospitals for cholera patients; and the Local Government Board have not portable hospitals at their disposal, nor have they power to take land compulsorily for the purpose of obtaining sites. The sanitary authorities have the subject at present before them, it having been brought under their notice by a recent Order of the Local Government Board.

THE MAGISTRACY (IRELAND)—FISHERY TRESPASS CASE AT GLIN, CO. LIMERICK.

Mr. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that the passage to the beach and to the salmon fishery station at Knockeraduna, Glin, in the county Limerick, which was left open by the Board of Public Works, has been closed by some party claiming ownership to the beach; if he is aware that the fishermen of that neighbourhood have to climb over the great sea wall, at the risk of their lives, in pursuit of their calling, since the closing of the regular passage; and, if so, whether he will order any steps to be taken to remedy this great inconvenience and danger to the fishermen of that district?

Mr. TREVELYAN: The matter in dispute here is, I am informed, an alleged right of way to the beach by private steps over a wall and across pasture land. The fishermen claim this right of way, which is disputed by the tenant in occupation of the land. A case of trespass recently brought before the magistrates at Glin against some of the fishermen was decided in favour of the tenant. It is open to the parties concerned to proceed in a legal manner, if so advised, to assert the alleged right of way; but I cannot express any opinion as to the merits of the case. The regular passage has nothing to do with this matter. This appears to be the assertion of a right to a private passage from the high road to the beach; but the passage opened by the Board of Works remains open, and it is not interfered with. I will show the hon. Member a map of the place if he wishes to see it.

Mr. O'SULLIVAN: The passage to the salmon fishery is what I refer to.

Mr. TREVELYAN: Is that to the beach?

Mr. O'SULLIVAN: Yes.

THE MAGISTRACY (IRELAND)—DERRY PETTY SESSIONS—ALLEGED SUPPRESSION OF A CHARGE.

Mr. JUSTIN M'CARTHY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has seen in the "Derry Journal" of Friday, 27th July, a Report of certain proceedings at the Petty Sessions Court on the previous day, in which Dr. R. H. Todd, solicitor, described by the "Derry Journal" as "a gentleman of high professional standing," took upon himself the responsibility of publicly stating that investigation into the outrage of March 1879 in Derry had lately been suppressed; that a magistrate had connived at the suppression; and that he was prepared to prove this charge, and had made the charge publicly with a hope of being allowed an opportunity of proving it; and, whether, in consequence of this public statement, he will now consent to order a further investigation?

Mr. LEWIS desired, before the Chief Secretary answered, to ask him whether it was not the fact that no charge was made against anybody in reference to this outrage, and that, therefore, it was not possible that any investigation could be suppressed by a magistrate or any other person?

Mr. O'DONNELL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether any inquiry under the Crimes Act has been held into the charge, brought recently by a man named Davis against another named Bailey, of being the author of the explosive machine outrage in Derry on St. Patrick's Day, 1879; whether he has been informed that Dr. Todd, a leading Liberal solicitor of Derry, openly declared in court, on Thursday last,

> "The guilt of outrage had been brought home, by a detective member of the police force, to an individual resident in the city, but the charge had been hushed up by the connivance of a magistrate and the police;"

and, what steps he intends to take to procure an impartial and independent investigation of the facts?

Mr. TREVELYAN: I will answer at the same time the Question of the hon. Member for Longford and Dungarvan. I have seen reports of the statements referred to. They are, undoubtedly, too serious to be lightly passed over. Dr. Todd has not made any communication to the Government upon the subject. I will, however, direct that a communication shall be made to him; and if his reply should bring the matter to any definite issue, the Government will certainly consider most carefully whether, in the interest of justice, an inquiry should be held. But, on the other hand, most certainly, unless a very definite case be raised by Dr. Todd, the inquiry will not be granted.

THE GEOLOGICAL SURVEY (SCOTLAND).

Mr. BUCHANAN asked the Vice President of the Council, Whether his attention has been called to the Report of the Director General of the Geological Survey, from which it appears that the Director for Scotland appointed at the end of last year has been retained as District Surveyor in the North of England; whether this arrangement met with his approval, and what is its duration; and, whether, seeing that the effective field force for Scotland for last year is stated by the Director General at five Surveyors, he will now reconsider his determination of postponing an increase to the Scottish staff until the survey for England is completed?

Mr. MUNDELLA: Mr. Howell, the Director for Scotland, has been retained since his promotion as District Surveyor in the North of England for the purpose of bringing that work to a close. This was absolutely necessary in consequence of the retirement of one of his Colleagues, who was in charge of that district. It is confidently expected that the field work in England will be finished by the end of this year. On its completion, Mr. Howell will take charge of the Survey in Scotland as its Director, with as many of the English staff as can be employed with advantage. Two assistants have been added to the staff in Scotland since the date of the Report referred to. The work of the Survey in Scotland has been, up to the present time, carried on under the immediate direction of the Director General, who has himself been constantly in Scotland during the past year superintending it in the field.

ARMY (AUXILIARY FORCES)—RESERVE MEN.

Mr. A. GRANT asked the Secretary of State for War, Whether members of the Volunteer Forces, called "Reserve Men," who have retired from their Corps as Non-Commissioned Officers, are allowed to retain their rank; whether such "Reserve Men" are allowed to wear their stars for long service; and, whether, in the event of those "Reserve Men" shooting a match or competition at targets only, they would be required to pay gun tax?

Sir ARTHUR HAYTER (for the Secretary of State for War): Under the Regulations of the Volunteer Force "Reserve Men" of the Volunteer Force are only allowed to wear the uniform of privates with such distinguishing mark on the sleeve as the commanding officer may sanction. From a reply with regard to their exemption from the gun tax, given on the 8th of June, 1871, by the then Chancellor of the Exchequer (Mr. Lowe), it appears the Volunteers firing as such are not required to hold gun licences. As "Reserve Men" are still Volunteers, it follows that for shooting a match or competition at targets only they would not be required to pay the gun tax.

ELEMENTARY EDUCATION ACT (1870) AMENDMENT ACT—SCHOOL BOARD LOANS.

Mr. STANLEY LEIGHTON asked the President of the Local Government Board, Whether the outstanding loans for money borrowed by School Boards, amounting in 1882 to £12,800,000, has increased since the last Return; and, whether the Local Government Board have any power to check the extravagance of School Boards in this respect?

Mr. MUNDELLA (for the President of the Local Government Board): No loan can be contracted by a school board without the sanction of the Education Department; and such sanction is never given unless, to quote the words of the Act of 1873—

> "The Department is satisfied that the additional school accommodation to be supplied by such loan is required to provide for the educational wants of the district."

The outstanding loans have, no doubt, increased since the last Return; but until the next Return is made up I cannot say to what extent.

LITERATURE, SCIENCE, AND ART—METEOROLOGICAL STATIONS.

Mr. VIVIAN asked the Secretary to the Treasury, Whether valuable scientific opinion has been received by the Meteorological Council adverse to their intended arrangement for reducing the number of the Meteorological Stations from seven to three; whether, in the event of such a proposal being sanctioned by the Government, the Vote will be reduced by the cost of the maintenance of the disestablished stations; and, whether he will lay upon the Table of the House Copies of the communications which have taken place on the said matter?

Mr. COURTNEY: I have made inquiries into this matter, and find that valuable scientific opinions have been received by the Meteorological Council, favourable and adverse to the proposed arrangements, and no final decision has yet been formed. Such decision rests with the Meteorological Council, and cannot possibly be given until they re-assemble in the autumn. The Government does not interfere with the detailed administration of their grant. If these stations be reduced as proposed there will be no reduction of the Vote; but the money saved will be applied to other purposes connected with meteorology. When a decision has been arrived at, the Council will, no doubt, give it, and their reasons for it, in their annual Report to the Royal Society, which is laid before Parliament.

CRIMINAL LAW—WEST RIDING—TRIALS FOR RAPE.

Mr. HEALY asked the Secretary of State for the Home Department, If his attention has been called to the fact that, at the Leeds Summer Assizes, five persons tried for rape in the West Riding had been admitted to bail; and, if he could give the number of persons tried for this offence at Leeds within the last five years, how many were on bail, how many bails were estreated, and how many convictions were obtained?

Sir WILLIAM HARCOURT, in reply, said, the particulars supplied to him were as follows:—The number of persons tried in the last five years was 52; the number on bail was eight; the number of bails estreated none; the number convicted 33.

POOR LAW (IRELAND)—POOR LAW ELECTORS—MAGHERAFELT UNION.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the Local Government Board have come to any decision with respect to the conduct of the Returning Officer of the Magherafelt Union at the last Poor Law Elections in that Union; and, whether Copies of the evidence taken on the subject will be printed for the information of the House?

Mr. TREVELYAN: In one electoral division—Inniscarn—the Local Government Board are about, as the result of the sworn inquiry, to set aside the Returning Officer's return, and to order a new election. Very grave abuses exist in the electoral divisions. In the other case no sufficient reason for such a step was shown. The conduct of the Returning Officer is still under consideration, as some further complaint has recently been made against him in connection with the manner in which he conducted a supplemental election. There is no objection to producing the evidence taken at the sworn inquiry, if the hon. Member thinks it worth while to move for it.

PARLIAMENT — BUSINESS OF THE HOUSE—LAND IMPROVEMENT AND ARTERIAL DRAINAGE (IRELAND) BILL.

Colonel COLTHURST asked the Financial Secretary to the Treasury, Whether, in view of the impossibility of the Land Improvement and Arterial Drainage (Ireland) Bill passing into Law this Session, he will recommend that a Royal Commission be appointed to inquire into the subject, with a view to legislation next Session?

Mr. COURTNEY: I have been, and remain, very reluctant to admit the impossibility of passing this Bill. It and the Board of Works Bill were modest attempts to consolidate and simplify the administration of the law on subjects of the greatest practical importance; but as the Bills have been persistently blocked, both by Representatives of landlords and of tenants, I fear one or both must be withdrawn. As regards the future, I do not think it necessary or desirable to resort to the somewhat dilatory action of a Royal Commission. The new relations between landlords and tenants may require a revision of the composition and powers of Drainage Boards; but the Executive possesses sufficient materials for the immediate consideration of the subject.

ARMY (AUXILIARY FORCES)—THE CHANNEL ISLANDS MILITIA.

Mr. COLERIDGE KENNARD asked the Secretary of State for War, Whether it is the intention of the authorities to fix the same limit of age for the retirement of Commanding Officers of the Channel Islands Militia as the limit in force for Officers Commanding

Militia Regiments in England; and, if not, what are the grounds of exception?

SIR ARTHUR HAYTER (for the SECRETARY of STATE for WAR): The Channel Islands Militia is an unpaid force, with compulsory service, and administered by the Lieutenant Governors, under laws enacted by the local Legislatures. Under these circumstances, it is not proposed to interfere with the discretion of the Island Governments as regards the age for service and command of the officers commanding the Channel Islands Militia.

NATIONAL SCHOOL TEACHERS (IRELAND) ACT, 1875 — AMENDMENT OF ACT.

MR. MELDON asked the Chief Secretary to the Lord Lieutenant of Ireland, If he will, during the present Session, introduce a Bill dealing with the question of remuneration to the Irish National School Teachers, and to secure to them the provision intended by the Teachers' Act, 1875; if not, what steps the Government propose to take to redress the admitted grievances of the teachers, and to carry out the promises made to them by successive Governments and Parliament; and, in what manner and when it is intended to reconsider the present unsatisfactory pension scheme?

MR. TREVELYAN: The Government, after careful consideration, have come to the conclusion that the contributions from local rates towards the salaries of teachers, which the scheme of the right hon. Member for East Gloucestershire (Sir Michael Hicks-Beach) left voluntary, should be made imperative, though I will not enter into certain details of the arrangement which will be necessary. This is the main principle of the Government proposal; but I understand that a Bill founded on this principle would meet with opposition sufficient to render it impossible to carry it this Session. I shall introduce it next Session. With regard to the pension scheme, there is, as the hon. Member is aware, a limited fund to draw upon. If experience proves that it can be done within the limits of the fund at the disposal of the Government, the terms will be re-arranged in the year 1885, when the first actuarial investigation will take place.

MR. HEALY: Is it intended to give the Boards of Guardians any power over the schools to which they are to be compelled to contribute?

MR. TREVELYAN replied, that he would prefer not to enter further, for obvious reasons, into the details of the Bill.

MR. HEALY gave Notice that he should oppose any proposal to throw another burden upon the rates without giving taxpayers control over that to which they were to be called upon to contribute.

NEWFOUNDLAND FISHERIES—THE FORTUNE BAY DISPUTE—COMPENSATION.

SIR HENRY HOLLAND asked the Under Secretary of State for the Colonies, Whether he will on an early day lay upon the Table of the House the further Correspondence with the Government of Newfoundland relative to the payment of compensation for acts of violence committed in Fortune Bay?

MR. EVELYN ASHLEY: Yes; Papers are being prepared, and will be given to Members at the earliest possible date.

POST OFFICE (CONTRACTS)—THE IRISH MAIL SERVICE.

MR. TOTTENHAM asked the Postmaster General, If he can now state the decision of the Treasury and Postal Authorities on the question of the Irish Mail Contract, tenders for which were sent in on the 11th instant?

MR. FAWCETT: In reply to the hon. Member, I may state that the Government have decided to make an arrangement with the London and North-Western Railway Company for an accelerated service by land, and I hope the acceleration will be brought into operation in the spring. It has also been decided to accept a tender of the City of Dublin Company for an accelerated sea service, and this will be secured as soon as the machinery has been improved, and other structural alterations have been made in their boats. The Company agree to complete these alterations within two years. Contracts are being prepared, and will be ready shortly, to give effect to these arrangements. Without describing the contracts in detail—which, I think, had better be postponed until they have been submitted to the London and North-Western Company and City of Dublin Company—I may state that an acceleration of about three-quarters of an hour each way between London and Kingstown will be secured; that through booking facilities at reasonable rates will be afforded; and that as soon as the necessary alterations can be carried out in the existing boats, improved accommodation for the sorting of the mails, as well as for passengers, will be provided. Immediately the contract with the City of Dublin Company has been agreed to, it will be laid on the Table with the accompanying Papers.

Mr. GRAY: May I ask the right hon. Gentleman, whether he is about to take any steps in the contract with the London and North-Western Railway Company to secure that passengers by the mail trains from London to Holyhead shall not be charged a higher rate than that charged by mail trains in other services of the same Company? The right hon. Gentleman promised, on a former occasion, that this matter would have his attention.

Mr. FAWCETT: I think, as I said, it will be better not to enter into any details; but I can assure the hon. Member that the matter has not been lost sight of, and I think he will see that the Government have done what they could in the matter.

Mr. GRAY: I am sorry to trouble the right hon. Gentleman with a further Question; but I would ask him whether he will see that an acceleration out from Dublin of the mails dependent upon the cross-Channel service is also secured? I ask the Question with reference to the passenger rates now, because when the contract is made it will be too late to discuss the question.

Mr. FAWCETT: I very much regret that there has been any delay; but the matter has been hastened as much as possible. I can assure the hon. Gentleman and those interested in Ireland that the question of accelerating the mails as far as is practicable in Ireland, now that this question has been virtually settled, will be at once carefully attended to.

Lord CLAUD HAMILTON: Might I ask the right hon. Gentleman whether the Government will use their good offices with the Dublin and Kingstown Railway to put an end to the frequent delays which are caused to the passengers and mails after the arrival of the mail boat at Kingstown?

Mr. FAWCETT: That is one of the points that will be considered.

Sir JOHN HAY: I should like to ask the right hon. Gentleman whether he is able to give the House any information with regard to accelerating the mails between Scotland and Ireland *viâ* the Larne and Stranraer route?

Mr. FAWCETT: No, Sir; I am not able to give any information on this subject. I informed the right hon. and gallant Baronet and a deputation who waited upon me that we really could not come to any conclusion in reference to it until the question of the conveyance of the mails between London and Kingstown has been settled; and, of course, it is not settled until it has been approved by Parliament.

NEWFOUNDLAND FISHERIES—CORRESPONDENCE WITH THE UNITED STATES.

Sir MICHAEL HICKS-BEACH asked the Under Secretary of State for the Colonies, Whether any agreement has yet been arrived at, as proposed by Lord Granville in March 1881, for the purpose of establishing, in concert with the Government of the United States, such regulations for the coast fisheries of Newfoundland as may in future prevent misunderstandings between the Newfoundland and the United States fishermen; and, whether the Correspondence on the subject will be laid upon the Table?

Mr. EVELYN ASHLEY: No agreement has yet been arrived at. This Question rather concerns the Foreign Office; but I have ascertained that the last despatch was one addressed in November last to our Minister at Washington, pressing for some decision in the matter, but no reply has yet been received from the United States Government. There is little or no Correspondence to give.

THE DEFENCES OF COMMERCIAL HARBOURS—REPORT OF THE COMMITTEE.

Mr. JAMES STEWART asked the Secretary of State for War, Whether the official Committee appointed to investigate the condition of the defences of commercial harbours, and presided over by Lord Morley, have yet reported;

and, if so, whether the Report will be made public?

Sir ARTHUR HAYTER (for the Secretary of State for War): The Committee appointed to investigate the condition of the defences of the commercial harbours, presided over by Lord Morley, has presented its Report; but the Report is entirely of a confidential nature, and will not be made public.

SUEZ CANAL (PURCHASE OF SHARES) —THE DRAWN SHARES.

Mr. TOMLINSON asked Mr. Chancellor of the Exchequer, Whether the Suez Canal (Purchase of Shares) Account ought to be credited with the sums received on account of the drawings of the 966 shares which have been paid over to the Commissioners for the Reduction of the National Debt; whether the statement laid upon the Table of the House of the present state of the capital account, on the 12th of July 1883, is erroneous by reason of not having these sums credited; whether the crediting of these sums as they are paid over will result in a more rapid repayment of the purchase money than appears by this statement; and, whether he will lay an amended statement of account upon the Table?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): In reply to the hon. Member, I have to say that it is not the case that the Suez Canal (Purchase of Shares) Account ought to be credited with this money. The account to which he refers is an account referring solely to the transactions between the English and Egyptian Governments in connection with the capital, interest, and sinking fund of the purchase money of the Suez Canal shares paid to that Government. The transactions are perfectly distinct from, and would not be affected by, any payments made by the Suez Canal Company on account of shares drawn. The arrangements now followed as to drawn shares, and the forms of account, were considered and settled by the late Government, and I see no reason at present to disturb them.

NAVY—NAVAL ENGINEERS—CASE OF —— WALSH.

Mr. STEWART MACLIVER asked the Secretary to the Admiralty, If his attention has been called to the case of Walsh, a Naval engineer, promoted (to chief) in 1873, and placed on the retired list on the 1st June, with £150 pension, at 55 years of age; whether Walsh's retiring pension would have been £400 if he had been allowed to serve three years and a-half more; whether, having ample junior time, some of it should not be counted to entitle him to full pension; and, if the exact position of the Naval engineers can now be defined, in regard to pensions and the mitigation of the eleven years' clause, in its application to chief engineers in the service?

Mr. CAMPBELL-BANNERMAN: I have looked into the case of Mr. Walsh, and find that he has been awarded the full rate of retirement to which he was entitled under regulations. His age would not have had admitted of his serving three years and a-half longer; and the full rate he would have earned by such service would have been £292, and not £400, as stated in my hon. Friend's Question. The result, however, seems to contain an exceptional hardship; and, although I can make no promise, I will see whether something cannot be done for Mr. Walsh.

THE WELSH UNIVERSITY—CLAIMS OF ABERYSTWITH COLLEGE.

Lord CLAUD HAMILTON asked the Vice President of the Council, Whether petitions have been presented to his department from London, Manchester, and Liverpool, as well as from important centres in Wales, in favour of Aberystwith College; and, whether the claims of that institution will receive due consideration at the instance of the arbitrators appointed to fix the site for the University College of Wales?

Mr. MUNDELLA: Representations in favour of Aberystwith College have been made to the Education Department from the various districts referred to by the noble Lord. It will be the duty of the Lord President and myself, on behalf of the Government, to give to the claims of Aberystwith the most careful consideration. But the arbitrators can only consider the respective claims of the other towns submitted to them.

SOUTH AFRICA—THE TRANSVAAL— THE NATIVE TRIBES.

Mr. GORST asked the Under Secretary of State for the Colonies, Whether he can confirm the statement contained in a Reuter's telegram, that the Transvaal Volksraad have adopted a resolution that Mampoer's and Mapoch's tribes shall be broken up, and the Natives composing them indentured for five years to Boer farmers; whether Mapoch's stronghold was not reduced by the help of ordnance supplied by the Cape Government; whether, under these circumstances, Her Majesty's Government will insist on the observance of so much of the Transvaal and Sand River Conventions as prohibits slavery; and, whether any instructions on the subject have been sent to the British Resident in the Transvaal?

MR. EVELYN ASHLEY: We have no information in the Colonial Office as to the alleged mode of dealing with Mapoch's Tribes; but the British Resident is being instructed to inquire as to the arrangements which have been made or contemplated, and it will depend upon the tenour of his Report whether any and, if so, what action may be taken.

MR. W. E. FORSTER said, that the hon. Gentleman had not answered the second part of the Question—whether Mapoch's stronghold had not been reduced by ordnance supplied by the Cape Government?

MR. EVELYN ASHLEY said, it was so stated in the Blue Book.

Subsequently,

MR. W. E. FORSTER wished to ask a Question of the Under Secretary of State for the Colonies, or, if he were not able to answer, of the Prime Minister, which arose out of the Question of the hon. and learned Member for Chatham. It was, Whether some persons who were lately Her Majesty's subjects, and were still, to some extent, under Her Majesty's rule, had or had not been reduced to slavery? He did not understand from his hon. Friend whether he could obtain information by telegraph. He wished to ask whether that information could not be obtained by telegraph? He certainly thought it ought to be.

MR. GLADSTONE said, that he was not able to give any answer to the Question; but would refer it to the Secretary of State.

EXTRADITION OF CRIMINALS ACT—THE UNITED STATES—EXTRADITION OF MR. SHERIDAN.

MR. COLERIDGE KENNARD asked the Under Secretary of State for Foreign Affairs, What steps, if any, have been taken by Her Majesty's Government in the matter of the extradition of Mr. Sheridan; and if it is convenient to inform the House as to the progress, or the result of their negotiations thereupon, with the Government of the United States? Before the Question was answered, he wished to express a hope that the noble Lord would bear in mind a recent startling occurrence. [*Cries of* "Order!"]

LORD EDMOND FITZMAURICE: Her Majesty's Government do not think it would be for the advantage of the Public Service that any official statement with regard to this case should be made at present.

SUPPLY—THE IRISH EDUCATION VOTES.

MR. CORRY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he can state when the Votes for Education in Ireland will be taken; and if he will undertake that they shall be brought on at such an hour as will give an opportunity of discussing the proposed Denominational Training Colleges?

MR. TREVELYAN: The Votes on Education in Ireland will, so far as I know, be taken in the usual order as among the Irish Votes. The hon. Member, in talking of the proposed Training Colleges, refers, no doubt, to the proposed grant to Training Colleges on the same principle as in England and Scotland. I will note the hon. Member's Question as an additional proof of the interest taken in this subject, and will ask the Secretary to the Treasury to do his best for it.

MR. GRAY expressed a hope that the Chief Secretary would give them some assurance that the Votes for the Queen's Colleges would be taken at some reasonable hour, inasmuch as there were questions of interest to Irish Members involved in them; and it would be important that they should not be taken at 2 or 3 o'clock in the morning.

MR. TREVELYAN: I cannot give any pledge; but I will give as much attention to the wishes of hon. Members as the Session will allow.

IRELAND—STATE-AIDED EMIGRATION —EMIGRATION TO CANADA.

MR. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether negotiations are in progress for the emigration to Canada of a further draft of ten thousand families from Ireland; and, whether an opportunity will be given to Parliament of discussing the project before the bargain is completed?

MR. TREVELYAN: As has, I believe, been stated in "another place," negotiations have been in progress, and have not been dropped; but I cannot bind the Government as to any number of families or amounts of money. The matter is one which would require legislation, so that Parliament will have the opportunity of discussing it in its fullest form.

MR. O'BRIEN: Will any official Report be presented as to what is happening to the families already emigrated?

MR. TREVELYAN: In the course of the Recess I will certainly see if any information which could be presented to Parliament can be obtained. The information which we possess up to the present time is, on the whole, extremely satisfactory.

PARLIAMENT—PALACE OF WESTMINSTER—WESTMINSTER HALL.

DR. LYONS asked the First Commissioner of Works, If he can state with authority the variety of timber in the roof of Westminster Hall; whether any records exist as to the source whence it was supplied; if he proposes to have photographs taken to illustrate the architectural features of the ancient work brought to view by the removal of the Courts; and, whether he will arrange to allow Members of this House, at proper times and under proper restrictions, to view the works now in progress?

MR. SHAW LEFEVRE, in reply, said, he had given orders that any Member wishing to see the west front of Westminster Hall should be admitted within the inclosure. As to the roof, the hon. Gentleman must recollect that it had been erected so far back as the time of Richard II., and he could not answer the first part of the Question.

REGISTRY OF DEEDS OFFICE, DUBLIN.

DR. LYONS asked the Financial Secretary to the Treasury, Whether it be the case that, by virtue of a Treasury Letter of 8th June last, it is proposed to diminish the total number of holidays hitherto enjoyed by the clerks in the Registry of Deeds Office, Dublin, as a set-off against the statutory holidays provided by an Act of Parliament recently passed; and, whether the Letter above referred to was promulgated only after the Act had received the Royal Assent?

MR. COURTNEY: The letter in question made no reduction in the total number of days' holidays enjoyed by these clerks; it only guarded against an injury to the Public Service, which might have resulted from the Bill, by securing sufficient attendance to transact necessary business on days when the Registry is closed to the public. The Registrar acknowledged this letter on June 11, and expressed his entire concurrence in it; and the Bill did not receive the Royal Assent until July 16. The number of days' holidays allowed in any Department is a purely administrative question, and must be decided by the proper authorities of the Department.

LOCAL GOVERNMENT BOARD (SCOTLAND) BILL—ESTIMATES OF COST.

SIR R. ASSHETON CROSS asked the Secretary of State for the Home Department, Whether he will lay upon the Table of the House, a detailed Estimate of the whole cost of carrying out the scheme proposed in the Local Government Board (Scotland) Bill?

SIR WILLIAM HARCOURT: At the present moment it will be impossible to give a detailed Estimate on this subject. I do not contemplate that, beyond the Minister, the staff would be extensive or expensive. But one of the first duties of the officer so appointed, if Parliament approves of the appointment, will be to consider the position of the Boards in Scotland, with the view to their more economical administration, and to consider whether any of these Boards might be consolidated and administered more economically. Until that is done, it would be impossible to express a definite opinion on the subject. It is hoped that the staff required for this Office will be really found a more economical administration than these Boards.

PUBLIC WORKS LOAN COMMISSIONERS — INTEREST ON LOANS — HARBOUR LOANS.

MR. MARJORIBANKS asked Mr. Chancellor of the Exchequer, Whether it is proposed in the Public Works Loan Bill of the present Session to make any change in the rate of interest at which the Public Works Loan Commissioners are at present empowered to advance money in pursuance of "The Harbours and Passing Tolls Act, 1861?"

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): No, Sir; the question will require much consideration, which I hope to give it during the Recess. The scale adopted by the late Government was decided upon after much deliberation, and could not be disturbed by the present Board of Treasury until they have well weighed the Report and Evidence of my hon. Friend's Committee.

MR. MARJORIBANKS: In consequence of the answer of the right hon. Gentleman, I beg to give Notice that on the earliest day I can obtain next Session, I shall call attention to the fact that at the time the Treasury was willing to give its assent to a loan of £8,000,000 to a foreign Company, at 3¼ per cent, it was found impossible to sanction loans for harbour construction or improvements in our own country, on security carefully inquired into and investigated by the Public Works Loan Commissioners, for a period of 40 or 50 years, at a lower rate of interest than 4¼ per cent, and I shall move a Resolution.

METROPOLITAN IMPROVEMENTS—THE WELLINGTON STATUE.

MR. R. H. PAGET asked the First Commissioner of Works, If it is contemplated to remove the Wellington Statue to the site provisionally selected near the Horse Guards; and, if, before incurring the expense of such removal, he will, in the interests of Art, be good enough to consider the advisability of having it recast and remodelled?

MR. SHAW LEFEVRE, in reply, said, he had asked the Committee to consider the matter; but they had not yet made their Report. He would request the hon. Member to put the Question again in the course of a few days.

INTERNATIONAL ARBITRATION.

MR. JESSE COLLINGS asked the First Lord of the Treasury, If his attention has been called to the report of a Treaty just concluded between Switzerland and the United States of America for settling by arbitration any differences which may hereafter arise between these two countries; and, whether Her Majesty's Government will begin negotiations with the United States and with European Governments with a view to concluding with these Countries Treaties similar to that just made by the United States and Switzerland?

MR. GLADSTONE: We have no information of the Treaty to which my hon. Friend has referred.

MR. JESSE COLLINGS: The right hon. Gentleman has not replied to the second part of my Question.

MR. GLADSTONE: We are not prepared to do anything of the sort.

EGYPT—WITHDRAWAL OF ARMY OF OCCUPATION.

BARON HENRY DE WORMS asked the First Lord of the Treasury, Whether, in view of the fact that the period of six months mentioned by the Secretary of State for War at the commencement of the present Session as that within which our troops would probably be withdrawn from Egypt has nearly expired, and of the anarchy which still prevails in that country, as exemplified by the telegrams in the newspapers describing the utter incapacity of the Egyptian officials to deal with the cholera epidemic, and also in view of possible difficulties arising from M. de Lesseps' declaration, in his Letter of the 20th July, that he would at once proceed to make a second Suez Canal, he will give an assurance to the House that, before any action is taken as to the contemplated withdrawal of our troops from Egypt, the House will have an opportunity of expressing its opinion thereon?

MR. GLADSTONE: I need not reply to the preamble of the Question, which constitutes the greater portion of it as printed. But as to the Question itself, whether—

> "Before any action is taken as to the contemplated withdrawal of our troops from Egypt, the House will have an opportunity of expressing its opinion thereon,"

I have to say that if an engagement of that kind were given this might happen—a period might arise when, in the view and conviction of the Government on its own responsibility, the presence of our troops was no longer required, and yet they would have to stay on in order that the House might express an opinion on the subject. We cannot give an engagement to that effect. It would be totally contrary to the principle of the responsibility of the Government.

Mr. RITCHIE: Do the Government at present contemplate an early withdrawal of the troops?

Mr. GLADSTONE: That is a question which would take much discussion. There will be an opportunity for remarks on the subject in a few days.

SUEZ (SECOND) CANAL—FORMER PROTEST OF M. DE LESSEPS IN 1872.

Mr. GORST asked the First Lord of the Treasury, Whether he will lay upon the Table of the House the Foreign Office documents to which he referred in a speech on July 30th, in which, as he states, is recorded a protest made by M. de Lesseps in 1872 against a projected canal from Alexandria to Suez as an infringement of his monopoly?

Mr. GLADSTONE said, he had already answered in the affirmative, in reply to a Question of the right hon. Member for King's Lynn (Mr. Bourke).

ENGLAND AND THE COLONIES—INCIDENCE OF COST OF DEFENSIVE MILITARY OPERATIONS.

Sir GEORGE CAMPBELL asked the First Lord of the Treasury, If he would explain to the House which, or of what character, are the wars of which we have undertaken, by an understanding with the Colonies, to bear the expense; and, where are to be found the engagements under which any demand for a contribution from the Colonies towards wars "in which they have a distinct interest" would be a breach of faith, as lately stated by him?

Mr. GLADSTONE: This Question appears to me to aim at a partial revival of the debate which we had last week. I do not acknowledge the accuracy of the reference contained in it. I did not use language of the unqualified character imputed to me. What I have said, and what I would again say, is this—that the Revenues of India have repeatedly been made responsible for wars which are not strictly local wars, and which are beyond its own Frontier; and that constitutes a very broad distinction between the case of India and the Colonies, where no such practice has subsisted.

TRAMWAYS (IRELAND) BILL.

Mr. BARRY asked the reason for the delay in the introduction of the promised Tramways (Ireland) Bill; and, if it is intended to introduce such a Bill this Session?

Mr. TREVELYAN: Sir, the Bill has been, and is being, prepared with as much expedition as an important and somewhat novel measure demands. I hope to ask leave to introduce the Bill next Monday.

PARLIAMENT—BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

Sir R. ASSHETON CROSS asked the First Lord of the Treasury, Whether the House is now in possession of all the Bills which the Government intend to present this Session, with the exception of the Expiring Laws Continuance Bill and the Appropriation Bill?

Mr. GLADSTONE: The Question of the right hon. Gentleman is a most reasonable one at this period of the Session, and I hope I will give an answer that may be satisfactory. Of course, I shall not refer further to the Tramways (Ireland) Bill; but there is one of the necessary annual Bills which the right hon. Gentleman has not included in his specification, and that is the Public Works Loans Bill, which it is necessary to pass. [Sir R. Assheton Cross: Hear, hear!] The only other Bills that there is any intention on our part to introduce are, in the first place, a very short Bill, to which it is my confident belief that the assent of the House will be given—a Bill to be introduced in the other House by the Lord Chancellor, relating simply to the form of verdicts given in criminal cases of lunacy; and, further, with regard to cholera, my right hon. Friend the President of the Local Government Board, viewing, I will not say, the proximity, but the possibility of an outbreak, finds it will be necessary to ask the House to introduce a few necessary provisions for insuring the more effective and regular action of the public authorities with respect to the disease. I think the House will recognize that these are exceptions which might justly be made. I had supposed that the Bill with regard to the peccant boroughs would be included in the Continuance Bill; but I now understand that it will be a separate Bill of suspension merely, for the purpose of stopping any legislation and holding over the cases until next year. That being so, Sir, I propose to explain the course of Public Business. Our first object is to get through the Agricultural Holdings (Scotland) Bill. The stages of the Report and the third reading remain, and we propose to take them either to-night or to-morrow. If we are not able to take the Report to-night, we propose to take it to-morrow, and the third reading on Saturday, and also the Report of the Bankruptcy Bill. ["Oh, oh!"] I have already done what I can with respect to the limitation of subjects, and I may say this—that, in the first place, although the prospects of the House, with respect to an early termination of the Session, are not altogether as good as we could wish, they are certainly not less favourable, but rather more favourable than they were at the time when I introduced the subject to the House three or four weeks ago. I do not think we need lay aside the hope, if circumstances should be tolerably propitious, that the Session can be brought to a close on some day in the week ending Saturday, the 25th. The application for Saturday Sittings becomes a matter of great urgency and convenience or of less inconvenience to the House, for the sake even of the comfort and advantage of hon. Members—serious as is the burden imposed upon the Speaker and the officials of the House at this time of the year. I have looked over the list of the last 11 years, and I see that Saturday was first taken in five of these years in the month of July, and in three more in the first or second weeks in August, so I hope that this will not be regarded as an unreasonable proposal in the circumstances. As to the third reading of the Agricultural Holdings (Scotland) Bill, which we may confidently assume will not require any lengthened debate, the Government propose to take it, so as to send it to the Lords without delay. If the House agrees to sit on Saturday we should propose that the Report on the Bankruptcy Bill should be then taken; and next week we propose that Supply should be taken on Monday and on Thursday, and that on Monday the South African Vote shall be taken, and on Thursday the Egyptian Vote—that is to say, the salary of Major Baring. On Tuesday, as has already been said, it is proposed to take the National Debt Bill, and after that the Parliamentary Registration (Ireland) Bill, carrying forward those subjects, if necessary, to Wednesday.

Mr. W. H. SMITH said, he was sure he only expressed the feeling of a large number of Members on both sides of the House when he said that the 7th of August was a day altogether too late on which to enter upon the consideration of a Bill of such great importance as the National Debt Bill. There was no disposition on that side of the House to place obstacles in the way of the Government in reference to a Bill of this kind; but it would be utterly impossible for the House, as a House, to enter upon its consideration at so late a date. The effect of such an attempt would be to revive the subject next Session on the consideration of the Customs and Inland Revenue Bill; and there would, therefore, be an unsettlement of the question. He was sure the minority would accept any decision that might be arrived at after careful consideration; but the minority would not accept a decision on this Bill at so late a period of the Session. ["Order!"] Then he would give Notice of a Question on the subject.

Mr. RITCHIE pointed out that, as Monday was a Bank Holiday, it would be inconvenient to business men if the Bankruptcy Bill were put down for Saturday. It was important that business men should be present when that measure was under discussion, and many of them had made arrangements to go on a holiday from Friday night until Tuesday morning. He hoped that some other Bill would be put down for Saturday.

Mr. GLADSTONE: I do not quite appreciate the strength of the argument that because Monday is a Bank Holiday the Bankruptcy Bill ought not to be taken on Saturday. Perhaps the hon. Member will communicate with the President of the Board of Trade on the subject. I was rather surprised to hear the remark of the right hon. Gentleman (Mr. W. H. Smith), that the minority of the House would not accept the decision of the majority on the National Debt Bill. I hope that was a hasty expression, which perhaps would have been qualified if it had been within the Rules of the House that the right hon. Gentleman should have explained himself more fully. The Government are not dealing with this question in a spirit of levity. We believe that there is among the financial authorities of this country, and among the people directly interested in maintaining the public credit—I will not say unanimity, but there is an enormous preponderance of opinion in its favour, and a very lively and deep anxiety that the Bill should go forward. I believe, also, that it is agreeable to the views of a very large majority of the House. If we were proved in the wrong in that view, undoubtedly we should not feel justified in pressing the Bill through the House. Although the Bill certainly deals with subjects of very great importance, its aims and provisions are of a character perfectly familiar and long established in the legislation of the country; and the Bill is only brought in to keep going —if I may use the expression—our regular financial system upon lines very well known and approved in general by the House.

Mr. W. H. SMITH explained that he did not mean that the minority would not accept the decision of the majority of the House this Session, but that they would feel it to be their duty to revive the consideration of the question next Session.

Mr. JOSEPH COWEN said, there were already 14 Bills upon the Paper which had not been read a second time, while six others stood for Report. He wished to ask the Prime Minister whether he meant that the House should deal with all the Bills which the Government had in charge, which included the Contempt of Court Bill, the Stolen Goods Bill, the Constabulary and Police (Ireland) Bill, and the Medical Act Amendment Bill? If these Bills were all to be taken, the House could not separate on the 25th of August.

Mr. GLADSTONE: I do not think that there are 14 Government Bills which have not been read a second time. With regard to one or two of the Bills mentioned by the hon. Member for Newcastle, I cannot speak of them, because I am not aware whether they are the subjects of contest or not. With respect to the Constabulary and Police Administration (Ireland) Bill, the Government have come to the conclusion that they could not hope to carry it without imposing upon the House a burden in respect of the prolongation of attendance of Members such as they cannot be fairly called upon to bear.

Sir STAFFORD NORTHCOTE: I wish to add to what has been said on the subject by the hon. Member for the Tower Hamlets (Mr. Ritchie) that Saturday has always been looked upon as a holiday by business men, and therefore I hope that the Bankruptcy Bill will not be taken on that day.

Mr. GLADSTONE: If it is the case that Saturday is an inconvenient day for proceeding with the Bankruptcy Bill, the Government—although I am very reluctant to do it—can make an exchange, and take the Parliamentary Registration (Ireland) Bill on that day.

Sir JOHN HAY asked when the Local Government Board (Scotland) Bill, which stood third upon the Orders for that night, would really be taken?

Mr. GLADSTONE: It will be taken to-morrow at 2 o'clock.

Mr. MITCHELL HENRY, in reference to the observations of the Prime Minister on the National Debt Bill, reminded him that an Amendment had been upon the Paper for a long time. It indicated a somewhat different view from that which the right hon. Gentleman had expressed as to the unanimity of feeling on the Bill. He asked the right hon. Gentleman to remember that, although there might be a complete unanimity of feeling amongst financiers in this country in favour of the Bill, that unanimity did not extend to Ireland, which had to pay its share——

Mr. SPEAKER: The hon. Member is raising questions of debate.

In reply to Mr. Bourke,

Mr. GLADSTONE said: The intention of the Government now is to go forward with the Estimates in order, with the exception that we propose to take the South African Vote on Monday, and Major Baring's Vote on Thursday.

In reply to Mr. LEWIS,

MR. GLADSTONE said, that he could not say when the Report of the Parliamentary Elections (Corrupt and Illegal Practices) Bill would be taken.

MR. COCHRAN-PATRICK asked the Vice President of the Council when the second reading of the Education (Scotland) Bill would be taken?

MR. MUNDELLA said, he hoped on an early day—probably some day next week. The hon. Member was aware it was not a contentious Bill; and he hoped some evening before half-past 12 they would be able to dispose of it.

Subsequently,

SIR EARDLEY WILMOT asked the Prime Minister whether there would be any objection to putting down the Criminal Appeal Bill for Saturday?

SIR R. ASSHETON CROSS said, that, looking to the number of Amendments to the Bankruptcy Bill, it might be better to dispose first of the Report of the Parliamentary Elections (Corrupt and Illegal Practices) Bill, on which many Amendments had been proposed, for which the Attorney General had promised to provide.

MR. GLADSTONE said, that it was absolutely necessary to give the preference to those measures which required the attention of the House of Lords. The Bankruptcy Bill was one of those measures, and it was for that reason that the Government had thought it necessary to go forward with that Bill.

SIR R. ASSHETON CROSS said, that, practically, the Schedules to the Parliamentary Elections (Corrupt and Illegal Practices) Bill were the Bill, and he did not think they could be satisfactorily dealt with at the end of the Session when everybody had left town.

MR. GLADSTONE said, he hoped in three or four days to be able to make a further statement.

MR. GRAY asked the President of the Board of Trade, Whether it was seriously intended to introduce on the Report stage more than 30 clauses, extending the Bill to Ireland, which had not been discussed in Committee? He wished to know whether an opportunity would be given for discussing this enormous mass of new matter in Committee; or did the Government intend to force it through on Report, when the clauses could not be adequately discussed?

MR. CHAMBERLAIN: The Government have given a distinct and public pledge upon this matter—that, on the one hand, they would not seek to press upon Ireland any measure in respect to Bankruptcy to which any serious exception was taken by any considerable number of people; but that, on the other hand, if it were clearly and conclusively shown that there was a general concurrence of opinion in Ireland as to the Bill being extended to Ireland, the Government would use their best exertions to carry out those wishes. I have received myself a Memorial signed by, I think, 62 Irish Members of all Parties in the House—a most representative Memorial—and I have also received Memorials from public meetings held in different commercial centres in Ireland, from Corporations, and from Chambers of Commerce. I have come to the conclusion that there is such a general concurrence of opinion in favour of the extension of the Bill as will justify the Government in making every exertion to carry it through.

MR. GRAY said, the right hon. Gentleman had not answered his Question. He had not proposed to discuss the merits of the Bill, though he should be prepared to do that at the proper time. The Question he had asked was, whether it was intended to endeavour to put 30 new clauses into a Bill dealing with a totally new subject, and not to have these clauses discussed in Committee, where alone they could be properly discussed?

MR. CHAMBERLAIN: I can only say, in reference to that, that although it is necessary in order to apply the Bill to Ireland to introduce 30 new clauses, yet, when once the principle of the application is accepted, there is really very little to discuss in those clauses, which are very nearly formal.

MR. CALLAN wished to ask the President of the Board of Trade two questions. The first was, how many of these 62 Members read the Bill?

MR. SPEAKER: The hon. Member cannot put a question of that kind.

MR. CALLAN: Now, Sir, I have to ask you a question on a point of Order with reference to the Bankruptcy Bill. The Bill was referred to a Grand Committee. There were a number of clauses of which Notice had been given by the

Attorney General for Ireland to apply the Bill to Ireland. These clauses, which might have been discussed in Committee, were withdrawn, and therefore it is an absolutely new Bankruptcy Bill for Ireland. Is it to be held that because clauses were put before the Grand Committee and withdrawn that we shall not have the Bill re-committed for a discussion of its clauses in Committee?

MR. SPEAKER: That is not a point of Order. It is an argument that may very properly be used when the matter comes on for discussion; but it is not a point of Order.

MR. HEALY: I beg to give Notice that when the matter comes on, I will move that the Bill be re-committed.

MR. GREGORY: I wish to know, will the Bankruptcy Bill be taken on Saturday? It would be a matter of extreme inconvenience if it were.

MR. GLADSTONE intimated that it would not.

MR. CALLAN: I beg to give Notice that I will ask the Prime Minister, Whether he thinks it a proper course for Her Majesty's Government to pursue to send round a hand-to-hand requisition instead of having in that House a discussion on so important a question as that affecting the Irish Bankruptcy Law?

POST OFFICE—THE "GRAPHIC" NEWSPAPER.

MR. D. GRANT asked the Postmaster General, Whether he proposes to take any steps to modify the existing conditions with respect to the transmission of newspapers through the post so as to avoid interference such as that of the embargo lately laid on the "Graphic?"

MR. FAWCETT: The proprietors of *The Graphic* have appealed to the Treasury against the decision at which I arrived with regard to the subject referred to by my hon. Friend. Under these circumstances, I think it will be better for me not to make any statement on the case while it is still under the consideration of the Treasury.

EAST INDIA—RETURN OF CLAIMS FOR RECRUITS.

GENERAL SIR GEORGE BALFOUR asked, Why the Secretary to the Treasury had refused to grant a Return in reference to the claims for recruits in East India, which was simply a continuation of a similar Return courteously granted by the late Government?

SIR STAFFORD NORTHCOTE asked whether there would be any real objection to give a continuation of the Return?

MR. COURTNEY said, it was not strictly a continuance Return. This was, no doubt, a Return following up other Returns; but the only difficulty in granting it was, that the Correspondence was not completed, and the Return would be one-sided.

GENERAL SIR GEORGE BALFOUR said, he would take an opportunity of complaining of the conduct of the Financial Secretary, which was altogether uncalled for and unnecessary.

LAW AND JUSTICE (IRELAND)—THE MURDER TRIALS AT DUBLIN—REPORTED ASSASSINATION OF A WITNESS.

SIR R. ASSHETON CROSS: I wish to ask the Chief Secretary to the Lord Lieutenant of Ireland, Whether, as far as he is aware, there is any truth in the report of the assassination of another witness in the Dublin trials?

MR. TREVELYAN: I saw in a newspaper that the source from which the information was supposed to be derived was an official source in Dublin. I am glad to say there is no official knowledge, or any other knowledge, as far as I can ascertain, in Dublin in reference to this matter. I will make other inquiries about it.

EGYPT—MR. CLIFFORD LLOYD.

SIR WILFRID LAWSON asked the Under Secretary of State for Foreign Affairs, If it were true that Mr. Clifford Lloyd had been appointed to some office in Egypt?

LORD EDMOND FITZMAURICE: We have no information on the subject in the Foreign Office. If the hon. Gentleman puts down a Question for Monday, I may be able to give him some information. I do not wish him to understand, however, from my answer that I believe the statement to be untrue.

ORDER OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS II.—SALARIES AND EXPENSES OF CIVIL DEPARTMENTS.

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £15,432, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Office of Her Majesty's Woods, Forests, and Land Revenues, and of the Office of Land Revenue Records and Inrolments."

SIR H. DRUMMOND WOLFF said, he wished to ask the Prime Minister a question with regard to this Vote. His object was to ascertain whether some means could not be devised to bring the whole Department of Woods and Forests under the cognizance of that House? Prior to the year 1862 the Department was attached to the Office of the Commissioners of Works, the First Commissioner of Works being the Commissioner of Woods and Forests. He pointed out that the present administration of the Office seemed to be in an anomalous condition, because the officers attached to it were paid out of the Public Revenue; whereas it was well known that the Department had a large revenue of its own which was entirely unaccounted for to Parliament. While this charge was going on year after year there was absolutely no control whatever over the administration of the Department, which was in no way represented in that House; and the First Commissioner of Works, having been divorced from it for the last 30 years, there was, practically, no means of getting any information as to its working. He had had considerable reason to know the difficulties resulting from the present arrangement in the case of the New Forest; and his contention was, that if Parliament was called upon to pay for the administration of a Department, which had large revenues of its own, the House of Commons ought to have some voice in that administration. He hoped the Government would give their attention to this matter during the Recess; and in that expectation he should not, on the present occasion, make any Motion for the reduction of the Vote.

MR. GLADSTONE said, he was not then in a position to reply on the question raised by the hon. Member for Portsmouth, but would take the opinion of his right hon. Friend the Chancellor of the Exchequer on the subject.

SIR JOHN LUBBOCK said, he was anxious to address a few words to the Committee on the subject of this Vote, and to ask Her Majesty's Government to consider, during the Recess, the question of establishing a School of Forestry in this country, and the utilizing of the National Forests for the purpose of forest education. So much, indeed, had forestry been neglected that in Scotland the word suggested deer, but no trees; while the idea in England was generally associated with an excellent provident Institution. Of course, the Crown Forests formed but a small part of the subject. There were altogether, in round numbers, 2,500,000 acres of woods and plantations in the country, so that the subject was one of vast importance. Moreover, it was calculated that in Scotland and Wales there were 5,000,000 or 6,000,000 acres at present almost valueless, and which, if judiciously planted, would give large results. In the science of Forestry they were, he believed, far behind most foreign countries, especially France and Germany; and he was very anxious that their landed proprietors should benefit by the experience which other nations had acquired. But he would ask where was a country gentleman who owned woodlands to obtain information as to their management or to procure trained assistants? They had no School of Forestry in this country, and they had no class of persons specially trained and instructed in the formation and management of woods. It was, he feared, still true that, as the House of Commons Committee of 1854 reported, timber was everywhere worse managed than any other species of property; and it was desirable that this state of things should not continue. On the other hand, the highest authorities had expressed a very strong opinion that we might make our woodlands much more profitable; but there was one preliminary step necessary. The highest English authorities were strongly in favour of the establishment of a School of Forestry, and had forcibly pointed out the loss which our present system of management, or rather mismanagement, entailed on landowners. Mr. Brown, in his standard work on Forests, observed that—

> "If our forests had been judiciously managed, we should not find so great a part of the woodlands of Great Britain in the unprofitable state in which they are."

We were the only important nation in Europe without a School of Forestry, and yet, if we included our Colonies, our forests were the largest and most valuable in the world. It appeared to be a very strong argument in favour of the establishment of a School of Forestry that at present the young men who were going out to manage our Indian Forests had to be sent for instruction to the great French Forest School at Nancy. No doubt, that was a most excellent Institution, and we were indebted to the French Government for the courtesy with which they had received our English students; but the system of education given there naturally contained some branches—as, for instance, the study of the French law—which were not adapted to English students; while there were many other considerations, such as climate, which rendered a Continental school less suitable for English requirements. He might add that no young Englishmen, as a matter of fact, went there, excepting those intended for the Indian Service. For our Colonies, again, the establishment of a good School of Forestry would be of vast importance, inasmuch as a judicious management of their woods would add considerably to their revenues. French foresters had recently been sent to the Cape of Good Hope and to Cyprus, it having been found impossible to obtain any Englishmen with the necessary knowledge. Perhaps, however, he should be asked why the establishment of a School of Forestry, if it were so urgently needed, should not be the work of private enterprize? The reason was clear. A properly equipped Forest School must have attached to it a large extent of forest in various stages, and having a variety of climate and soil; and this, it was obvious, no private institution could supply; but he did not say that the proposal necessarily involved the establishment of a Government School. He understood that the Government contemplated an arrangement with the Cooper's Hill College; but he trusted they would, before instituting a Government School, inquire whether such Colleges as Cirencester could be made available for the purpose; and, possibly, some arrangements might be entered into by which, under careful regulations, the Professors and students attached might periodically visit our national forests. He might mention, as an illustration of the importance of this subject to our Possessions abroad, that lately the Government of the Cape of Good Hope determined to appoint a Forest Commissioner, with an income of £800 a year; they could not, however, find any Englishman qualified for the post, and were obliged to appoint a French gentleman, even though he could not speak English. The Society of Arts had memorialized Her Majesty's Government on this subject; and the presence in this country of Dr. Brandis and Colonel Pearson rendered the present time especially fitting for the consideration of his proposal. In these circumstances, he trusted Her Majesty's Government would not think him unreasonable in bringing it under their notice.

MR. A. J. BALFOUR said, he thought the Committee were much beholden to the hon. Baronet the Member for the University of London for calling attention to this subject. The timber question all over the world was one of growing importance, for the simple reason that the natural forests were everywhere diminishing, and that it would be necessary to supplement them by forests planted by the hand of man. Moreover, England, through her Colonies and through India, was the largest possessor of forests of any country in the world; notwithstanding which Englishmen had less opportunity of learning, and actually did learn, less forestry efficiently than any other people. He perfectly recollected, with regard to Cyprus, the impossibility of finding any competent Englishman to deal with the forests in that Island, and that, accordingly, they were obliged to go to France for the men they wanted. As a Scotchman, he was proud to say that Scotland, through the Highland Society, had done something in the direction aimed at by his hon. Friend; and he would ask the attention of the Committee to a resolution passed by that Society, to the effect that it would hail with pleasure the organization of a Society in Great Britain, which would establish a system of instruction in forestry, as they believed the question to be one of vast importance both to this country and her Colonies. For years past the Highland Society had encouraged the study by the institution of prizes, examinations, and certificates; they had introduced a system by which the efficiency of foresters could be tested, and who, in proportion to their efficiency, were enabled to get good appointments either at home or abroad. But it was evident that the efforts of a single Society, confined as it was, and must necessarily be, to one quarter of the Island, were totally inadequate to meet with the necessities of the case. Scotland possessed large forests which, however, had not been well managed; and not only was there with respect to them the greatest room for improvement, but their existence presented an actual school for instruction in forestry. The science of forestry could not be learned from books; it could not be taught by books, nor tested by examinations in the ordinary sense of the term; there must be large or considerable forests available in which the pupils could learn, and upon which they might exercise their skill. He trusted the Government would take into their favourable consideration the suggestion of his hon. Friend, and would conclude his remarks by again acknowledging their indebtedness to his hon. Friend for calling attention to this important and interesting subject.

Mr. BRYCE said, he rose for the purpose of moving the reduction of this Vote by the sum of £1,200, the amount of the salary of the Commissioner who signed the contract for the sale to Her Majesty of the manorial rights of Esher and Milbourne. He need hardly say he had no personal feeling towards the gentleman in question, of whom he had no personal knowledge; his contention being simply that, by the act of sale referred to, he had taken a step detrimental to the interests of the people. Hon. Members would find the contract described on page 45 in the last of the Metropolitan Land Reports laid upon the Table of the House a year ago; it was a contract for the sale of the manorial rights of Esher and Milbourne for the sum of £1,000 to Sir Henry Ponsonby, trustee for Her Majesty. He had no complaint to make of the sale of the property; on the contrary, he considered it right that the landed property of the Crown should be sold; his remarks referred only to the sale of the manorial rights of Esher and Milbourne. Now, Her Majesty was tenant for life of the Manor of Esher and Milbourne, under the Crown Lands Act of 1866; and this contract, which he believed had since been carried out by the completion of a conveyance, was a contract of the sale of the reversion, the sale being made to Her Majesty personally, or rather to Sir Henry Ponsonby. The effect of this would be that Her Majesty, having had the enjoyment of these manors during her life, and having purchased the reversion, had a claim to all the manorial rights, and was in a position to enclose the manors in question. The Committee would perceive that the commonable rights of the people were greatly in danger by this transfer, because the rights in question might be passed on to other persons who might complete the enclosure of the manors. The commons of Esher and Bagshot had an area of about 700 acres; they were the most beautiful of all the commons left near London, from which they were distant about 13 miles. They were beautified by woodland, and it was difficult to believe that so near London a spot could be found distinguished by such rural scenery. These extensive tracts of heath and woodland were easily accessible to the people of London by the South-Eastern Railway, and would be still more so when the new line was completed. The Committee would ask how it was possible that commons so near to London should be in danger of enclosure, seeing that a Bill had been brought in for the purpose of preventing the enclosure of commons within a certain distance from London; but the Bill had been blocked, and it was for that reason that he took this opportunity of appealing to the Committee on the subject of preserving the commons he had mentioned. He understood that already some of the paths had been closed, and that wayfarers had been turned back; and, although some doubt had been cast upon that allegation, he believed it had a foundation in fact. He did not suppose there was any chance of the common being enclosed by Her Majesty, whom they knew to be desirous of preserving for the people the open spaces in the country; and he was satisfied that the last thing which Her Majesty would do would be to shut out the public from these commons. Neither did he fear the exercise of the right by the Duke of Albany during his residence at Claremont; but, as the sale had been made to Her Majesty personally, the property might pass to others who would have less regard to the interests of the public. He submitted that the course which should be taken by the Commissioners was to sell Crown lands on such conditions as would prevent their being enclosed. He would refer the Committee to the Act of the 16th of Victoria, page 62, section 10, which provided that the sale of land or hereditaments should be made subject to such conditions as might be deemed expedient by the Commissioners. That provision he considered expressly designed to meet cases of the kind he was referring to; and he thought the Commissioners should have acted upon it, in which case these open spaces would have been saved. In a matter like this the Treasury would, of course, say the Commissioners of Woods and Forests were bound to get a good price for the land; but he submitted that that was a false view to take of the matter. The price of the manorial rights in this case was only £1,000, a sum which he contended bore no comparison with the value of the land to the inhabitants of London. That value could not be measured by money at all, and if £10,000 had been offered it would, in his opinion, have been better to keep the land than sell it on such conditions as he had described. He should take the earliest opportunity of moving a Resolution on the subject, with the object of obtaining from the House an expression of opinion that this sale ought not to have been made. He was aware that all the Departments, with the honourable exception of the Board of Trade, were in the habit of looking solely at the money price in such matters; but that was not the whole consideration involved, and he contended that the question should be regarded from the point of view of the happiness and welfare of the people. For these reasons, he asked the Committee to mark its sense of the mistake made by the Commissioner by rejecting the charge for the amount of his salary.

Motion made, and Question proposed,

"That a sum, not exceeding £14,232, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Office of Her Majesty's Woods, Forests, and Land Revenues, and of the Office of Land Revenue Records and Inrolments."—(*Mr. Bryce.*)

MR. STORY-MASKELYNE said, he felt sure the Committee and the country would feel grateful to the hon. Member who had brought forward this Motion. He believed that the question of the alienation of Crown property was one that required to be thoroughly threshed out in that House. He did not blame the Commissioners for the line they had taken with reference to the manors of Esher and Milbourne, because it was their business, as Trustees for the Crown, to make as much as they could of the property; but he contended that it was the duty of the Government, in the first place, and ultimately of this House, as guardian of the interests of the people, to stand between them and the purchaser when the interests of the people were being invaded. He would call the attention of the Committee to the Crown Lands Bill, which had been put forward by the Commissioners of Woods and Forests, and helped forward by the Government. It was the intention of the Commissioners to reduce Crown property to the condition of private property, and he would ask the attention of the Committee to the object of the Bill he had mentioned.

THE CHAIRMAN said, the hon. Member must not enter into a discussion of the Crown Lands Bill.

MR. STORY-MASKELYNE said, he had gone a little too far in saying he would discuss this Bill, when his intention was simply to discuss the action of the Commissioners with regard to it, as an illustration of the mode in which these rights were habitually dealt with. He did not blame the Commissioners for the action they had taken; but he did blame the Government for standing by, night after night, and endeavouring to run that particular Bill through the House at a time when discussion was impossible, so as to preclude the House from the only opportunity they would have of defending the rights of the poor commoners. He said it was their duty to defend those rights against the assaults of the Government; and, under the circumstances, they had no means of doing so except by raising the question in the present somewhat irregular manner. He did not wish to detain the Committee at greater length on that occasion; but would simply observe that no fact could better support the argument of his hon. Friend than that which was derived from the case of the New Forest, in which there was a large expanse of beautiful woods that it was extremely desirable should be preserved for the enjoyment of the people. He believed it was owing to the want of true knowledge of the art of forestry that they were now met by the ridiculous argument that in that large forest there could not be found annually, without injury to the ancient woods, the 200 trees necessary to maintain a right of the commoners, which was as ancient as the New Forest itself. In making these observations he had no desire to trespass against the Rules of the Committee; but simply to point out what, in his opinion, was the true position of the Commissioners, who acted in the interest, or supposed interest, of the Crown, and what ought to be the ground taken up by the Government in conserving the rights of Her Majesty's subjects.

Mr. ARTHUR ARNOLD said, he did not, for one moment, disapprove of the sale of Claremont Estate; on the contrary, he thought it beneficial to all concerned, and, having sold the property to Her Majesty, he considered that the Office of Woods and Forests had thereby served the interests of the people. At the same time, he agreed with his hon. Friend in saying that the Commissioners of Woods and Forests should have a settled policy in dealing with manorial rights. He was an earnest advocate for the sale of Crown lands, except those which it was necessary and desirable to retain for purposes of Royal dignity and public recreation; but he and his hon. Friends were strongly of opinion that the rights in question should not be parted with without due regard being paid to the interests of the people.

Mr. RYLANDS said, he was struck by the fact that they were not in a position to take any practical steps with a view to remedying what appeared to be an unfortunate transaction on the part of the Commissioners of Woods and Forests; but he was bound to say that what they had just heard from his hon. Friend entirely supported the view expressed at an earlier period of the discussion by the hon. Member for Portsmouth (Sir H. Drummond Wolff), that it was most important to have the Office of Woods and Forests represented by a Member of the Government. [Mr. Courtney: The Treasury is responsible.] Here was an important matter affecting, in a variety of ways, the health, happiness, and welfare of the people, and yet there was no one in that House to whom, as Representative of the Department, an appeal on the subject could be made. His hon. Friend said the Treasury could be appealed to; but, without detracting from the respect which they all entertained for the Secretary to the Treasury and the Department represented by him, he was bound to say that some other Representative of the Office of Woods and Forests was desirable in that House. They wanted someone who would be responsible for the administration of the Office—someone who would represent officially the officers whose salaries were paid under this Vote. If his hon. Friend could suggest any mode of dealing with this matter other than by refusing the salary of one of the Commissioners, he would vote for his proposal; but he would like first to see some pressure brought to bear in the proper quarter that would prevent the recurrence of what they now complained of. He was bound to say that the description given by his hon. Friend had created some alarm in his mind; and he should not be surprised to hear that some steps had been taken to enclose the commons in question, and thereby deprive the public of those rights which they hitherto enjoyed.

Sir H. DRUMMOND WOLFF said, he wished to add one word to what had fallen from the hon. Member who had just addressed the Committee. The hon. Member had been interrupted in the course of his observations by the Secretary to the Treasury, who said that the Treasury was responsible for the Department of Woods and Forests; but he did not think the hon. Gentleman was as much responsible for that Department as he was for some others—for instance, the Customs and Inland Revenue Department. In fact, the Commissioner of Woods and Forests asserted a kind of equality with Ministers of the Crown; and he doubted whether any appointments and changes made in the Department were submitted to the Treasury in the same way as were the appointments in the Customs and Inland Revenue and other Departments. He thought they had reason to complain of the conduct of the Commissioners, although, no doubt, they did what was right in the abstract in making as much money as possible out of the public. With regard to the New Forest, he pointed out that there was a contest always going on between the Commissioners on the one hand and the commoners on the other. Some years ago he was a Member of a Committee which sat to inquire into the way in which the Commissioners administered that Forest; and at that time the right hon. and learned Gentleman the Home Secretary, then Member for Oxford, took an active part in proceedings, the object of which was to protect the interest of the public in opposition to the decision of the Commissioners. As these forests were the great recreation grounds of the people, he thought their administration should be more under the control of that House than it was at present. He entirely sympathized with the Motion of his hon. Friend, and trusted that the Secretary to the Treasury would be able to make some satisfactory statement upon the subject to which his attention had been directed.

MR. LABOUCHERE said, there was one point with regard to these Crown lands on which he craved a little information from the hon. Gentleman the Secretary to the Treasury. The expense of keeping up Windsor Park was thrown upon the country, he believed, on the plea that the the forest was productive; he did not know what it produced, but he thought it must be very little. That, however, was not his point. The public were allowed to wander about a certain portion of the Park, but they were not allowed to go into the enormous tract of forest adjoining it because of the large amount of game that was preserved there, the keepers of which, he understood, were paid at the expense of the taxpayers of the country. Now, as his hon. Friend had pointed out in moving the Amendment before the Committee, these forests were the pleasure grounds of the people; and, that being so, he was at a loss to understand why the people were not allowed to go into them. As the matter was under the control of the Commissioners of Woods and Forests, he thought the present a proper opportunity for asking the authorities to take into consideration whether the amount of game preserved in Windsor Forest was not excessive; because, not only were the public prohibited from entering the forest on account of the game, but the game itself caused great damage to the crops of the neighbouring farmers. That question was often raised by the inhabitants of the district; and he trusted that the Committee would be furnished by the Secretary to the Treasury with some clear information, both as to the amount of game, and the reason why the public were prevented from entering the Forest at Windsor.

SIR GEORGE CAMPBELL said, he hoped the hon. Gentleman the Secretary to the Treasury would inform the Committee on what principle the Government proposed to administer the Crown lands in future. Were the Commissioners to look to the interest of the people, or were they to have the power to sell manorial rights without restriction, looking merely to profit as landlords? If the Committee did not receive an assurance that the property would be administered as national property in the interest of the people, he trusted his hon. Friend would go to a Division on his Amendment, which he should feel it his duty to support.

MR. COURTNEY remarked, that the discussion which had taken place on the Motion of his hon. Friend the Member for the Tower Hamlets (Mr. Bryce) was a perfectly fair and proper one; but before he proceeded further, he wished to acknowledge the extreme value of the suggestions put forward by his hon. Friend the Member for the University of London (Sir John Lubbock). The Treasury, however, had not seen their way to do anything in the matter; indeed, there were very great difficulties in the way of doing anything. It must be borne in mind that the forests of the country were certainly not very large, and that there was not that large opening for a School of Forestry which the hon. Baronet hoped to set on foot. The observations of his hon. Friend would not, however, be thrown away, and he might rest assured that the subject would not be lost sight of. In regard to the question opened out by his hon. Friend the Member for the Tower Hamlets (Mr. Bryce), he had to say that the Department of Woods and Forests was under the Treasury as much as the Departments of Customs and Inland Revenue; indeed, the Commissioners of Woods and Forests could do nothing substantially without referring to the Treasury—they could neither sell, nor buy, nor lease, nor farm, nor make improvements without coming to the Treasury for its approval. The hon. Member for Kirkcaldy (Sir George Campbell) had asked whether in future the woods and forests were to be treated as national property? As a matter of fact, it was only at the accession of the Queen to the Throne that this property was handed over to the Executive. The property itself was an appanage of the Crown. The present arrangements by which it was handed over would only last for the lifetime of Her Majesty, and at her death would be subjected to reconsideration. Technically, the Executive was not seized with the property as national property. He did not wish, however, to lay much stress upon that fact, as he had no doubt that the property would remain for generations under the control of the Executive Government. He did not understand what his hon. Friend meant about treating private property like public property. The first principle adopted in regard to property was to treat it in such a way as to enable it to produce as much revenue to the nation as could be acquired, consistently with due regard to the interests of the people, who might be the occupiers, or who might be on the property. As to the special property which had been referred to, these were the facts. Claremont was in the possession of Her Majesty, who was life tenant there, and the reversion of the property had now been sold to Her Majesty; but it must not be forgotten that the Queen was the absolute possessor for the term of her life of all the rights of the property, just as much as she was now. [General Sir GEORGE BALFOUR: For her life.] He had stated that it was for Her Majesty's life, and during that time she could exercise any right over it whatever; but he did not think that there was any danger, even under the present circumstances, that anything would be done to interfere with the rational enjoyment of Her Majesty's subjects. He must, however, point out that hon. Members who had spoken on this subject had lost sight of the material circumstances to be considered. They seemed to regard the matter as a contest between a Department of the Government and the nation—between the Treasury and the nation. Now, the real issue to be determined lay between the nation itself and the inhabitants of special districts. The money that might be got for the sale of Claremont properly became part of the receipts of the Exchequer, and contributed towards the Expenditure of the country and of the taxpayers at large, who were interested in the realization of the property. The people interested on the other side were, in this case, he admitted, the inhabitants of London; but it might, in another case, be the inhabitants of some small town, or a very limited locality. What had been put by more than one speaker amounted to this—that the inhabitants of a particular locality were, as against the nation at large, to receive boons which they could not hope to receive from private owners; that the nation at large was really, from a money point of view, to contribute recreation grounds in different special localities. He could not see how such a proposition could be seriously entertained, or how it could be alleged that the chance distribution of the manorial rights of the Crown over England should be used to secure for the inhabitants of one locality here, and another locality there, recreation grounds at the expense of the general population. At the same time, there was no desire to preclude any reasonable arrangement being entered into which would secure to the inhabitants, at a reasonable rate, that which they desired to obtain. He could not think that it would be at all fair to the taxpayers at large to lay down the principle that the representatives of the Crown should give up to the inhabitants of a special locality that which belonged to the nation as a whole. The case, in this instance, was one between the people of the country as against the people of London; and it was precisely the same principle as was involved in a transaction which occurred some years ago, for which the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) was responsible—namely, the taking away of a portion of the land of the Thames Embankment, which belonged to the Crown, and handing it over to the inhabitants of the Metropolis. He (Mr. Courtney) could not regard what was then done by the right hon. Gentleman as other than a dubious proceeding; and he did not think that hon. Members would seriously contend, for a moment, that the principle should be accepted of making use of the property which belonged to the Crown for a mere chance distribution of that property throughout the Kingdom, in order to supply recreation grounds for special localities. He did not suppose that his hon. Friend the Member for the Tower Hamlets (Mr. Bryce) intended to press his Motion to a Division. He understood that the Motion had been made entirely for the purpose of calling attention to the subject, and, if possible, of eliciting an expression of opinion upon it. His hon. Friend had gained that object, and probably would not feel inclined to press the Amendment to a Division.

MR. THOMAS COLLINS said, the hon. Gentleman the Secretary to the Treasury had given some fair reasons why this property should not be considered as belonging to London, or to any other place; but with regard to the Thames Embankment, he (Mr. Collins) was a Member of the House at the time that great question came on for discussion, and he remembered that that transaction was commented on with some severity. There was, however, this great distinction—that the Thames Embankment was made at the cost of the ratepayers of the Metropolis, and the land which was reclaimed was previously worth nothing at all. Therefore, there was no analogy between land reclaimed at the expense of the ratepayers of London by having a drainage rate levied on the whole of the Metropolis, and land which was not required to be converted into land at the cost of the ratepayers. The land reclaimed on the Thames Embankment technically, no doubt, belonged to the Crown, and the Crown had rights over it; but it was of no value whatever to the Crown until the ratepayers of London made it of value. The Crown was in no way seriously affected by the formation of the Victoria Gardens, because prior to the construction of the Embankment the land was of no value; and, therefore, there could be no analogy between that case and the claim now set up, that any land near London upon which the people of the Metropolis had spent no money at all should be appropriated to the benefit of a particular class.

MR. JESSE COLLINGS remarked, that the Secretary to the Treasury had already missed the real point. The hon. Gentleman seemed to put down as of no value whatever those advantages which the hon. Member for the Tower Hamlets (Mr. Bryce) maintained to be of the greatest value—namely, the advantage of the enjoyment of fresh air, and so on. The hon. Gentleman appeared to treat the matter entirely as a question of pounds, shillings, and pence, and that was the position generally maintained among all the Departments of the Government. He thought it was a position which ought to be attacked and destroyed if possible. There was no price which could be put upon recreation and the power of enjoyment, so far as the fresh air and the open country went, within three or four miles, to the people of London. He would go further, and say the property which belonged to the people ought to be yielded, as far as its rights were concerned, to that portion of the English people who happened to live in the neighbourhood, wherever that neighbourhood might be. He therefore hoped, despite the views of the Secretary to the Treasury, that this principle would be adopted, whether applied to the Thames Embankment, or the people of London, or of Birmingham, or Salisbury, or anywhere else, or to any portion of the inhabitants of the United Kingdom whatever. He hoped that whatever rights might be found to exist would be exercised practically for the advantage of the people of the United Kingdom, but specially for those of that portion of the people who alone, from the locality they occupied, could enjoy them. To sell those rights in order to make so many pounds, shillings, and pence, and place the money in the National Treasury, was certainly one of the most monstrous propositions he had ever heard, and was calculated more than anything to interfere with and to endanger the welfare of the community. He did not remember the particulars of the case in regard to the Thames Embankment; but the Thames Embankment certainly belonged to the people of London, as far as the enjoyment of it went. The fact that it belonged to the people of the United Kingdom virtually did not interfere with the rights of the people on the spot, who were alone capable of enjoying it. An hon. Member opposite had mentioned the question of foreshores. He (Mr. Jesse Collings) regretted to say that many of the foreshores were being sold by the Crown and by the Duchy of Lancaster in various parts of the country in order to make money by them. He knew a case in which those rights had been sold on one part of the coast, and the people of the neighbourhood had, in consequence, been deprived of the right of going upon the shore even to pick up shells, although they had always hitherto been allowed access to the shore with perfect freedom. In other cases persons were forbidden from bathing in the sea, and so forth; and he thought, if that was the principle upon which his hon. Friend the Secretary to the Treasury intended to act in distributing the soil of this country, there ought to be a Division, in order to show the sense of the Committee and to show that they entertained an entirely different opinion from that of the hon. Gentleman. He (Mr. Jesse Collings) thought that his hon. Friend took a very narrow view, indeed, of the duties of the Treasury on this subject. In point of fact, it ought not to be treated as a pounds, shillings, and pence question at all, because the real rights of the people, when those rights involved benefits to them, could not be estimated by any sum of money.

Mr. ARTHUR ARNOLD wished to say one word in reply to the arguments of the Secretary to the Treasury. He entirely agreed that neither at Esher nor in any other part of the country could the Crown be required to give an advantage to one portion of the population at the expense of all other parts of the country, and he had never said that the people of Esher, or of anywhere else, should have the rights of the Crown, as lords of the manor, surrendered for their special benefit. But what he contended for—and he should certainly support his hon. Friend if he went to a Division—was that the Office of Woods and Forests, in dealing with the widely-extended rights of the Crown as lord of manors, should deal with them on one principle, and adhere to it. The rights, both of the Crown and of the commoners, should be duly distinguished; but they should be dealt with upon one and the same principle. In supporting the Motion of his hon. Friend he desired to raise no other contention in the matter.

Mr. GREGORY said, he thought the Secretary to the Treasury had laid down a very proper principle—namely, that the Woods and Forests Commissioners in dealing with Crown property were bound to make the best bargain for the nation that they could. The question in this case, however, was whether they had made the best bargain or not; because, as far as he understood the matter, they had only raised a sum of £1,000 for the manorial rights. He should like to have some more information in reference to the rights of enclosure. He wanted to know whether a right of enclosure had been conferred in regard to the land which had been disposed of; because, certainly, if the sale involved the power of enclosing any part of this land, £1,000 was a very small sum to receive for it? He thought the Committee ought to know the principle which guided the Government when they fixed that small price.

General Sir GEORGE BALFOUR said, that, after the remarkable speech which had been made by the Secretary to the Treasury, it was now his intention to vote for the Motion of his hon. Friend the Member for the Tower Hamlets (Mr. Bryce). He remembered the case of the Thames Embankment, and the censure passed upon the course pursued by the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) very well; but he did not see that any blame attached to the right hon. Member for the course which upon that occasion he had pursued. The people of London gladly subscribed the money necessary to make the Embankment, and he did not think the Crown had any claim whatever to the land that was reclaimed, seeing that it was the money of the people of London that reclaimed it. When he recollected the way in which Crown lands were frequently made away with, he did not think the health and enjoyment of the people of England should be so constantly disregarded by the Treasury. He must say that the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) and the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) had shown far more regard for the interests of the people when they were in Office than their Successors had done.

He hoped the hon. Gentleman the Member for the Tower Hamlets (Mr. Bryce) would go to a Division, and, if he did, he (Sir George Balfour) should certainly support him.

Sir HENRY HOLLAND remarked, that the course taken by the hon. and gallant Gentleman opposite afforded a somewhat curious mode of dealing with the case. In point of fact, the hon. and gallant Member proposed to deprive one of the Commissioners of his salary, because the hon. and gallant Member objected to some of the observations which had been made by the Financial Secretary to the Treasury. It was not a pleasant thing to be made whipping-boy to the Secretary to the Treasury; but that was the position in which this particular Commissioner was placed. In regard to the propositions laid down by the Secretary to the Treasury, he did not imagine that the hon. Gentleman the Member for the Tower Hamlets (Mr. Bryce) would dispute the principle of them, though he might dispute the application of them to this case. In reference to the observations which had fallen from his hon. Friend the Member for East Sussex (Mr. Gregory), he believed there had been no further bargain in regard to the enclosure of land than had existed formerly. Whether the sum of £1,000 which had been paid was the exact and proper value of the rights handed over was another matter; but he presumed that it had been duly considered by the Treasury, and he thought it would be wrong for the Committee to deprive this Commissioner of his salary because he happened to have signed his name to the contract. It was quite possible that when he did so he had no special knowledge of the case, and was acting altogether upon a mere matter of routine duty.

Dr. LYONS wished to ask for an explanation in regard to another portion of the Vote.

Mr. BRYCE said, he thought that it would be better for the Committee to divide on the subject now before it first.

Dr. LYONS said, the subject upon which he wished to speak was intimately connected with this proposal. The Motion before the Committee was the reduction of the Vote by a sum which represented the salary of one of the Commissioners; and he wished to point out that if the Commissioners in London had not sufficient occupation, there were ample means of supplying them with it by extending their operations to Ireland. He had been glad to hear the spirit in which the hon. Gentleman the Secretary to the Treasury had referred to the suggestions made by the hon. Baronet the Member for the University of London (Sir John Lubbock), and he hoped on an early opportunity to have the advantage of receiving similar kindly assurances in regard to Ireland. The subject was one of great importance, and it was well known that there was great feeling upon it in Ireland. If, as he said, the Commissioners in London had not ample occupation for their time in this country, there was undoubtedly full means of supplying them with occupation in Ireland, if they would extend their operations to that country; and, having in view the possibility of such an extension, he should certainly vote against the Amendment of the hon. Member for the Tower Hamlets (Mr. Bryce), and support Her Majesty's Government.

General Sir GEORGE BALFOUR wished to make one remark upon what had fallen from the hon. Member for Midhurst (Sir Henry Holland), in order to justify his vote. He proposed to support the Amendment, because there was no other means of showing his dissatisfaction with the statement which had been made by the Secretary to the Treasury. If there were any other way of doing it he would certainly prefer it; and if the hon. Baronet would show him any means by which he could otherwise show his dissatisfaction at the course taken by the hon. Gentleman, he would gladly avail himself of it.

Mr. BRYCE said, he should not have gone to a Division if he could have obtained anything like a satisfactory assurance from the Secretary to the Treasury; but, after the harsh and uncompromising statement of the hon. Gentleman in regard to principles to which he (Mr. Bryce) entirely objected, he felt bound to go to a Division. He admitted that it was an unfortunate way of moving a protest, and he had no wish to deprive this gentleman of his salary; but he felt there were no other means open to him. In point of fact, the arguments put forward by the hon. Gentleman would justify the sale of Hyde Park. Why should the Treasury not sell the estate? He regarded it as an extraordinary good fortune that the existence of these manorial rights had hitherto kept certain lands open for the benefit of the people; and he did not think that the nation ought to be deprived of them for the sake of a small sum of money. He would ask how it was possible to compare the sum of £1,000 with the advantage of the people of London in general?

Question put.

The Committee *divided:*—Ayes 38; Noes 74: Majority 36.—(Div. List, No. 256.)

Original Question again proposed.

MR. LABOUCHERE said, he had not yet had the privilege of a reply from the Secretary to the Treasury with regard to the closing of Windsor Forest against the public. The hon. Gentleman told the Committee, in laying down his views in regard to the Crown lands, that they practically belonged to the nation, and that the nation ought to derive pleasure and profit from them. Now, with respect to the profit derived from Windsor Forest, it was exceedingly small, although the expenditure was very large. He thought the people would derive more profit and pleasure if they were enabled to walk in the Forest, instead of the Forest being used as a game preserve. He thought they ought to protest altogether against the principle of game preserving—which was a most obnoxious and objectionable principle—being carried on, as it was in Windsor Forest, for the benefit of private individuals. He wanted to know how it was that the public were not allowed to go into Windsor Forest? They were allowed to go into Windsor Park; and the only reason, he was told, why they were refused admission into the Forest was on account of the very large amount of game kept up there, and kept up out of the public funds. As was well known, the cost of the Forest was thrown upon the Crown lands, and all the keepers employed there were maintained by the nation. Was the Secretary to the Treasury aware that there was a kennel for buckhounds maintained there? Not only was there a large quantity of game kept up in Windsor Forest, but a kennel of buckhounds was kept up also, to run after the animals when they were out of the Forest. What he wanted the Secretary to the Treasury to tell the Committee was why this Forest was kept up for the purposes of game, and not for purposes of public pleasure?

MR. COURTNEY said, the hon. Member must be aware that Windsor Forest had always been treated specially. It was close to the Royal residence, and provision had to be made on that account respecting it. In point of fact, it was quite impossible to treat Windsor Forest upon commercial principles. He would, however, if the hon. Member required it, inquire into the subject.

MR. LABOUCHERE said, he would not ask the Committee to divide upon the question if he were to understand that the Secretary to the Treasury would look into the matter. He was perfectly aware that the public were allowed into Windsor Park; but they were not permitted to make use of Windsor Forest.

MR. DILLWYN said, he had no desire to impugn the use of the Parks by the Royal Family; but what he did dislike was the withdrawal of the management of Regent's Park from the Chief Commissioner of Works, in order to be placed under the management of the Commissioners of Woods and Forests, in the same way that was done in respect of Great Windsor Park. He strongly objected to Great Windsor Park being put under agents for the purpose of making a profit. It ought to be, like St. James' and all the other Royal demesnes, placed under the Chief Commissioner of Works. He was afraid the present system was a means by which the expense incurred in connection with Windsor Park were hidden from the public. He did not grudge what Her Majesty might have, or what was necessary for Her Royal demesne; but every year they ought to have the expenditure connected with the maintenance of the demesne and of Windsor Park submitted to the House, in exactly the same way as the expenditure upon Richmond, St. James', and the other Royal Parks. There was an enormous expenditure incurred in maintaining Windsor Park and Forest. He believed it amounted to something like £25,000 or £30,000 a-year, while the receipts from it only amounted to £6,000 a-year. He did not mean to urge that this was wrong, or that any change could be brought about; but it was a very large expenditure, and the Committee ought to know what this appanage of the Crown really did cost the country. At present, they did not know how the money was expended; and it ought to be brought into an account, just like the expenditure upon the other Parks.

General Sir GEORGE BALFOUR complained of the manner in which the accounts were made up. Some information was supplied by the late Government; but since the present Government came into power there had been no statement whatever, but hon. Members were allowed to find out all the details themselves. The Treasury gave no information at all; and as long as they were allowed to trust to the ignorance and inability of Parliament in finding out the information for itself, they would be induced to go on in the same manner. He strongly protested against this mode of carrying on the Business of the country. Information in regard to the expenditure in 1881-2 had never yet been supplied.

Mr. COURTNEY said, he thought the complaint a somewhat strange one, and ought to have been made at least two years ago. The Committee were not asked now to pass that Vote for the year 1881-2, but for the year 1883-4. It was somewhat unreasonable to ask for an explanation of that increase of expenditure which occurred two years ago; and he was certainly not responsible for it, because he was not in Office at that time.

General Sir GEORGE BALFOUR remarked, that the expenditure in 1881-2 was £1,500 less than it was estimated to be in 1883-4. He thought he had a right to maintain that the increase in the Vote was wholly uncalled-for, and it ought not to have been made without the House having been informed why the increase had taken place.

Dr. LYONS asked what the functions of the officers connected with the Crown property in Ireland were, and what was the extent of the duties they performed?

Mr. COURTNEY replied, that the Crown property in Ireland was not very large.

Dr. LYONS asked if there was anything in the nature of plantations charged for in Ireland?

Mr. COURTNEY replied in the negative.

Original Question put, and *agreed to.*

(2.) £30,000, to complete the sum for the Mercantile Marine Fund (Grant in Aid).

Mr. JOSEPH COWEN asked for some explanation of the increased cost of this Vote? He was aware that the sum was payable under an Act of Parliament by the Treasury or the Board of Trade, or whoever had charge of the matter; but, at the same time, he thought it was only right that some explanation should be given, seeing that the amount charged in the Estimates was much in excess of the sum calculated at the time the matter was before the House. He could not say that his hon. Friend the Secretary to the Treasury would be able to explain the matter at all. The point he wished to call attention to was that this Mercantile Marine Fund existed in all shipping towns. He understood that the duties performed in connection with it were a mere matter of form. When the Merchant Shipping Act was before the House in 1875 there were distinct promises made in regard to the services which were to be performed in connection with shipping; but those promises had never been fulfilled; and, although the engagement entered into had not been complied with, the charges they were asked to contribute were far in excess of the original calculations. At this time of the Session he had no desire to enter into a discussion of the subject; but he thought he might fairly ask the Government for an explanation.

Mr. JOHN HOLMS explained that the increased amount became payable under the Act of Parliament passed last year, which dealt with the old fund.

Sir ANDREW LUSK asked what these charges in aid of the Mercantile Marine Fund were for?

Mr. JOSEPH COWEN said, they were made in accordance with an Act of Parliament.

Sir ANDREW LUSK said, it was all very well to take a sum of £40,000, and say that it was taken under the provisions of an Act of Parliament; but he wanted to know where the money went? What was done with it, and how it was accounted for? He wanted to know some of the reasons why the Committee were asked to vote this sum of £40,000?

Mr. JOSEPH COWEN said, he was able to say, in answer to the question of his hon. Friend, that the money was fairly expended, and that the country got fair value for it. It was expended in accordance with the provisions of an Act of Parliament; and his only object in calling attention to the Vote was to point out that the balance was now larger than it formerly was. There was one point, however, upon which he should also like to have some explanation—namely, why sailors upon this Mercantile Marine Board did not have a better representation? They discharged duties in which sailors as well as shipowners were largely interested, and yet they were not represented upon it at all.

Mr. JOHN HOLMS said, that was a question which was far too large and important to be entered upon then.

General Sir GEORGE BALFOUR complained that this was another instance in which the accounts had been rendered in a most imperfect form.

Sir ANDREW LUSK said, he was satisfied that the money could be accounted for; but he thought, as a rule, the Government should afford full information as to where the money went. So far, the only reply made by the Treasury, when they were asked for information, was that the charges were rendered necessary by some new Bill which had been brought in for the reform of shipping. He thought they had had enough of shipping reforms; and if the money of the country was to be frittered away in this manner they had better stop where they were. He thought that in every instance a full explanation should be given as to where the money went.

Mr. JOHN HOLMS said, there would be no difficulty in this case in discovering what became of the money.

Mr. RYLANDS said, he had no doubt that the money was actually expended; but upon page 23 of the Estimates he found an item of £48,000, against which there were extra receipts amounting to £28,750 now paid into the Mercantile Marine Fund, from which it would appear that the balance was only about £20,000. He wished to know whether there was any other Mercantile Marine Account?

Mr. JOHN HOLMS replied in the affirmative.

Mr. RYLANDS said, it would appear, in that case, that one account amounted to £20,000 and the other to £4,000.

Mr. JOHN HOLMS said, his hon. Friend would find all the explanation he required of the Vote at the foot of last year's Vote. It did not appear in the present Vote at all.

Vote *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £4,658, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly on the Hereditary Revenue."

Mr. LABOUCHERE said, this Vote seemed to provide Scotland with Bibles, Races, Regalia, and a Lyon King-at-Arms. He was quite willing to allow the Scotch people to have their Bibles, Races, and their Regalia; but what, in the name of common sense, was a Lyon King-at-Arms? He found that this Lyon King-at-Arms received £500 a-year, and that he had six gentlemen under him who also received salaries. The reason why this officer was required he understood to be this—a person took it into his head that he wanted ancestors, or a coat-of-arms, and he went to one of the Heralds connected with this Office, who undertook to provide him with ancestors and a coat-of-arms. Now, he did not object to the "fads" of private individuals; but he did object to the country being called upon to pay £700 or £800 a-year in order to keep up a staff of officials for the performance of this unnecessary work. He hoped the Government would be able to give the Committee a full explanation of the Vote. He could not find out that the Lyon King-at-Arms did anything of the least practical use; but he saw that he had been paid, and that other people had been paid also, for tracing out genealogies because they received fees for doing so. He should move the reduction of the Vote by £625.

Motion made, and Question proposed,

"That a sum, not exceeding £4,033, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly on the Hereditary Revenue."—(*Mr. Labouchere.*)

MR. COURTNEY said, the hon. Member spared nobody, not even the Lyon King-at-Arms; but he must explain that this Office did bring in, if not quite the amount asked for, still a sum approximating to it. It realized in fees an average of more than £400 a-year.

MR. DILLWYN said, if they could not get the Government to reduce a salary when it was shown to be for a sinecure, he did not know when they would do so. The hon. Gentleman said this Office brought in something; but he thought it had better be abolished altogether. Whenever Members made a *bonâ fide* attempt to check expenditure by abolishing a sinecure, they were always told that there was some special reason for retaining it; but they were bound to urge a Liberal Government to make every effort to check expenditure. He hoped his hon. Friend would persist in this matter, and that those who came into Office on the faith of reducing expenditure would take any opportunity of doing so, whether the amount was large or small. This was a small reduction of which they ought to avail themselves.

GENERAL SIR GEORGE BALFOUR said, he hoped the Vote would not be disturbed.

MR. RYLANDS said, he wished to suggest to the Secretary to the Treasury a mode by which this Lyon King-at-Arms could be made to pay itself. If the fees only produced a small sum, there was no reason why they should not be increased. A very small increase would be sufficient; and he thought that if gentlemen were anxious to know about their family rights they should be prepared to pay the fees.

SIR ANDREW LUSK said, he thought that as there was a King-at-Arms in England, Scotland might have one; but those who liked to have "fads" ought to pay for them.

COLONEL ALEXANDER agreed very much with the hon. Gentleman (Sir Andrew Lusk). If they were to get rid of all these officials who were useless, they must get rid not only of those in Scotland, but of those in England. There was a Garter King-at-Arms in England, and a Blue Mantle, and a Rouge Dragon, and many others.

MR. LABOUCHERE said, he would withdraw his Motion, as the Scotch Gentlemen seemed to be so exceedingly anxious to keep their "Lyon," and he should be sorry to deprive them of him.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. BIGGAR said, it would give great satisfaction, and tend to reduce the discussion on this Vote, if the Government would state that they intended to abolish the Vote for Queen's Plates in Scotland and in Ireland.

MR. COURTNEY said, he heartily wished these Plates were abolished; but some respect must be paid to the wishes of Members upon what was a national question. At one time the Vote was cut down by a reformed and Liberal Parliament; but in the following year, and on the appeal of the Scotch Members, it had to be restored to its previous figure.

MR. DICK-PEDDIE said, he was aware that one year this Vote was reduced, and afterwards restored; but that was done in an irregular way, without giving the Scotch Members a sufficient opportunity of considering the matter. He cordially supported the hon. Member for Cavan (Mr. Biggar) in his objection to these Plates; and if the hon. Member would move to reduce the Vote he would support the Motion. Racing was not conducive to public morality, and it was a most contemptible way of spending money.

MR. BIGGAR said, he could not agree with the Secretary to the Treasury that this was a national question, for he could not see how it could be a national object to encourage gambling. Racing was one of the most demoralizing institutions that could exist. He should leave it to the Scotch Members to move the reduction of the Vote; but if they did so, he should have the greatest pleasure in going with them, and would also promise to move the reduction of the Irish Vote for Queen's Plates.

MR. DICK-PEDDIE moved to reduce the Vote by the sum of £288.

Motion made, and Question,

"That a sum not exceeding £4,470, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Department of the Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, of certain Officers in Scotland, and other Charges formerly on the Hereditary Revenue,"—(*Mr. Dick-Peddie*,)

—put, and *negatived.*

Original Question put, and *agreed to.*

(4.) £12,040, to complete the sum for the Fishery Board, Scotland.

COLONEL ALEXANDER said, it would be very satisfactory to the Committee if the learned Solicitor General for Scotland, or the Secretary to the Treasury, or one of the Junior Lords of the Treasury, could give some information as to the working of the new Fishery Board for Scotland. This Board was established last year with a flourish of trumpets; and there was considerable anxiety expressed with regard to the names of the members of the Board. For some time the names were kept secret, and then it was stated that the Board would consist, in the first instance, of three Sheriffs. In Scotland Sheriffs were appointed on every Board; and if persons in Scotland could be credited with omniscience, it was the Sheriffs. He should have thought they would know uncommonly little about fishing. Then he found on the Board Sir Thomas Boyd, who was formerly Lord Provost of Edinburgh, and a member of an eminent firm of publishers. He might know a great deal about books, but very little about fishing. Another member of the Board was the hon. Member for St. Andrew's (Mr. Williamson). There was nothing said as to the duties to be performed by these gentlemen; and the only definition given of the powers of the Board was an explanation as to the nature of the rights of certain parties to fish for oysters and mussels. Another member was Professor Ewart, who had some scientific knowledge, and who, no doubt, in the course of his lectures on Natural History, would have occasion to refer to fish, just as he would to animals; but even if that gentleman knew something on the subject, he had not much time to spare for the Fishery Board, because he was engaged in giving lectures to classes in Edinburgh, summer and winter. He had been informed that the attendance of the members of this Board was by no means what it should be. These gentlemen were appointed for five years, and they ought to give constant attention to their duties, and regularly attend the meetings of the Board. In other countries men of scientific attainments were placed upon such Boards as this; but, with one or two exceptions, that was not so in this case. There were many questions to be dealt with—such as preserving fish, re-stocking rivers, and so on; and he should like to know the extent of the powers of this Board, and whether the attendance of the members was satisfactory?

MR. DUFF said, this Board was originally appointed on the recommendation of a Committee over which he presided; and he could, therefore, give some slight information respecting it. When the Board was first appointed the first duty of the Government was to get a good man of business as Chairman; and Sir Thomas Boyd, who had shown considerable business capacity, was selected. Other requirements were scientific and general knowledge, and Professor Ewart, and other members of the Board, were men of considerable scientific attainments. With regard to the Sheriffs, Sheriff Guthrie Smith, who was appointed, took immense interest in all the practical local questions which arose among the fishermen. The Board was only appointed after much consideration; and with regard to the hon. Member for St. Andrew's, he believed that hon. Member was selected because there was nobody else in that part of the country to select. As to the duties of the Board, they had recently issued a Report which contained much valuable information, after making considerable inquiries. The Board had not been very long in office, it was true; but he thought there was a vast deal for them to do, if they would apply themselves to it. At the present moment, two of the members of the Board were in London; and he believed the Government had consented to give the Board the use of a gunboat for making investigations along some parts of the coast. Altogether he thought the Board had been very useful.

GENERAL SIR GEORGE BALFOUR regretted that the duties of the Board had not been more clearly defined, because then hon. Members could come down and ascertain whether they had performed them or not.

MR. J. W. BARCLAY said, he was afraid this Board was very much of a sham, and that the people of Scotland were not going to get what they had a right to expect. It would have been very satisfactory if the hon. Gentleman (Mr. Duff) could have given some intimation as to the intentions of the Board with regard to salmon fisheries. They had been making inquiries on the East Coast of Scotland on various matters which had given rise to suspicion on the part of the proprietors of the fisheries; and it seemed to many that the attention of the Board should be directed to obtain information of value and interest to seamen. The Chairman, he thought, ought to be able to devote all his time to the duties of the Board; but Sir Thomas Boyd carried on an extensive publishing business; and, although it was very desirable to have him on the Board, he thought it might have been possible to get someone who was more acquainted with fishing than with printing. He was glad that some of the members of the Board were in London, and would be able to see the Fisheries Exhibition; and he hoped they would learn something from that. He further thought the appointment of these Commissioners without salaries was not satisfactory, for they were largely engaged elsewhere, and could not be expected to attend the meetings of the Board. This was one of the Boards which he should hope would be taken under the charge of the new Minister for Scotland; and he looked upon that scheme as likely to be of the greatest possible advantage, for the present state of the Scotch Boards was very unsatisfactory, and he hoped they would all be put in a more satisfactory condition.

MR. DUFF said, in reply to the hon. Member, he had to state that the Chairman had £800 a-year.

MR. J. W. BARCLAY said, he was aware the Chairman received a salary; but his contention was that it should be such a sum as would secure his whole time.

MR. DUFF said, he had every reason to believe that the Chairman did devote the whole of his time to the Board. He (Mr. Duff) would remind his hon. Friend that when the Board was first instituted a great deal of work was done. The Board had to be organized under the rules and regulations laid down by the Civil Service Commissioners; and it required a considerable amount of time and attention, and a man of business habits, to do the work. It was for that reason that Sir Thomas Boyd was elected. As to the salmon fisheries, they were added to the other fisheries, on the recommendation of the Commissioners, the amalgamation being effected by the Bill which passed the House last Session. Until that Bill passed the habit was to have Salmon Inspectors employed by the Home Office. They were employed, so to speak, by the job; and everyone knew when the Salmon Inspector was coming down, so that there was no obstruction of the weirs, and everything was correct. Now, however, the Inspectors had been appointed as in England and Ireland. They had a roving commission to go where they liked; but their only power was to enforce the present law—they had no power to alter it. His hon. Friend need not be afraid of the present Board, as they had no power to do anything more than enforce the existing law.

MR. BUCHANAN said, he wished to make a few observations, in consequence of what had fallen from the hon. Member for Forfarshire (Mr. Barclay). He could not understand the complaints made about the Chairman of the Board. It was very desirable to have a good business man; but the hon. Member had said they should have one professionally acquainted with the work. He had always imagined that the rule in modern days was to have a man without professional bias. Well, they had one without professional bias on fishery matters at the head of the Board; and in those respects he thought Sir Thomas Boyd would make a very excellent Chairman. They did not have an Admiral at the head of the Admiralty, or a General for Secretary of State for War. The Secretary of the Board, who was a ship captain, was a man who might be considered to have biassed views in regard to fishery matters; but no such charge could be made against the Chairman. He protested against what was said by the Home Secretary that afternoon—that one of the first works of the new Minister for Scotland was to endeavour to amalgamate these Boards, so as to screw money out of them to pay the expense of the new Office. If that was the object the Government had in view, to pare down expenses at the cost of efficiency, he did not think their action would be favourably received in Scotland.

General Sir GEORGE BALFOUR wished to say, in justice to Sir Thomas Boyd, that he was examined at some length before the Harbour Accommodation Committee, and he was very much impressed with him. He was inclined to give the new Chairman a fair trial; and he hoped the hon. Member for Forfarshire (Mr. Barclay) would wait for another year, to see the result of the labours of the Fishery Board. He should like to know whether the instructions issued by the Treasury were to be laid before the House?

Dr. CAMERON said, he would ask the hon. Gentleman (Mr. Duff) to give them some further explanation of his statement. He had said that the Admiralty had placed at the command of the Board another gunboat. He saw that already the cost of the employment of the *Vigilant* Revenue cutter and the *Jackal* was £3,000—pay of officers and crew, and so on. He could assure the Committee that in many parts of Scotland there was no hankering for the employment of cutters and gunboats in this way. What did they want so many cutters and gunboats for?

Mr. DUFF said, the vessels had been employed for the purpose of carrying out the usual objects. Last year, at the request of an hon. Member of the House, a vessel was sent down to make a more close survey of the coast of Kincardineshire. He did not know whether the hon. Member had looked at the chart or not; but if he did he would find most minute details given with regard to the soundings 10 miles out at sea on certain parts of the coast; and when they went out further they did not know anything about them. It was necessary that the fishermen should know, as accurately as possible, the depth of water; and unless facts of this kind were ascertained it was impossible for the Commissioners to discharge their functions. In some parts the fishermen knew absolutely nothing of the soundings within 10 miles of their own coast, and that notwithstanding that money had been laid out in surveying coasts and islands at a distance. The Admiralty had carried out that survey in the interests of the fishermen, and he was sure the Scotch Members would agree that the work was efficiently done, and was very valuable.

Dr. CAMERON said, he had simply asked for an explanation. He knew that the *Jackal* had been engaged in some operations which were not connected with the soundings. One of the boats had, no doubt, been engaged in taking soundings; but it appeared to him that the *Jackal* had been more connected with the administration of martial law than anything else.

Mr. DUFF said, the vessel had been employed for the purpose of scientific investigation.

Sir ANDREW LUSK said, he was anxious to see everything done that was calculated to advance the interest of the fisheries. He did not at all find fault with the Board, as he thought there was a great field for it. The sea was an almost inexhaustible source of labour and food. It contained an enormous amount of wealth; but he might almost say it was allowed to go to waste. He should like to see the Government give greater encouragement to this industry of fishing; because, at present, not only was the fish lost, and the people deprived of this kind of food which they very much wanted, but a means of employment was denied to the people who were very much in need of profitable work. He believed there were many acres of sea which were as wealthy as acres of land. Why did they not develop the fishing industry—why did they not take as much care of this marine industry as they did of the land industries, and send down Inspectors to the fisheries, just as they sent Inspectors to cotton mills? Here was an industry which had been very much neglected. What they had seen and heard during the last month or two, in regard to fishing and fisheries, ought to have had the effect of opening their eyes and ears. They heard the cottiers calling out for small patches of land, in order to enable them to live—they saw people struggling almost in vain for a livelihood on shore; why not enable these people to obtain a living at the fisheries? Here was a great mine of wealth where these poor people could earn something. The Fisheries Board in Scotland was not a sham Board, and it was not a bad one; he was acquainted with some of the men who composed it. One of them he knew was a bookseller; some of them may have been soldiers, and some City men; but he should not find fault with them for that reason, because their businesses had, no doubt, given them an aptitude for dealing with the questions which would come before the Board. He trusted the Government would see the necessity of doing what they could to encourage the fishing industry.

MR. RAMSAY said, he might be allowed to assure the Committee that Sir Thomas Boyd did devote his whole time exclusively to public business. The hon. Member for Forfarshire (Mr. Barclay) might rest satisfied that no man who had performed the duties of Lord Provost of Edinburgh, as his friend Sir Thomas Boyd had done for some years, could possibly give such attention to his own business as would not interfere with his attention to his public duties. He felt sure that Sir Thomas Boyd, who was bred as a business man—and he did not care to what business—had knowledge and ability which might be of great advantage in the development of the fisheries of Scotland. There might be persons possessing more scientific knowledge than Sir Thomas Boyd; but he (Mr. Ramsay) had no doubt that since Sir Thomas Boyd had accepted that Office he had acquired a great deal of information which would be of use to him hereafter.

MR. J. W. BARCLAY said, he did not think that his hon. Friend (Mr. Duff) had answered the most important question that had been raised—namely, what was the object of the Fishery Board with regard to the salmon fisheries? The hon. Member must be aware of the meetings of the proprietors of sea fishings which had been taking place in consequence of certain action on the part of the Board. He did not suppose the Chairman of the Board was responsible for the action to which he referred; but it was plain, from what had taken place, that what they had done had not given universal satisfaction, and particularly that it failed to satisfy the fishery proprietors on the East Coast, amongst whom there had been a great deal of excitement. When the Board was appointed there was a suspicion that it was instituted for the purpose of enabling the proprietors of the upper parts of the rivers, or rather the proprietors of salmon fishings in the upper parts of the rivers, to get a larger amount of satisfactory fishing than they had heretofore done. He supposed the hon. Member for Edinburgh (Mr. Buchanan) hinted at that when he said the present Chairman was a man of impartiality, who would hold an even balance between the upper proprietors and the lower proprietors. He (Mr. Barclay) took it that Sir Thomas Boyd would be as well able to do that as anyone else; but, as the hon. Member (Mr. Duff) knew perfectly well, considerable anxiety had been occasioned in Scotland about this question, and it would appear to him that this would be a favourable opportunity for giving an explanation. Hon. Members had been very ready to defend the Chairman of the Board; but he would remind the Committee that he (Mr. Barclay) had never attacked him. If it were necessary that an exclusively business man should be at the head of the Board, he was quite ready to admit that the present Chairman was as good a man as could be found for the Office. He thought that someone with a practical experience of fishery matters might have been found to preside over the Board. There were a great many technical questions involved in the work of the Board, such as the branding and curing of herrings; and it was obvious, therefore, that a practical man would have a great many advantages over a non-practical man in discharging the functions of the head of the Board. It seemed to him a very strong remark to say that no one could be found more adapted to this work than Sir Thomas Boyd. He was fully aware that this gentleman had not asked for the post, but had been desired to accept it; and he (Mr. Barclay) did not wish to say a word against him. The remarks of some hon. Members, therefore, were uncalled for. Probably the hon. Member (Mr. Duff) would give him the information he asked for with regard to the salmon fishings, in order to allay the anxiety that existed upon the matter.

MR. DUFF said, that, in reply to the hon. Member for Forfarshire, he had to say that when Mr. Archibald Young was appointed Inspector of Salmon Fisheries he was requested by the Board to go down and make a Report, and in order to furnish that Report complete he was obliged to make very careful investigations. He had certain powers given to him by the Board. He (Mr. Duff) had not himself seen the Report; but he thought it very likely that the new Board on assuming office made a complete and searching investigation as to whether the existing law was carried out or not. As he had already stated, neither Mr. Young nor the Board had any power to interfere with the rights of the upper and lower proprietors. The hon. Member need be under no apprehension on that score, because he had been long enough a Member of the House to know that nothing had been more keenly contested than the Salmon Bill. The hon. Member need be under no apprehension as to the interests of the sea fisheries, because nothing could be done without an Act of Parliament. The only object Mr. Young had in going down was to make an inspection, and supply the information which he wanted to enable him to make his Report. He believed that Mr. Young's Report would soon be issued, and he was sure it would be found very interesting, and that by its aid his hon. Friend would be able to judge of the relative interests of the upper and lower proprietors. With regard to what had fallen from the hon. and gallant Member for Kincardineshire (General Sir George Balfour), it was not, he believed, the intention of the Home Office to give any definite instructions to the Fishery Board. The Board was appointed with general references, and it had instituted inquiries, and made a very exhaustive and general Report, which he had no doubt his hon. and gallant Friend had seen. It was quite possible that it would be necessary very soon to have further legislation on fishery matters, and to give the Board further powers; and the Board pointed out, in their Report, what those powers ought to be. He thought it would be better to wait for further legislation before they took any step with regard to this Board.

Mr. J. W. BARCLAY said, he should like his hon. Friend to say what the Board had done with the object of establishing telegraphic communication between the mainland and the Islands of Scotland, to which purpose they had power to divide £1,000. A considerable amount of interest was taken on this subject, particularly so far as the Hebrides were concerned; and he should, therefore, like to know what was to be done in the matter?

Mr. DUFF regretted his inability to give his hon. Friend any detailed and definite information on the subject; but, so far as his memory served him, £1,000 had been set aside for the purpose of increasing telegraphic communication on the West Coast. He could assure the hon. Member that he was well aware of the immense importance of telegraphic communication, more especially on the West Coast, and that was a subject that was engaging the attention of the Board.

Mr. J. W. BARCLAY desired to know what telegraphic communication had been established with the £1,000 which the Board had at their disposal? Now was the time for the Government to give information as to what had been done during the current year. The fishing was about to commence; and this was a time when telegraphic communication would be most useful. If the work was to be done this year, now was the best time to carry it out.

Mr. DUFF said, he would communicate with the Postmaster General on this matter. He was not acquainted with all the details; but he would ask the Postmaster General. He knew that the Fishery Board were exerting themselves to establish communication. After making inquiry, he would communicate with his hon. Friend.

Mr. RAMSAY said, that this difficulty about the communication arose from the fact that a guarantee was required from parties locally interested, in order to induce the Post Office authorities to sanction the establishment of communication where the Department was afraid that the receipts might not meet the cost of the work. He thought it was a reproach to the Post Office that this guarantee should be required. The object of the Post Office was to make the Postal and Telegraph Service available for the whole Kingdom. It was available in most parts, but not in isolated places like Long Island, Barra, and Benbecula, telegraphic communication with which had been refused. He believed that it must be with reference to the supply of postal and telegraphic communication with this part of the coast, where fishing was carried on so extensively, that this grant was given, and he thought wisely given, to the Fishery Board. When they were making such a large profit out of the Postal Department, he thought it was only right that Postal and Telegraph Service for all parts of the Kingdom should be provided, even though small portions of the Service might not be profitable.

Vote *agreed to.*

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £4,244, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Board of Lunacy in Scotland."

MR. WEBSTER said, he rose to move the Amendment of which he had given Notice in connection with this Vote; and he would explain to the Committee, as shortly as he could, the ground on which he proposed to take that course. He recognized, in the fullest degree, the duty of Parliament and the Government to provide for the care and proper custody, and the humane treatment of the insane; and the question was not at all as to that, but how the duty, which he recognized, was to be best discharged. He considered that the House of Commons was only acting with due regard to its highest purpose when it sought to ascertain, by investigation into the management of these Boards which were entrusted with the fulfilment of these duties, how those duties were discharged with due regard to economy as well as efficiency. He had, on a previous occasion, undertaken to bring before the attention of Parliament the expense of this Board, and he was now present to fulfil that promise. There was an increasing feeling in Scotland that the continued existence of this Board, at all events upon its present scale, and with its present persistence in wasteful expenditure, could not be justified, and that the duties which were at present administered by it should devolve upon another Board—namely, the Board of Supervision for the relief of the poor in Scotland, which was also the Board of Health, and which discharged the duties in connection with vaccination. The Board of Supervision had the control of every one of the Parochial Boards in Scotland, under which Boards the paupers were placed. These pauper lunatics, he should be able presently to show, were no less than five-sixths and upwards of the whole lunatics of Scotland. The feeling of Scotland had been expressed in several important Petitions, which, he thought, were entitled to the consideration of that House. Before he asked the Committee to look at the question of cost, and at the extent of what had been done by the Lunacy Board, he would just briefly remind the Committee that the body was created in 1857 by an Act passed in that year. It was created in order to provide for the care and treatment of lunatics, and for the providing, maintaining, and regulation of lunatic asylums. The Board was not created as a permanent one, but only temporarily. The object was—in fact, it was expressly provided in the Act—that the Board should exist for five years, and at the expiration of that time the two paid Commissioners were to become Inspectors General in Lunacy for Scotland, subject to the orders of the Home Secretary. Then, as to the expenses, the salaries of the staff alone amounted to £4,950. There was a Senior Commissioner with £1,100, a Junior Commissioner with £1,000, a Senior Deputy Commissioner with £600, and a Junior Deputy Commissioner with £500. All these were medical men; whereas in England there were only three Medical Commissioners attached to the Lunacy Board, the other three members of the English Commission being legal members. The travelling expenses of the Scotch Commission were £1,050, only £100 less than those of the Board of Supervision, with its far larger work. The travelling expenses of the English Board were only £1,860, though the whole lunatics of Scotland numbered only 10,300, while there were in England 75,000 lunatics, being more than seven times more, and the amount and complexity of the work of the English Commission appeared to be at least as great in proportion. He would mention a comparatively small item in the expense of the Scotch Commission which would serve as an illustration of the tendency of all such Boards to become encrusted with sinecures. They found in the Estimate for the Lunacy Commission fees to counsel £70, and fees to medical men £30. The same sums had appeared for some years past, being apparently paid to the same persons. He desired to know whether any work was done at all for these payments, or whether the payments were not, as they seemed, sinecures? He did not apprehend that the Commission had any suits in Court, or had to obtain any opinions from counsel; and it must be remembered that on the Commission itself there were eminent lawyers. With regard to the medical men to whom those fees were paid, it passed the bounds of one's imagination to conceive what could be required from them by a Commission on which there were already no fewer than four medical members. It was a fair matter for inquiry whether the cost of this Commission was not wasteful, looking at the work done. The total number of lunatics in Scotland was 10,293, and of these no fewer than 8,655, or five-sixths, were paupers. These were maintained by rates which were raised by the Parochial Boards. It would thus be seen that the Board of Supervision, which had the control of the Parochial Boards in Scotland, was already largely concerned in the management of pauper lunatics. The private patients—namely, those not paid out of the rates, numbered only 1,638. Therefore, of the total number of insane—about 10,300—there were no fewer than 8,600 paupers, and of these 7,000 were confined either in public or parochial asylums, or in lunatic wards of poorhouses; and he wished to notice the fact, because those patients who were chiefly in the public asylums included all the cases of dangerous and severe mania. There were 5,000 of these pauper lunatics in the public asylums. Those who were acquainted with the admirable management of those asylums in Scotland knew that the labours of the Lunacy Commission in respect of them were almost nothing. These public institutions were all under the control, in the first place, of a Board of Management; then under the control of a Sheriff, who was bound to visit and report upon them, and also under the control of properly educated and skilled medical men. In the parochial asylums there were 1,350 pauper lunatics, and in the lunatic wards of poorhouses 718, most of these being incurable and inoffensive. The Lunacy Commissioners themselves, in their Report, gave these institutions also the very highest character. It was beyond all doubt that the pauper lunatics in Scotland were properly attended to, and that the duty of visiting them was really of a routine kind. In looking to his proposal that the functions which at present attached to this Commission should be transferred to the Board of Supervision, he asked the Committee to notice that the parochial asylums and the poorhouses referred to were already under the charge of the Parochial Boards; and with regard to the poorhouses it might also be observed that it was the business of the Board of Supervision to send their Inspectors to visit them regularly, so that in their case there was a double inspection. In his opinion, there was no difficulty whatever in the Board of Supervision inspecting the lunacy wards in the poorhouses, and thus save the unnecessary process of a double inspection. The third-class of pauper lunatics, mostly harmless and imbecile, were those residing with relatives and others in private houses, and they numbered 1,568. He contended there was nothing to prevent the Board of Supervision visiting the private as well as the public patients. With regard to the high character of the treatment and management of patients in lunatic asylums, he might quote the words of the Lunacy Commissioners themselves. The Lunacy Board had to certify, with reference to the grant in aid, that the patients were necessarily detained and properly cared for; and they said—

> "In granting these certificates when they relate to pauper lunatics in asylums, the Board must necessarily rely almost entirely on the views of the Medical Superintendents of the asylums."

That was just what was done. It seemed to him that after the first few years of the life of the Board the duties became routine and easy, and in no degree whatever required the continued existence of such a costly Board. There was no good, but rather evil, done by the existence of two Boards; and he contended that so nearly connected were the functions of the one with those of the other, that they necessarily worked in the same field, and that one would suffice. It would, no doubt, be necessary that there should be annexed to the Board of Supervision one, or perhaps two, of the Medical Commissioners on the present Board of Lunacy. If that were done, he believed the whole work would be better carried out than under the present arrangement, and a wasteful expenditure would be avoided. With regard to the private patients, there would be no difficulty whatever. Even of these patients, who were not paid for out of the rates, no fewer than 1,404 were in Royal, district, and private asylums, and 118 were children attending imbecile training schools, while only 116 resided in private dwellings. As to these patients in private houses, it was not required by the Statute that all of them should be under the supervision of the Commission. Surely it could not be said that that small number of patients, who were not paupers, justified the continuance of the present Board. In case it should be said that the functions which he proposed to attach to the Board of Supervision were foreign to their business, he would point out that in 1863 all the duties connected with vaccination in Scotland were committed to this Board; and since 1867 the important and difficult duties of matters of public health had been also handed over to the Board, which was now the Board of Health, and which had medical officers for each. This domain of lunacy had been already marked out for the Board of Supervision, the grant in aid of pauper lunatics having been entrusted to its charge. The more the matter was considered, the more it would be seen that the additional duty of taking charge of the lunatics in Scotland would be nothing foreign to its functions. Such an arrangement as he had shown would save needless and harmful expense, and would prevent two sets of Boards clashing in the same field. He would move to reduce the Vote by £2,800.

Motion made, and Question proposed,

"That a sum, not exceeding £1,444, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Board of Lunacy in Scotland."—(*Mr. Webster.*)

Mr. RAMSAY said, he thought it unfortunate that his hon. Friend who preceded him had been led into error in the remarks which he had addressed to the Committee by want of knowledge of the facts. He instituted a comparison between the cost of the Lunacy Board in Scotland and the Lunacy Commission in England; but he forgot that the state of the Lunacy Laws in the two countries was radically different. The cost of maintaining lunatics in private dwellings in England did not come within the control of the Lunacy Commissioners; but in Scotland the whole charge of all classes of lunatics was under the exclusive control of the Lunacy Board; and, therefore, he thought it might be said that, taking the whole of the circumstances into consideration, the cost was less in Scotland than in England, while the management of the asylums was equally efficient. Therefore it was that he did not know why his hon. Friend had taken up this matter in the particular way which he had adopted. This subject had been very fully examined by Select Committees in 1869 and 1870; and valuable evidence was given in support of the view which he was now expressing by the late Chairman of the Board of Supervision, and also by the present Chairman (Sir John M'Neill). He did not think it would be possible, to promote economy, or advisable, on any ground, to merge the Board of Lunacy in the Board of Supervision. He did not, therefore, think it necessary to take up much time in dealing with the matter; but he would call attention to one fact which he thought might explain one of the statements which his hon. Friend had made in reference to this business, and would show why the people in the district which he represented felt more strongly the action of the Board of Lunacy in reference to it than those in any other part of Scotland. There was a larger proportion of the lunatics largely paid for by the State resident in the lunatic wards of poorhouses in the county of Aberdeen than in any other county; and, especially in the City of Aberdeen, the proportion of pauper lunatics resident in the poorhouse was greater than in any other part of Scotland. It was, therefore, possible—indeed, it must be—that the charge for lunatics there compared unduly with the other local charges in the taxation. The number of pauper lunatics generally was also much greater in Aberdeen than in any other part of Scotland. As an illustration of this, he might mention that the percentage of pauper lunatics in Aberdeen was 32, as against 10 in Mid Lothian. It was not unnatural, therefore, that the ratepayers would wish to so manage the whole system as that they would get the largest possible proportion of the expense from the State and pay the smallest amount themselves. He hoped that his hon. Friend would withdraw his Amendment.

Mr. COCHRAN - PATRICK said, that, in his view, the argument of the hon. Member for Aberdeen (Mr. Webster) did not warrant the statement which he had made; because everyone who was acquainted with the working of the Lunacy Laws in Scotland must know that the result fully justified the expenditure of the money which was laid out. His hon. Friend made, or attempted to make, a great point out of the fact that the travelling expenses of the Lunacy Board were greater than those of the Board of Supervision; but he overlooked the fact that the work of the two bodies was of a very different character, and that the expenses of the Lunacy Board must, of necessity, be much the heavier of the two. He could not agree with his hon. Friend in saying that two Boards would not be better than one in dealing with matters so dissimilar; and he hoped it would not be thought necessary to ask the Committee to go to a Division. The expenditure was one upon a matter of the highest national importance, and was, therefore, in his view, so far justifiable as that it ought to receive the sanction of the Committee.

Mr. BUCHANAN said, this question had been argued by his hon. Friend on the ground of cost, and on the ground of efficiency. Now, there could be no doubt that the Scottish system, although a costly one, was an efficient one. With regard to expense, it came to this—that the cost might be reduced by giving up the system of boarding out pauper lunatics; but the system itself was undoubtedly known as the most efficient lunacy administration in existence; and if any attempt were made to re-model the lunacy system in England, he hoped it would be in the direction of assimilating it to the Scottish system, and not *vice versâ*. His hon. Friend also argued that, because Parliament had entrusted certain powers to the Board of Supervision, they would be justified in amalgamating that Board with the Board of Lunacy. He thought his hon. Friend had answered his own arguments, in so far as the question of grants in aid were concerned. There had been a most thorough examination by the Board of Lunacy into the operation of the grant in aid of pauper lunatics paid out of Imperial funds. The last Report of the Board of Lunacy showed a most unsatisfactory result—namely, that there was only relief of local taxation to the amount of 6*s.* for every pound contributed by the Consolidated Fund; and if the present rate of increase in the cost of pauper lunacy continued, in six years' time there would be a pound added to local taxation for every pound contributed from Imperial funds. The maintenance of private lunatics in the public asylums of Scotland really made them going concerns; and he would ask those who wished to amalgamate the Board of Lunacy with the Board of Supervision whether they were prepared to hand over also the inspection of private lunatics to the Poor Law authorities? He did not think the public would agree to that. The kernel of the whole question was, that the duties which the two Boards in question had to discharge were logically distinct, the duties of the one being medical, and those of the other being economical. The Board of Supervision had to administer funds in relief of the poor in the most economical way consistent with the existing law; the object of the Board of Lunacy was to endeavour to secure proper treatment for those who suffered from an unhappy malady. It seemed to him that those who stood in need of most care were the private lunatics of limited means in asylums. For these reasons, he considered that a case for amalgamation had not been made out.

The SOLICITOR GENERAL for SCOTLAND (Mr. Asher) said, he would not take up the time of the Committee by discussing the merits of the proposal of his hon. Friend, but would simply suggest that the purpose of his hon. Friend, in making this Motion, had been served by the interesting discussion which had taken place. No doubt a great deal could be said on both sides of this question; many plausible reasons could be given for the amalgamation of the two Boards, and as many could, doubtless, be urged against it. But there was one matter, in his opinion, conclusive of the propriety of not pressing this Motion to a Division—namely, that there was before the House a Bill dealing with Local Government in Scotland, and if that Bill passed, and a

Board were constituted, the question of the amalgamation or consolidation of the two Boards would probably be considered, so as to secure efficiency on the one hand and increased economy on the other. For this reason, he trusted the Committee would allow the Vote to be taken without further discussion.

MR. DALRYMPLE said, if, as he had understood the hon. Member for Edinburgh (Mr. Buchanan) to say, the Board of Lunacy was a marvel of cheapness—[Mr. BUCHANAN: I said it was expensive.]—there was less reason why any investigation should be instituted with reference to the officials whom the Local Government Board might name. His own belief was that the management of the Board was most careful and economical, a fact that had been clearly brought out before the Camperdown Commission appointed some years ago in the expectation that an exactly opposite result would be shown.

DR. CAMERON said, he wished to draw the attention of the Committee to the excessive expenses charged in connection with the preliminaries to the detention of criminal lunatics. Some time ago he had asked a Question in that House with reference to the treatment of a man who, in a fit of temporary insanity, had done an act for which he was arrested and fined £15, and who was afterwards sent to a lunatic asylum. He was in position to state to the Committee that the fees exacted by the authorities in connection with that arrest amounted to twice the sum which the man was fined. In the case of another person, who had taken a whip out of a cart, and who, being of unsound mind, was also sent to an asylum, there was a charge against him of £76, which the taxing master afterwards reduced to £26, and which again was further reduced on appeal to the Sheriff. It seemed to him to be very hard that a man who recovered from the malady of lunacy should find himself ruined by the expenses heaped upon him by the authorities. He trusted that the Solicitor General for Scotland would consider this matter, in order to see if something could not be done, by communication with the Lunacy Commissioners, in behalf of these unfortunates.

MR. WEBSTER said, that, notwithstanding the enthusiastic description given by some Scotch Members of the Scotch lunacy system as the most effective in Europe, he regarded it as unduly expensive and wasteful. There appeared to him nothing to justify the extraordinary charge for salaries and travelling expenses, as compared with the corresponding expenses of the English Commission; and he trusted that when a vacancy occurred Her Majesty's Government would seriously consider whether it was advisable that it should be filled up. Trusting to the assurance given by the Solicitor General for Scotland, and seeing that the end he had in view had been, to a certain extent, gained by the discussion that had taken place, he would not put the Committee to the trouble of a Division.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(6.) £5,521, to complete the sum for the Registrar General's Office, Scotland.

MR. BUCHANAN said, he had some time ago asked a Question of the Lord Advocate as to the fact that only one volume of the Report of the Scotch Census had been published. On that occasion his right hon. and learned Friend replied that the concluding volume would probably be completed by the end of July; but, notwithstanding that expectation, the volume in question had not made its appearance. He understood his right hon. and learned Friend to say that the delay was in some respect due to the fact that the Office would not accommodate a larger Staff; but that he could not regard as a good defence, and he trusted that the complete Report would be forthcoming without further delay. He pointed out that, whereas the Estimates contained an account in detail of the cost of the English and Irish Census, they gave no such account on the Scotch side. The total expense of the Census for England, Wales, and Ireland, was at the rate of £1 for every 200 persons enumerated; whereas in Scotland it was only £1 for every 501 persons enumerated. The Scotch Census was conducted much more cheaply; but it was evident that that cheapness was obtained at the sacrifice of speed in the completion of the work. He asked, with a view to the matter being considered before the next Census period came round, whether the Government would lay upon the Table of the House a Return showing the cost of each Census, the time in which it was completed, and the staff engaged thereon? He hoped that the Reports of the Census of 1891 would be completed more nearly at the same time for each of the Three Kingdoms.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. ASHER) said, he would inquire as to the delay in the publication of the remaining statistics, which he believed had been caused by the illness and death of Dr. Robertson, who took an active part in their compilation.

GENERAL SIR GEORGE BALFOUR complained of the absence of details in the Vote. The slovenly way in which the account was stated rendered useful criticism impossible; it was nothing less than a waste of time to attempt to unravel the Estimate. He asked the hon. Gentleman the Secretary to the Treasury for information as to the difference between the Estimate of this year and that of 1881-2?

MR. COURTNEY said, he was not prepared to go back, upon so short a notice, to the accounts of two years ago; but he would inquire into the difference pointed out by the hon. and gallant Gentleman. In reply to the suggestion of the hon. Member for Edinburgh (Mr. Buchanan), he saw no objection to placing the Return asked for upon the Table of the House.

GENERAL SIR GEORGE BALFOUR reminded the Secretary to the Treasury that the matter he had referred to—namely, the unsatisfactory way in which the Estimate was made up—was no new subject of complaint. He had, over and over again, called attention to the want of the necessary detail in the statement of the Estimates.

Vote *agreed to.*

(7.) £22,143, to complete the sum for the Board of Supervision for Relief of the Poor, and for Public Health, Scotland.

DR. CAMERON said, when the English Vaccination Estimate was before the Committee he had pointed out that the pay of the public vaccinators in England and Scotland was disproportionate. On that occasion the President of the Local Government Board had promised that the matter should be looked into, and that something should be done in the direction of equalizing the remuneration of the officers in question as between the two countries. He believed the proposal was to effect that equalization by cutting down the pay; but he did not think it could be done in that way so far as Scotland was concerned. A large amount of vaccination was done in Glasgow, for instance; but he understood that in that city the public vaccinator got no fees at all; he was obliged to take whatever remuneration he received from the sale of lymph. There could be no doubt that vaccination was efficiently carried out in Scotland; but he did not approve the system of remuneration, which was, so to speak, gratuitous; and, therefore, he trusted that steps would be taken to introduce equality into this matter of payment to public vaccinators. He observed in the Estimate a charge of £100 for lymph. As the President of the Local Government Board was aware, a station had been recently established in London for vaccination direct from the calf; and it was, he believed, working very successfully. The system obviated the objection which many persons entertained to the general system, and, at the same time, resulted in a better form of vaccination. He suggested that, in fairness, the same system should be extended to the other parts of the Kingdom. The cost of the arrangement would be not more than £100 in each case; and he ventured to say that the benefit resulting from a fresh supply of lymph would be very great.

GENERAL SIR GEORGE BALFOUR asked for an explanation of the fact that the Vote was very much larger this year than last.

MR. COURTNEY said, the increase was due to the increased amount of medical relief given. With regard to the mode of remunerating the public vaccination officers, he confessed that the hon. Member for Glasgow had pointed out an anomaly which it was not easy for him to explain without inquiry, and he would take care that the matter should be looked into.

DR. CAMERON said, that in many of the cases to which he had referred there was no payment at all; the system of paying fees for vaccination, as it existed, was a bad system, and should be put an end to.

MR. SCLATER-BOOTH said, the hon. Member the Secretary to the Treasury did not seem to be aware of the fact that the whole of the Poor Law system in Scotland was far less highly organized than it was in England. It would be impossible for many of the arrangements for the relief of the poor in Scotland to be assimilated to those of England, unless the Scotch people were minded to submit to a very exhaustive revision of their system; and to that, as yet, they had never shown a disposition to agree. He did not understand how the Local Government Board, to which the hon. Gentleman had just now referred, could make any difference, unless the system was on the same plan as the system of this country.

Dr. CAMERON said, the fees might be modified, if not abolished. There were not only extraordinary fees in Scotland, but in some cases no fees at all; and as to the system generally pursued in many towns—in Glasgow, for instance—a very large proportion of the vaccination was done, not by the medical officers, but by the medical officer appointed by the Faculty of Surgeons, and the medical officer appointed by the Infirmary, and so on. There was a great deal of work done, and a number of certificates given. He thought the matter should be recognized as one of public medicine, and should be paid for as such, if not by premiums, at all events by some fair salary.

Vote *agreed to.*

Class III.—Law and Justice.

(8.) £49,006, to complete the sum for Law Charges.

An hon. Member (to The Chairman): Go on, go on! Put the Vote.

Mr. WARTON said, he did not know who said "Go on;" but it seemed to him to be a very improper observation. It was certainly not the way to do Business to cry out "Go on"—if it was the Attorney General who had made use of the observation, all he could say was that he was sorry for him. There were a great number of things connected with the Department that the hon. and learned Gentleman had to do with that should be mentioned, and with regard to which it would be extremely undesirable to "go on" without discussion. He (Mr. Warton) wished to mention some of these matters without "going on" any more than appeared to him to be necessary. One item under this heading was very peculiar—namely, that in regard to the intervention of the Queen's Proctor in divorce cases—in cases in which husbands and wives sought to get rid of each other in that most abominable Court, the Court of Divorce. What was called "the intervention of the Queen's Proctor" was necessary, it seemed, in cases which were too gross even to be tolerated by those who upheld this abominable institution. When it was an evident case of collusion the Queen's Proctor intervened, and he was sorry to say that that intervention led to great expense. As the Committee would see, the cost of the "intervention of the Queen's Proctor" during the year had been £1,700; but the actual costs which had been awarded in the case of these interventions had only been £200. Now, it seemed to him (Mr. Warton) that if it was necessary for "the Queen's Proctor to intervene" there should be something more than £200 received to cover his expenses. £1,700 was a large sum to spend on matters of this kind, and £200 was certainly a very insignificant amount to be received on the other side. It appeared to him that there ought to be some explanation given of this item; and he really did trust that hon. Members would take greater interest in the expenditure of public money, than, by cries of "go on," to endeavour to rush through such Business as rapidly as possible.

The ATTORNEY GENERAL (Sir Henry James) said, he had thought the hon. and learned Gentleman was about to make some serious charge against the Estimates in this particular; but, apparently, the only suggestion he made was that £1,700 was too large a sum to be paid to the Queen's Proctor for all the inquiries he had to institute. He (the Attorney General) might point out that the sum in regard to the intervention of the Queen's Proctor had been very largely reduced of late. The Office was now most economically conducted, as hon. Members would understand when he stated that the Vote some time ago was between £4,000 and £5,000. The item in the Estimates was rendered necessary by the fact that the Queen's Proctor had to investigate circumstances and make inquiries of a very difficult and delicate nature, in regard to which it was very often impossible to charge the parties with costs. Since the Office of Queen's Proctor, as a separate Office, had been abolished, the functions had been discharged with great economy. He believed he was correct in his statement as to what the Vote used to amount to; but, at any rate, his opinion was the sum had been reduced to a minimum.

Vote *agreed to.*

(9.) £2,427, to complete the sum for the Public Prosecutor's Office.

Mr. GORST said, he did not propose to proceed with the Motion of which he had given Notice on this Vote, because he understood that Her Majesty's Government had come to the conclusion that some change was necessary in this Office of Public Prosecutor, and had appointed a Departmental Committee, which was now sitting, for the purpose of considering what the new arrangement should be. At such a period it would, of course, be extremely inconvenient to attempt to criticize the arrangement made by the Government; and it would therefore, perhaps, be better, on the whole, that the House should wait until Her Majesty's Government had come to some definite conclusion, and made some definite proposal to the House with regard to this Office. At the outset, he would observe that what he was about to say referred only to this Kingdom, and had no reference to either Scotland or Ireland. Well, this country was almost the only civilized country in the world in which such an unsatisfactory arrangement was made for the public prosecution of an offender. In every civilized country in Europe, including Scotland and Ireland, it was recognized as a part of the duty of a Government to see that persons who broke the laws of the land were prosecuted and brought to justice for their offences. In England alone, of all the civilized countries, the prosecution of offenders was left to haphazard—to some person interested in the case, or to someone choosing to incur all the cost and trouble of setting the law in motion; and it was only in sensational cases that the Government appeared to consider it to be their duty to interfere. He entertained the idea—and he thought the Committee would probably agree with him—that it was one of the most important duties of a Government to make some provision for the prosecution of people who broke the laws, so as to insure their being punished; and he did not think that any proposition that the Government might make would satisfy the reasonable demands of the country, unless some authority were given that this end should be attained in England. The system which at present prevailed in this country had the merit, no doubt, of economy. There was no place in which so little was spent by the State in vindicating the observance of the law; and, so far as cheapness was concerned, he could congratulate the Government on having such a very economical system; but cheapness did not always mean economy. The system practised in England was, in reality, a great deal less economical than more costly, but more effective, systems that obtained in other nations of the Continent, and in the Sister Kingdoms of Scotland and Ireland. But he would not waste the time of the Committee at this period of the Session by discussing the Vote at any great length. He would content himself by merely drawing attention to the subject, and would reserve what he wished to say on the matter until next year, when the Government would have some definite scheme to propose.

Sir R. ASSHETON CROSS said, he was glad that the Government had appointed a Departmental Committee to inquire into this matter. When the Public Prosecutor was first appointed, in 1875, by the late Government—one of the first acts they did, the matter having been fully discussed by themselves and the Government who preceded them in Office—the late Lord Chief Justice of England propounded a most elaborate scheme, one of the most perfect schemes which could have been adopted—quite as perfect as that existing in Scotland. Though he (Sir R. Assheton Cross) did not approve of the Criminal Law of Scotland, believing it to be absolutely barbarous in many respects, yet it seemed to him that the fact of the Lord Advocate taking prosecutions into his own hands in every case, just as the Law Officers did in Ireland, was a much better system than that adopted in this country. In England they were very much behind other countries in this regard; and when they came to examine the whole question it really resolved itself into a question of expense. There could be no doubt that if anyone would take the trouble to look into the amount spent in prosecutions in this county, they would see that what his hon. and learned Friend (Mr. Gorst) had said upon this point was perfectly right, and that in no other country was the work done so cheaply. Whether or not it was done as well was quite another matter. The adoption of the scheme propounded by the late Lord Chief Justice of England would have entailed an enormous increase of expense—if that scheme had been carried out in its integrity. In any scheme that was prepared for the establishment of a Public Prosecutor in every town in the country, or in every Petty Sessional Division, they must not run the risk of allowing that official to be a person merely taking the place of the existing magistrate's clerk. When the late Government came to consider this question they thought the first thing to be done—and, no doubt, the hon. and learned Gentleman the Attorney General would agree with him in that respect—was to establish the fact that there should be a Public Prosecutor. That was a great step gained. It had been done as an experiment no doubt, and the system was to be developed according to experience. He did not know whether the Law Officers of the Crown had availed themselves, under the large powers of the Act, of the Public Prosecutor in very many cases. It was right that there should be an experiment made over a certain number of years, and that great caution should characterize the action of the Law Officers of the Crown; but, still, there was no doubt that the Act which at present existed did give those officers—with, of course, the consent of the Treasury—power to increase the functions of the Public Prosecutor. What course the hon. and learned Gentleman would take after the examination that was being made into the whole Office he (Sir R. Assheton Cross) could not say; and upon that point he would defer what observations he had to make, as his hon. and learned Friend (Mr. Gorst) had done, until they saw the plan the Government proposed definitely brought forward. No doubt there was some little difficulty in the relations between the Public Prosecutor and the Solicitor to the Treasury; and, to his mind, the question was one which would have to be decided one way or the other. It was clear that the two Offices could not go on side by side without considerable friction, unless rules were made by which it could be avoided. As to the Solicitor to the Treasury—and he spoke with all respect of the present holder of that Office, because he believed him to be an admirable public servant, and he had great pleasure in offering this testimony to his great abilities and exertions—his functions would, no doubt, have to be modified and re-arranged, so as to prevent any friction between them and the functions of the Public Prosecutor. He did not wish to detain the Committee at the present moment; therefore, all he should say was that he should watch with the greatest interest the result of the work of the Departmental Committee that had been appointed. He trusted that that Committee would carefully consider the whole question before it made its Report; and he, for one, should be extremely glad to render every assistance he could in the development of that system which the late Government started as an experiment, and which was never intended to be final in its operation. Such development he should do everything in his power to further.

MR. MONK said, he thought the hon. and learned Gentleman the Member for Chatham (Mr. Gorst) had exercised a wise discretion in not moving the rejection of this Vote; he was by no means convinced that an increase to this Vote might not be necessary, in order to enable the Public Prosecutor to have assistance in carrying out the most important functions that were committed to him under the Act passed by the late Government. As he had given Notice of a Motion which stood in his name on the Paper, with regard to a case of some importance in which the Public Prosecutor's name came rather prominently before the public, he thought it was not right that he should allow this Vote to pass without making some observations on the subject. It would give an opportunity to the hon. and learned Gentleman to state his view with regard to the conduct of the Public Prosecutor on that occasion. It would be in the recollection of the Committee that a case of some importance—namely, "The Queen *v.* Taylor and Boys," was one in which the services of the Public Prosecutor were requested by a well-known firm of solicitors — Messrs. Lewis and Son. The case was this. A poor girl was defrauded of a considerable sum of money in a most abominable manner by parties who had since been convicted. Mr. Lewis took up the case, and applied to the Public Prosecutor to prosecute, as the party principally interested was utterly unable to find sufficient funds to do so. The Grand Jury made a presentment in regard to this case, and in that presentment they called in question the action of the Public Prosecutor. Well, the result was that the Public Prosecutor stated——

The CHAIRMAN: I must say I do not think the hon. Gentleman is in Order in going into this case, seeing that he has a Notice on the Paper to call attention to it.

Mr. MONK said, he should be sorry to move the rejection of the present Vote; but if the Chairman ruled he was out of Order in alluding to the Motion of which he had given Notice in reference to this Vote, it would be his duty to move a reduction. He did not wish to do that; but he should be obliged, unless sufficient latitude were allowed him. He should be perfectly in Order in moving the reduction of the Vote; and if the Chairman compelled him, he should have to do it. He could not allow the Vote to be taken without calling attention to this matter. He should, however, be guided by the hon. Gentleman's ruling. If the Chairman said he was out of Order in continuing this discussion, he should move to reduce the Vote.

The CHAIRMAN: I think that, with the permission of the Committee, there will be no objection to the hon. Member's referring to the case; but I would remind him that he has given Notice of a specific Motion on the matter, and that he is now going into all its details. Even if he moves the reduction of the Vote, he will not be able to go into these details without the permission of the Committee.

Mr. MONK said, he would refrain from moving the reduction of the Vote, while, in referring to the case, he would content himself with merely calling attention to the fact that a Public Prosecutor was under a statutory obligation, limited by certain rules and orders, which had the force of law, to prosecute when lawfully called upon to do so. Under these rules and orders, which were presented a short time ago to this House, it would be seen that the Director of Public Prosecutions might assist prosecutors by authorizing them to incur special costs for the purpose of the preparation of scientific evidence, the remuneration of scientific witnesses, the payment of certain fees to counsel, for the preparation of plans, and in respect of any special matters in such cases as the Attorney General might sanction. Well, the Attorney General thought proper, and no doubt rightly so, in the exercise of his discretion, to desire the particular attention of the Public Prosecutor to the case in question, which was at that time before the Law Courts. The Public Prosecutor replied that he had no authority to interfere in the case; and he (Mr. Monk) desired to know what, then, were the functions of the Public Prosecutor? He wished to know whether, in a case where the parties to a prosecution had no funds, and no possibility of raising funds, to prosecute those who had defrauded them — who had behaved in an exceptionally cruel manner towards them—the assistance of the Public Prosecutor ought not to be granted? Without alluding further to the particular case in question, he might say he thought the Public Prosecutor ought to have further assistance, if he was unable single-handed to perform those duties which had been imposed upon him by law. He (Mr. Monk) must own that he thought the Public Prosecutor wanting in a proper sense of duty if he neglected to take part in a prosecution when called upon by the Attorney General, who was the only person who could call his attention to a case of this nature. The Public Prosecutor said he had no power or authority to interfere; but that he (Mr. Monk) entirely denied. That functionary had authority to interfere in any case of this nature, when his interference was sanctioned by the Attorney General. The words of the rule as to prosecutions, under 42 & 43 *Vict.* c. 22, s. 8, were that he should assist prosecutors in respect of any special matters in such cases as the Attorney General might sanction. The Attorney General might say, and no doubt would say, that he had not received the depositions which enabled him to desire the assistance of the Public Prosecutor in that case; but the hon. and learned Gentleman, although he did not desire the Public Prosecutor to interfere, at any rate directed his special attention to the presentment of the Grand Jury; and certainly, when the Grand Jury expressed its view with regard to the duty of the Public Prosecutor, that it was a case in which he ought to have interfered, the Attorney General's advice should have been taken. The Attorney General, very properly, had drawn the attention of the Public Prosecutor to the case, and surely it then became the duty of that official to interfere. Having called attention so far to the duties of the Public Prosecutor, he (Mr. Monk) begged to express a hope that the Departmental Committee, which was inquiring into the duties of the Public Prosecutor, would recommend in their Report that this functionary should be enabled to interfere in all cases where an unfortunate prosecutor might, through insufficiency of funds, be unable to prosecute those who had grossly misused their power, and had behaved in a manner which, as in the case to which he had alluded, had resulted in their being declared criminals, and punished under the laws of the land.

THE ATTORNEY GENERAL (Sir HENRY JAMES) begged the Committee would accept the suggestion of the hon. and learned Gentleman the Member for Chatham (Mr. Gorst), and the right hon. Gentleman (Sir R. Assheton Cross), and would not at that moment enter into a discussion as to the position of the Director of Public Prosecutions. His position was a tentative one, and by no means final. They must either go backwards or forwards; and, under the circumstances, the Government had determined to inquire into the whole matter by means of a Committee which was now sitting, and which would enable them to legislate on the subject. They had arrived at the conclusion that the present state of things should not continue, and that the powers should either be increased or withdrawn. No greater power would be given to the Solicitor to the Treasury. Until the Report of the Committee was presented, they could not do anything; and he did not think a long discussion should take place on the matter now. Having expressed that opinion, he could not help differing from the view taken by the hon. Member for Gloucester (Mr. Monk), nor for one moment assent to the charge made against the Public Prosecutor. That gentleman was absent from that House, and the charges made against him would be reported to the public, and those charges ought to be answered. If the Rules under which he acted were wrong, they should be altered, instead of attacks being made upon the Public Prosecutor.

MR. MONK said, he had not only moved for Papers, but had noticed the matter in order to give his hon. and learned Friend an opportunity of replying.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that while attacks were made upon the Public Prosecutor, the question really was, whether the Rules under which he was appointed should be revised? They existed for his guidance. In his view, he had no right to take up a case unless there were circumstances which suggested that justice would otherwise not be done. The hon. Member said the matter was one for the decision of the Grand Jury. But how was that obtained? By the gentleman who appeared as attorney for the prosecution going before the Grand Jury and stating his own case. The Grand Jury were not informed of the Rules by which the Public Prosecutor was guided. Only one side of the case was stated to the Grand Jury; and the hon. Gentleman complained of the conduct of the Public Prosecutor. The hon. Member also said he (the Attorney General) called attention to the matter. He did so by letter, directing the notice of the Director of Prosecutions to the presentment of the Grand Jury. He did not ask that gentleman to do anything, but simply asked whether that presentment altered his opinion. When the Public Prosecutor explained the matter, and showed him the whole correspondence, and stated that he had been threatened that the matter would be brought before the House of Commons, he thought he ought not, under those circumstances, to pass any censure upon that gentleman. He supposed the incident this evening was the result of that threat, and that the hon. Member was carrying out what it was then said would be done, because the Public Prosecutor had, in his discretion, carried out the duties imposed upon him. He was sorry this question had been entered into. There were always two sides to a question. It was easy to state one side; but it was due to the Public Prosecutor that censure should not be passed upon him, for he was an officer fettered entirely by statutory Rules. He had inquired into the matter at the time, and, after receiving an explanation, he did not think there had been such a departure from proper duty as to call for censure from that House.

Mr. INDERWICK said, he did not think the hon. Member for Gloucester (Mr. Monk) had intended to pass any censure upon the Public Prosecutor. The contention of the hon. Gentleman was that the Director of Public Prosecutions, as the law now stood, was fettered by Rules which operated in such a way that his position was not that which the House of Commons had intended him to be placed in when the Act was passed. The desire of hon. Members, he believed, was that the position of the Public Prosecutor should be so far altered that he should, subject to the control of the Attorney General, be able to take part in a public prosecution where private individuals were unable to proceed against offenders. A particular case had been referred to in which a third party chose to take up a prosecution; and in that case, no doubt, justice was done to the offending parties, which would not have been the case but for the intervention of that third party, without the assistance of the Attorney General. What he understood to be meant by the hon. Member's observations and Motion was that such an alteration should be made in the law that the Public Prosecutor should be an effective public servant, instead of one hampered by the present restrictions, under which he could not exercise that discretion which should be confided to him as a public officer.

Sir R. ASSHETON CROSS said, he did not think any attack upon the Public Prosecutor was justified by the case which had been brought forward, for he believed that that officer had done his duty according to the statutory Rules, and he did not know that he could have done more. Under the Act, it was clearly intended that this Office should be tentative, and that the provisions of the Act should be extended; and he was glad that a Departmental Committee had been appointed to consider the matter. It was not the practice to make public the proceedings of such a Committee; but he understood from the Attorney General that the Report of this Committee was to be presented to Parliament.

Sir GEORGE CAMPBELL said, he would not discuss this matter at any length; but he had taken great interest in the subject. The system of criminal prosecutions was experimental; but a Departmental Committee was rather a close affair; it was not clear that Parliament would have the benefit of the Report of that Committee; and he thought it was very desirable the House should have some means of knowing what had been going on in the Public Prosecutor's Office. With regard to the particular case mentioned, he must say that, looking at the correspondence, he did not like the tone and temper of the Public Prosecutor, who seemed to express some feeling of injury at anybody taking exception to his action. He had had an able defence from the Attorney General, who had stood up for his subordinate; but he thought there had been a straining of the law. This Office had been in existence for four years; were there any Reports by which Members might know what that officer had been about; what were the principles by which he was guided, and what prosecutions he had taken up, or refused to take up? He should be sorry if any discredit were thrown upon the system, or there were any unjust apprehensions respecting it; and he should very much like the Public Prosecutor to make some kind of Report, showing what he had done and what he had not done. The system of criminal prosecutions was, no doubt, cheap in England; but why? Because they did not pay for it, but left private persons to pay for it. He hoped that another year some reforms might be made; and, in the meantime, he should like to know what the Public Prosecutor had been about?

Mr. WARTON said, he was exceedingly glad that this question had come up again, because year after year he had been patiently urging this matter upon the attention of the Attorney General. No notice had, however, been taken of the matter; but he supposed the Government were now beginning to see that they had neglected it for many years. The hon. Member for Wolverhampton (Mr. H. H. Fowler) had directed attention to the matter, and had pointed out what a sham this system of public prosecution was, as at present conducted, and supported by the Attorney General. It was stated by the Attorney General that the Public Prosecutor was fettered by Rules; that showed the result of legislating by Rules. That was too much the fashion of the present time, when devolution in its worst form was adopted. In sheltering the Public Prosecutor the Attorney General was sheltering himself; because it was his duty, as well as the Public Prosecutor, to make Rules. This Office had been a perfect sham; but it was not for him to say of another professional man whether he was efficient, or whether his assistant was efficient. But the Government had faltered and hesitated, and could not make up their minds what theory they would run upon; and to-night, for the first time, the system had been praised. He had asked, over and over again, whether the Government approved of the system or not, but he had never got a straightforward answer; and he supposed that the reason why the system had been praised to-night was the Criminal Code Bill, into a portion of which the Public Prosecutor had been introduced. He supposed the Attorney General had not considered what the effect of this Public Prosecutor system would be; but here were salaries amounting to £3,852, while the expenses were £15. Was there another Office in the whole range of all the classes of these Estimates in which the money at the disposal of an official was so contemptibly small, compared with the immense salaries? What sane men would carry on an Office in which the salaries were £3,852, and the expenses £15? Moreover, the expenses were decreasing. They were £20 last year; but because the duties of the Public Prosecutor were increased by the Parliamentary Elections (Corrupt and Illegal Practices) Bill) the expenses were reduced by £5. He challenged any hon. Member to point to a single case in all these Estimates where there was the ridiculous sum of £15 or £20 for the expenses of an Office in which the salaries amounted to thousands of pounds. The Office was simply a sham; and if there were these Rules fettering the Public Prosecutor, more shame to the Lord Chancellor, the Lord Chief Justice, and the Attorney General that they did not get the Rules altered. It was quite right for the late Government to proceed tentatively in establishing this Office; but there was no reason why the present Government should not make up their minds. They had not advanced a step, and had only diminished the expenses while increasing the salaries. The fact was, that the Government had not honestly stated their view before. They had never stated whether they approved of the Office or not. They had made the Office a sham, and had never given the Public Prosecutor the slightest assistance by altering Rules which crippled him. That was not the way in which to carry out a great reform. They had much better have had a Special Committee of the House than a Departmental Committee; and he hoped this would be the last year in which this excuse about Rules, which need no longer exist, would be put forward. Because, in the case referred to, a high-spirited solicitor, rather than see injustice done, had taken the matter up himself, that was no excuse for the Public Prosecutor, or for the Attorney General, in defending him. The whole case was scandalous, and he hoped that if the Departmental Committee did not do something, there would be another Committee next year to put an end to this sham of a Public Prosecutor.

Mr. RYLANDS said, he understood that the Attorney General would make the Committee's Report public; but he wished to make one practical suggestion. In Scotland there were Procurators Fiscal, whose duty it was to carry out the law, and who, as he understood, also discharged the duties of Coroners. He thought it was well worth consideration whether, if they were to go to this large expense for a Public Prosecutor, they might not get rid of the expense in connection with Coroners, as was done in Scotland.

Vote *agreed to.*

(10.) £116,880, to complete the sum for Criminal Prosecutions, Sheriffs' Expenses, &c.

Mr. WARTON said, the Committee had now got to the most important Vote in the whole of these Estimates, involving a sum approaching £200,000; and he hoped this would not be passed without some consideration. He wished to call attention to a matter which he had frequently mentioned. Some years ago the South-Eastern Circuit was split into two. There was still a double expenditure for going on that Circuit, and it was put in the Estimates in this artful way—"Part of South-Eastern Circuit." He desired to ask the hon. and learned Gentleman the Attorney General whether the Examiners of Criminal Prosecution Accounts were really worth their salt? He (Mr. Warton) used to practise at the Bar, and he remembered perfectly well that just and proper expenses—expenses audited by the Judge and sanctioned by the Clerk of the Assizes—had been cut off without the slightest rhyme or reason by the Examiners. He supposed that this was done, in many instances, simply for the purpose of justifying their existence. Now, those persons who were at the trial, such as the Judge, and the Clerk of Assize, knew the nature of the cases in respect of which the expenses were charged. The Examiner of Accounts, however, knew nothing about the cases, yet he was empowered to overrule the decision of the Judge and Clerks of Assize. Now, that he (Mr. Warton) maintained was wrong; and he asked some Member on the Treasury Bench to give the Committee an idea of the annual saving in the matter of charges effected in consequence of the action of the Examiners.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, the hon. and learned Member for Bridport had spoken of the scandalous waste of public money. There was, however, such a thing as a scandalous waste of another commodity, and that was public time. The hon. and learned Gentleman had spoken at great length on the last Vote, and also on this Vote. He had mentioned the South-Eastern Circuit. Now, the South-Eastern Circuit was really two Circuits, for it combined portions of the Norfolk Circuit and the Home Circuit; and, there being two Circuits, there were two staffs of officials. The hon. and learned Gentleman had said he knew nothing of what the Examiners did. That was very probable. In consequence of the great expense incurred in criminal prosecutions, it was found necessary, in 1857, to have Examiners of Accounts, whose duty it was to see that the amounts charged were not excessive. The result of the action of the Examiners was that the cost of criminal prosecutions had been greatly diminished—in some cases by as much as one-half. If there were no Examiners, it was quite easy to imagine that the expenditure incurred would be very great indeed in many instances.

MR. T. C. THOMPSON noticed that there was a charge of £150,000 for the re-payment to counties and boroughs in respect of expenses of prosecutions at Assizes and Sessions. Now, he wished to make a practical suggestion. He thought much of this money might be saved if the Government would give more power to magistrates sitting in Petty Sessions. At the present day there were at Petty Sessions magistrates who were quite capable of trying some cases now brought before Judges. Justice would be administered quite as well by Petty Sessions magistrates; indeed, in some cases, judicial work would be more efficiently and more speedily done by magistrates in Petty Sessions than by Judges at Assizes.

MR. R. N. FOWLER noticed, on page 190, an item for the salaries of the officers of the Central Criminal Court. He was desirous of knowing who had the power of arranging the salaries of these officers?

MR. WARTON said, that, after what the hon. and learned Gentleman the Attorney General had said, he (Mr. Warton), in common justice to himself, ought to say a few words. The hon. and learned Gentleman was very clever in the use of phrases; and when he said that he (Mr. Warton) knew nothing about what the Examiners did, he naturally drew forth a cheer from hon. Members. He (Mr. Warton), however, did know something about the Examiners. He knew, as he had previously stated, of cases where the Judges and Clerks of Assizes had allowed expenses which were subsequently disallowed by the Examiners. What he did not know, and what he wanted the hon. and learned Gentleman to tell him, was, what was the amount of expenses disallowed by the Examiners? It was all very well for the hon. and learned Attorney General to say that the cost of criminal prosecutions had been decreased by one-half. Did the hon. and learned Gentleman mean to say gravely that the cost was reduced one-half?—because that seemed to him (Mr. Warton) to be a most astounding statement. The hon. and learned Gentleman had said that the South-Eastern Circuit combined two Circuits—the Norfolk and the Home Circuit, and that it was necessary that there should be two staffs of officials. He (Mr. Warton) was of opinion that one officer could do for the two Circuits all the work required of him, and he would not fail next year to bring the matter under the notice of the House.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that, in answer to the question put to him by the hon. Gentleman the Member for the City of London (Mr. R. N. Fowler), he had to say that power was given by Act of Parliament to the Judges sitting in the Central Criminal Court to increase the salaries of the officers of that Court.

Vote *agreed to.*

(11.) Motion made, and Question proposed,

"That a sum, not exceeding £103,237, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for such of the Salaries and Expenses of the Chancery Division of the High Court of Justice, of the Court of Appeal, and of the Supreme Court of Judicature (exclusive of the Central Office), as are not charged on the Consolidated Fund."

MR. W. H. SMITH desired to say a word or two on this Vote, with reference to the subject to which he drew the attention of the hon. and learned Gentleman the Attorney General a few days ago. He referred to the serious arrears which now existed in the Chancery Division of the High Court. The hon. and learned Gentleman had admitted that those arrears did actually exist at the present moment. He (Mr. W. H. Smith) was not desirous to impute any blame to the Judges, or to the officers of the High Court, but was simply desirous of calling attention to the condition of affairs, which was a very serious one, so far as suitors in the Chancery Court were concerned, and which required some attempt to remedy on the part of the Government. It was a question which deserved and required the Government's most grave consideration. They had all been accustomed to hear of the delays in Chancery; in fact, delays in Chancery proceedings were now proverbial. Hon. Members had reason to believe that great reform would be accomplished by the Judicature Acts; that the reform would be the means of abolishing delay, and of insuring to the suitor speedier justice. He (Mr. W. H. Smith) was one of those persons who believed that a suitor—it might be that a man might be a suitor against his will, and through no fault of his own—was entitled to a speedy settlement of the question at issue; that he had a right to demand from the Government that they should supply a machinery which would be sufficient to bring about a speedy decision in all cases. He (Mr. W. H. Smith) was now in a position to state to the Committee what was the state of business in the Chancery Courts on the 17th of July. A learned friend of his had been good enough to take the trouble to make out a list of the causes which were ready for hearing in the Chancery Division of the High Court on the 17th of July last. In one Court—that of Vice Chancellor Bacon—there were 31 causes in arrear; 31 causes set down for trial in January, February, May, August, November, and December of last year, which were not yet tried. There were 110 causes which had been set down during the course of the present year, and which remained to be tried, so that in that Court alone there were 141 causes in arrear. In the Court of Mr. Justice North there were four causes set down in 1881 in arrear, 25 causes belonging to 1882, and a large number belonging to 1883. But in the case of Mr. Justice Chitty's Court matters were still more serious—there were 38 adjourned summonses of 1882, which were not yet heard. There were 58 actions set down in 1882, which were not yet brought forward. In Mr. Justice Kay's Court there were six causes set down in 1881 which were not yet tried, 45 in 1882, and 165 in the present year. In Mr. Justice Denman's Court, to which a number of cases had been transferred from Mr. Justice North's Court, there was one cause set down in 1881 still untried; 17 in 1882, and 78 in 1883. They were told that a great relief was to be afforded by the transfer of causes from one Court to another, but the arrears remained; and the result was that there were now 407 witness actions, 265 non-witness actions, and 107 adjourned summonses, making a total of 842 cases set down for trial and not yet heard. Now, that constituted a most grave arrear, and a most grievous delay of justice. It would be a waste of time of the Committee if he were to state the many hard cases which this delay produced. He had received very many letters from suitors themselves; but he would not read them to the Committee, because he had no doubt there might be some explanation that could be given. There were hon. and learned Gentlemen now in the House who would, he was sure, bear him out in saying that those cases were, in many instances, very grievous misfortunes to individuals who were so unfortunate as to find themselves in Court. There might be a case in which £2,000, or £3,000, or less, was involved, in which some three or four persons might have an interest. It very often happened that those people were old, yet they had to wait week after week, month after month, year after year, suffering great poverty possibly in the meanwhile before they could obtain the use of the money to which they were justly entitled. People had a belief that the effect of delay was to heap up the costs; he (Mr. W. H. Smith) did not know whether that was the case or not. He did not mean to impute anything to anybody except Her Majesty's Government, and only to them in this sense—that as a Government they were bound to provide machinery that would be adequate for the administration of justice, and which would be efficient for that purpose. No machinery was efficient under which such a serious and grievous delay as the present could occur. He had one case in his mind. It was that of a person dying in 1879 and leaving a small property, the income of which was to be equally divided amongst his representatives. Up to the present time this property had not been divided, because the Court of Chancery had not been able to decide as to the proper allocation of the fund. A respectable firm of solicitors, whom, perhaps, it would hardly be right that he should name, had written to him to say that they were interested in a summons brought against a Company in liquidation. The summons was set down for hearing in November last, it had not been reached, and there was no likelihood of its being reached on this side of the Long Vacation; and he understood from the letter that the summons was the only matter which prevented the liquidation being closed. He believed the case was well known to several hon. Members of the House, and he had simply mentioned it as an illustration of the most unsatisfactory condition of the Court at the present time. That, however, was not an isolated case. There were cases of this kind—application for leave to sign judgment made on the 24th of March, 1882, summons adjourned from time to time until the 21st of April, when the Chief Clerk declined to make the Order, and on the 11th of May the Judge adjourned the summons again into Court, and it was not until the 5th of July that the case was disposed of. He (Mr. W. H. Smith) had not ventured upon any technical points; he appeared simply on behalf of the unfortunate suitors in the Court of Chancery. He imputed no blame to anyone except Her Majesty's Government, because he held that the Government were bound, if they were satisfied that an evil existed, to find a remedy for the evil. It was notorious that the business of the Chancery Division of the High Court had very largely increased, and that the means of disposing of it was not adequate. Under the circumstances, he had a right to ask his hon. and learned Friend the Attorney General to say what course the Government proposed to take to remedy an evil which the hon. and learned Gentleman himself had admitted to be a very grave and serious one.

The ATTORNEY GENERAL (Sir Henry James) said, the right hon. Gentleman had told the Committee an old, old tale. He had told the Committee of the delay in Chancery suits; but the right hon. Gentleman could not attribute the origin of the evil to the present Government, for if they went back before the time of Lord Eldon they would find that arrears existed in the Chancery Court. There was no doubt that for many reasons the business of the Court of Chancery had very much increased of late. But he (the Attorney General) thought there had been a little exaggeration and misunderstanding as to the extent of the block in the Courts. The right hon. Gentleman had spoken of cases standing for hearing which were entered in 1881. It did not follow that the Court had not reached those cases. As a matter of fact, the cases stood for settlement or for reference; but they still remained in the list until the final settlement was arrived at. He did not mean to suggest for a moment that there was not delay in hearing many actions;

but the Committee must recollect that the Court of Chancery had very onerous duties imposed upon it. It had to administer estates representing millions of money, and sometimes there was great pressure upon the different Courts, in consequence of unexpected matters arising involving great inquiry, and inquiry which had to be conducted with the very greatest care. That really was only a matter of degree. Of course, the block occurred because there were so many more cases entered than previously. Perhaps the Committee would like to know the reason why this was so. The real practical truth was that, for some reason or other, the costs in the Court of Chancery were 30 per cent more than were imposed on any of the other Courts of Queen's Bench. He declined to say whose fault that was; but a remedy was about to be found, because in the new Rules, which were now on the Table of the House, and which the hon. and learned Member for Bridport (Mr. Warton) was endeavouring to prevent coming into operation, no difference was made between the class of costs in the Chancery Division and the other Divisions of the High Court. He (the Attorney General) believed that such an arrangement would have a leavening tendency upon the business. The Committee was aware that in many cases it was advantageous to go to the Court of Chancery; there were many cases which must, of necessity, go to the Court of Chancery; but there were other cases which could equally well be tried in the Court of Queen's Bench. The Committee was also aware that power was given to remove a number of cases from the Court of Chancery to the Divisional Court of Queen's Bench; and the consequence of that would be, he hoped, that there would be a greater levelling, and better distribution of cases amongst all the Judges than had previously existed. The right hon. Gentleman (Mr. W. H. Smith) asked him what was the remedy. Of course, it would be answered that the remedy consisted in the appointment of more Judges. He wished, however, to avoid that if it were possible. He did not think more Judges ought to be appointed. They ought not to increase the demand on the Bar to find Judges in a greater number than at present. He was sure that the Lord Chancellor would be fully alive to the necessities of the case, and that an increase of the staff would be made directly the necessity for it had been proved.

Mr. MACFARLANE said, the right hon. Gentleman the Member for Westminster had brought a terrible indictment against the Court of Chancery. The hon. and learned Attorney General, in his reply, had stated that these delays took place after the suits referred to by the right hon. Gentleman had been decided. But he (Mr. Macfarlane) understood that great delay was due to the taxation of accounts. He was told that it was quite common for accounts of small amount to have, say, one day appointed for their taxation in May, and another in June or July, and that continued obstacles were thrown in the way of settlements by adjournments. The result of this was that the taxation of costs occupied more time than the hearing of the case itself. The hon. and learned Attorney General would know that this was a substantial grievance and a denial of justice. It was the public that paid for the staff of the Court of Chancery; and he would be glad to know whether the Government would not take some steps to increase the staff for the benefit of those wretched and unhappy suitors in Chancery? He was quite sure that the public would be ready to pay for a sufficient staff to do the work of the Court.

Mr. INDERWICK said, he wished to draw the attention of the Commitee to the delay which arose in the Court of Admiralty. He was quite aware that the business of the Court of Admiralty was different from that of the Chancery Court.

The CHAIRMAN said, the hon. and learned Member was not in Order in referring to the Court of Admiralty on this Vote. The question he proposed to raise would be appropriate to Vote 7.

Mr. INDERWICK said, he was about to refer to the Judge being sent away from the business of the Admiralty Court. He would, however, take another opportunity of raising this question.

Mr. GREGORY said, he thought the Committee were indebted to the right hon. Gentleman the Member for Westminster for having taken up the subject of arrears in the Law Courts, because he considered it always better that matters of this kind should be handled by laymen, and because he entirely concurred with all that had fallen from the right hon. Gentleman with reference to the delays in the Court of Chancery. The hon. and learned Attorney General had met the statement of the right hon. Gentleman with the argument that a good deal of the delay arose from the flow of causes into the Chancery Court which would otherwise be disposed of in the Common Law Courts, were it not for the increased scale of charges allowed in the former. He had also remarked that, under the new Rules, there would be no difference between the two scales of costs, and that he hoped the business would be more fairly distributed between the two Divisions. Now, the effect of that would be all very well if there were no block of business in the other Divisions; but he saw that in Middlesex alone there were no less than 645 causes for hearing and in arrear in the middle of July last before the Circuits began, which arrears had, in all probability, considerably increased since that time. He thought that this disposed, to a considerable extent, of the anticipation raised by the hon. and learned Gentleman, because it showed that in both Divisions a very considerable amount of arrears existed. This had, no doubt, given rise to much dissatisfaction; and it was desirable and necessary that some remedy should be found for the existing state of things. There was one matter, with reference to the Court of Chancery, which had not been adverted to by the hon. and learned Gentleman, and to which, perhaps, he might be allowed to refer—namely, the necessity for the Judges devoting more time than they were now able to devote to the business in Chambers. The Chamber business of the Judges was as important as any business transacted in the Courts, inasmuch as it included the administration of property, and involved questions of intricacy, as well as matters of great delicacy and interest to families. There was always a ready reference from the Chief Clerk to the Judge in Chambers—that was to say, if a suitor were not satisfied with the decision of the Chief Clerk, it could be referred to the Judge in Chambers, and adjudicated upon by him without ceremony, without expense, and without elaborate pleadings. This procedure was most advantageous to the parties interested; but, unfortunately, the only time that could be allotted to this purpose was that which the Judge could spare from his business in Court, generally after 4 o'clock, when he was wearied with his work, and almost obliged to hurry over the important business which came forward in Chambers. He thought the Judge should have an opportunity of transacting that business calmly and deliberately, and that, in order to obtain this result, it was necessary to devote to it exclusively one day in the week; but this, at present, was impossible, and he believed would remain so, unless some addition were made to the staff of the Court. The old system of taking evidence by affidavit he considered injurious and inexpedient, and not tending to the administration of justice; and, therefore, he thought the custom of taking evidence before the Judge *vivâ voce* had greatly added to the efficiency of the Court. But it was the cause of great delay, inasmuch as it involved a considerable expenditure of time on the part of the Judge. This, again, had, no doubt, given rise to considerable dissatisfaction, and various remedies for the delay had been proposed from time to time. There were Bills before the House for continuous sittings in the country districts, and for the establishing of local tribunals. He did not, however, approve the system of local Courts, because he thought the Judges might, to a certain extent, imbibe local feelings, and become possessed of narrow and confined ideas, and because he thought it much better to have a system of jurisprudence carried out by a central Court, the Judges having power to go on Circuit. But it was a cause of complaint that causes at the Assizes were not fully heard; therefore, he said that more time should be given to them, so that they might not be hurried through. That matter, however, might be safely left to the Judges. He suggested that sittings of two or three weeks held in the towns would give opportunities for clearing off existing arrears; but for that purpose, also, some addition must be made to the staff of the Court. He believed that the people concerned would readily pay the expenses of this arrangement if they found that the proceedings were hastened and brought to a conclusion, and that there would be no objection to an extension of the Court and procedure fees if necessary for such a purpose. The effect of delay was not only prejudicial to the parties interested, but it was also an incentive to further litigation; because the greater the delay the more the suitors relied on the chance of wearying out their opponents. He believed that the Judges, and all the officers of the Courts, were most anxious to get through their work. There was no body of men in the world harder worked than the Taxing Officers and Clerks of the Judges of the Court of Chancery. They devoted every hour of their time, and something more, to the work they had to do; for not only were they employed during office hours, but they were also engaged during the night in reading papers and settling decisions. The Government had to face a large amount of arrears, complaints on the part of the public, overtaxed Courts, and hard-worked officers; and for this unsatisfactory state of affairs some remedy must be found. The cost of that remedy need not constitute a burden on the State, inasmuch as the parties interested would be willing to pay for it; and, therefore, he said, it remained with the Government to make the necessary arrangements.

SIR R. ASSHETON CROSS said, he should be glad to hear from the Attorney General whether the Lord Chancellor had considered the object of the deputation which waited on him in the early part of the Session with reference to an extension of time for the trial of causes at the Assizes? In his opinion, there was room for a great saving of judicial power; he believed that the present staff of Judges was sufficient for the work that had to be done, supposing that work were apportioned with judgment. He trusted that some practical scheme was under consideration, by which the hearing and determining of causes in the Provinces might be expedited, so as to avoid in future the hurry which frequently took place at the end of the Assizes. The present state of things, especially in Lancashire and Yorkshire, was little short of scandalous.

SIR WILLIAM HARCOURT said, he entirely concurred with the right hon. Gentleman in the opinion that the mode of conducting the legal business in Lancashire and Yorkshire amounted to a scandal. In his opinion, it was the duty of the Government and of the Judges to find, without any delay, a remedy for the existing state of affairs. There had been various plans suggested to meet the difficulty; he had himself propounded one some years ago. He believed the object they had in view would never be effectually achieved until there were resident Judges appointed in those counties; he did not mean permanent Judges necessarily; but he said there ought to be Judges in Lancashire and Yorkshire who should secure to the population of those counties as complete an administration of justice as was accorded in London. He did not see why there should not be as frequent deliveries of prisons and as frequent opportunities of trying civil causes in those counties as in London; there ought to be no necessity for incurring expense and bringing witnesses up to London, and keeping them there for a week or more. He was glad to have this opportunity of expressing his concurrence with the views of the right hon. Gentleman opposite, as well as his sense of the duty which devolved on the Government of finding a solution of the existing difficulty.

MR. EDWARD CLARKE said, it would have been more satisfactory if the Committee had been informed what it was that the right hon. and learned Gentleman intended to do in this matter. He had been disappointed with the two last speeches which had followed upon the discussion commenced by the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith). The hon. Member for East Sussex (Mr. Gregory) had suggested that, somehow or other, judicial time might be economized, a suggestion which it was very easy to make; but what they wanted was something practical that would meet the block which was admitted to exist in the Law Courts. The important question raised by the right hon. Gentleman the Member for Westminster was apparently to go off by agreement between the two Front Benches that it would be well if someone else would suggest a remedy. If they took the Chancery and Common Law Courts together, they would begin next Vacation with something like 1,200 causes to be dealt with. The Committee would be aware that there was no expense in a cause comparable to that occasioned by the postponement of the hearing; the addition to the number of witnesses, the enormous expense of keeping things together, the opportunities which were afforded for bringing in little issues between parties, all constituted a terrible burden upon the public. He did not wish to see the number of Judges increased if some practical scheme could be found for making the services of the present Judges more available. He did not think that much good would result from the establishment of local Courts, as suggested by the right hon. Gentleman, the serious disadvantages of which it would be very easy to point out. At present the difficulties in the Assize system were apparent to everyone; they could not expect a large number of cases to be entered for the Assizes, seeing the manner in which causes were sometimes dealt with in the Assize towns. He desired to enter his protest against a statement made, more than once, by the Attorney General, and which, to his surprise, had been echoed that evening from the Front Opposition Bench—namely, that it was difficult to get Judges from the Bar. Those who knew the Bar knew well that if a Judgeship were vacant there were at least a dozen men competent to fill it; and, so long as that could be said, there could be no danger of pressing heavily on the Bar for Judges, and, consequently, there could be no reason for perpetuating those delays, which now amounted to a public scandal.

Mr. WHITLEY said, he could assure the right hon. and learned Gentleman the Secretary of State for the Home Department that the observations he had made would give great satisfaction in the counties of Lancashire and Yorkshire. There had been very great complaints from both those counties, because it was felt that nearly one-third of the causes originated in them; and that, therefore, it was only right that the same facilities should be given for trying those causes as existed in the Metropolis. He thought it was the duty of the Government to take this matter, without delay, into their serious consideration. He did not think that a system of local Courts would satisfy the requirements of the case, because the causes in Lancashire and Yorkshire were such as ought to be dealt with by the highest legal authorities; and he was glad to understand the Attorney General to say that those causes would be tried by the same Judges as those before whom they would come in London. It was monstrous that witnesses should be brought up at an enormous expense from seaport towns to the Metropolis. The question was, whether the convenience of suitors or the convenience of the Judges was to be consulted? Without bringing any charge of neglect of duty against the Judges, he would remark that the manner in which causes were hurried through at the Assizes was nothing short of scandalous. In view of the evil which was admitted on all hands to exist, he said it was the duty of the Government, and the duty of the House of Commons, to find a remedy for it; and he could assure the hon. and learned Attorney General that any endeavour to meet the difficulty would receive from every Member connected with the two counties in question the most cordial assistance.

Mr. INCE said, that though he agreed with the hon. and learned Member for Plymouth (Mr. E. Clarke) when he said he was disappointed with the statement that the Attorney General had made, yet, on the other hand, he thought it could not be said that the Attorney General had left the matter entirely without some practical conclusion. He confessed himself that he was, to a certain extent, also disappointed with the hon. and learned Gentleman's statement. He was disappointed with the way in which the hon. and learned Gentleman had dealt with the causes which had led to the block of business in the Chancery Division, to which reference had just been made by the right hon. Gentleman opposite (Sir R. Assheton Cross). It seemed to him (Mr. Ince) that the causes which were suggested, of an ingenious attempt on the part of one of the branches of the Profession to increase their remuneration, had little or nothing to do with the block. He must say that the vast bulk of actions tried in the Chancery Division were actions to which the mode of procedure and forces of the Common Law Division were wholly inapplicable. But he would tell his hon. and learned Friend what it was that had been done, and to what it was that this block of business was owing. In the first place, it was due to an alteration in procedure. Of course, under the old system, when all their evidence was taken by affidavit, they got through their business a great deal more quickly than they could when they had to hear evidence; and the alteration of procedure in that respect had, to a certain extent, been the cause of delay. Another cause had been the increase in population, and in the business resources of the country. The country did not stand still; and, of course, the Courts, and the business of the Courts, advanced with the development of the population, and the increase of the resources. These were two things which they could not get over. But he would point to a cause which had not yet been adverted to, to which the present state of the Court of Chancery was due; and that was the practice—as he thought, the pernicious practice—of sending away the Judges to do the business of Common Law Judges on Circuit, just at the time when their own business became excessive. Under the existing practice, they took from the administration of justice in the Chancery Division a man who was perfectly familiar with every phase of this jurisdiction, and sent him away, in some instances, to try prisoners. He (Mr. Ince) knew cases in which the first time a learned Judge had ever seen a prisoner in the dock was when he was sent down to try him. No doubt the reply would be made to him—"Oh, but when we take your Judge away we send you another in his place." Yes; they capped the farce of sending a Chancery Judge to do Common Law work by sending a Common Law Judge to do Chancery work. Then his hon. and learned Friend knew perfectly well that a great portion of the business, he might say the bulk of the business, of the Court of Chancery, was of an administrative character. The Judge, as had already been pointed out, was in constant communication with his Chief Clerk in regard to such matters as the care of minors who were wards of Court. Under the existing system they took a Judge away and sent him into the country, though he had, perhaps, had the bringing up of a young man, or a young woman, for several years. Questions arose in regard to this guardianship which the Judge, who was familiar with every part of the case, would, if he were at home, be able to deal with; but a Common Law Judge would be sitting in his place who was unfamiliar with the state of things, knowing literally nothing of what had been going on. This, of course, led to delay, to postponement, and, of course, all these things, which his hon. and learned Friend knew perfectly well, meant not only loss of time, but also greatly increased expense to the parties. That was one of the causes which led to the present unsatisfactory state of things in the Court of Chancery. His hon. and learned Friend had suggested there should be some economy, or some re-arrangement of the Judges' time. The hon. and learned Member knew something, no doubt, of the Court of Chancery—probably just about as much as he (Mr. Ince) knew about the Criminal Bar; but he could inform the hon. and learned Gentleman that the time occupied by the Judge in judicial duties was apportioned in this way—the Judge sat from 10 o'clock until 4 o'clock; but on two days a-week he took Chamber business, and when on Chamber business he sat in Court until 3, after which he went to Chambers. Therefore, the Judge went to Chambers at a time when he might be said to have had almost enough of work for the day. Nevertheless, the Judge sometimes sat until 7 o'clock in the evening, which had often been the case in the Court with which he was most familiar—that of Mr. Justice Chitty. He (Mr. Ince) was glad to be able to supplement the testimony of the right hon. Gentleman opposite (Sir R. Assheton Cross) with respect to the progress that had lately been made with business in the Chancery Division, and particularly in the Court with which he was most intimately connected. Since Mr. Justice Chitty obtained his Statistical Return, up to the present time, they had succeeded in disposing of very nearly every case that was set down in 1882. So far they had made a great effort, and there were only a few cases standing over, and these were standing over at the desire of the parties. There was only one other matter he would refer to before sitting down, and it was this—it would be seen that he, as well as other hon. and learned Gentlemen opposite, admitted the present unsatisfactory state of things. He admitted that it was one that called earnestly for a remedy; but here was his answer to his hon. and learned Friend opposite; was not this just the time when they should hesitate from taking any decided step, such as calling upon the Government to increase the number of Judges, when it was admitted on all hands that a new system was to be inaugurated in October, and that there was to be a re-arrangement then, so far as was practicable, of the business of the two Divisions? He thought in that respect, although in regard to other matters he was not satisfied with what the Attorney General had stated, the hon. and learned Gentleman had done well in asking them to wait to see the result of the re-arrangement before they took any step in this matter; and if that re-arrangement was unsatisfactory, he (Mr. Ince) confessed he saw no other way of meeting it save by an increase in the number of Judges.

Mr. STANLEY LEIGHTON wished to refer to the Chancery Pay Office, and to move that the sum put down in regard to this Vote be reduced by £50. The promises which the Attorney General made to him on the 9th of March were, seemingly, not likely to be carried out in regard to this Office. On that occasion the hon. and learned Gentleman promised the House that the next publication of the fund should be in September, 1883; but he (Mr. Leighton) understood that that promise would not be carried out. The hon. and learned Gentleman had assured him, also, that every respectable person making a claim would have every facility offered him for the establishment of his right. The present method of publishing the fund was such as to confuse the claimants. He understood that the amount standing to each estate would be given in the new list. ["No, no!"] Well, he had entirely misunderstood the hon. and learned Gentleman if that were not so; he had understood him to say that he would not give the items in each case, but that the total amount should be stated, and he regretted to hear the hon. and learned Gentleman's denial. He (Mr. Leighton) should be able to show that such statement ought to be made. There were £700,000 of dormant funds in Chancery, and the lists furnished at present were such that suitors who lived all over the Kingdom were rendered unable to establish their claims, because the lists simply gave the names of the suits. These suits went back over 100 years—quite 150 years, he should think—and in some cases the amount lying dormant to the credit of a single suit was £10,000. Of course, it was not worth anyone's while to take much care or trouble in the investigation of the circumstances of estates only worth about £50; but it was worth while for those who were the relatives of claimants to investigate matters where large amounts of money were involved. The Chancery Pay Office, therefore, should give every facility to enable them, not only to establish their claim, but also to know beforehand whether their claims were worth establishing. What did the other Offices do? Take the War Office, for example. His hon. and gallant Friend asleep near him (Sir Walter B. Barttelot) had succeeded in inducing the noble Marquess (the Marquess of Hartington) to publish the precise amounts of money remaining unclaimed in the hands of the Department in such a manner that the relatives of deceased soldiers could ascertain, without difficulty, what was due to them. Why, in this matter, should the War Office be more honest than the Chancery Office, which was a legal Office, and ought, therefore, to set an example of honesty and fair dealing to other Departments? The India Office did the same—gave every possible facility to enable people to make good their claims. The Chancery Office did just the contrary; they did not give the amount, nor any information beyond the names of the parties to the suits; and it was impossible, with that meagre information, to trace out the persons entitled to the money. After bringing this question forward time after time for three years the hon. and learned Gentleman the Attorney General had at last promised him that the next list should contain an index to the titles of the accounts, and the year in which the account was opened. He was anxious that the list should also contain a column showing the amount of the accounts—that was the great thing. Why was not the amount specified? The reason given by the Paymaster was that the publication of the amounts would induce people to make false claims, particularly in those cases where the sums were large. But surely it was better that full information should be given for the benefit of genuine claimants than that the money should be allowed to remain dead for fear of fraudulent claims being started. As the promise given to him seemed likely to be insufficiently fulfilled, he begged leave to move the reduction of the Vote by the salary of the Assistant Paymaster General in Chancery—£50.

Motion made, and Question proposed,

"That a sum, not exceeding £103,187, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for such of the Salaries and Expenses of the Chancery Division of the High Court of Justice, of the Court of Appeal, and of the Supreme Court of Judicature (exclusive of the Central Office), as are not charged on the Consolidated Fund."—(*Mr. Stanley Leighton.*)

Mr. FINDLATER said, he begged to support the Motion of the hon. Member. Two years ago he had called attention to this matter in reference to a case in the Irish Court of Chancery, in which, in consequence of some information said to have been innocently given by a clerk in the Office to a solicitor, the latter found out the persons entitled, and said that if they would give him £2,000 he would put them in the way of getting £8,000. The case came before the Master of the Rolls in Ireland, who rather strongly commented upon it. Since that time a list had been published in the Court of Chancery in Ireland; but it was not one likely to enable a person to discover anything which might be due to him.

The CHAIRMAN: I would direct the hon. Member's attention to the fact that this Vote refers to England, and not to Ireland.

Mr. FINDLATER said, he was aware of that; but what he had been quoting was only by way of illustration. He wished to point out that if an index were prepared at all—such a one as would be a guide to people entitled to property of this kind—further information than the bare title of the case or names of the suitors should be given. For instance, it might very well be that the relatives of John Noakes might be entitled to the money lying in the Office in the name of "John Styles *v.* Someone else."

The ATTORNEY GENERAL (Sir Henry James) said, that to-night was the third time the hon. Gentleman (Mr. Leighton) had made the same speech. A promise had been made to him to the effect that he should have a list which would contain an index and the titles of the accounts, with cross references and the dates of the transactions; but the hon. Member desired more than this. He wanted the amounts stated in the suits; but the objection to that was that there were a class of gentlemen, who had nothing at all to do with the suits, who made a living by tracing out the people to whom the money belonged, and charging them a large percentage for so doing. These people would not take the trouble to go for small sums, but confined their attention to large ones. The hon. Gentleman wished to leave these large prizes open, so that these industrious gentlemen might know what it was worth their while, and what it was not worth their while, to inquire into. This matter had been very fully and carefully considered.

Mr. STANLEY LEIGHTON said, the hon. and learned Gentleman seemed to think it was sufficient to say that he (Mr. Leighton) had made the same speech three times. So he had; but he had never once been properly answered. The hon. and learned Gentleman still maintained that the Chancery Office was acting legitimately by keeping hidden in its grasp the large amounts of money which had come to it through suitors. What did it matter who it was who drew the money out, so that it got into living hands—into the hands of those who were entitled to it? It was better that persons who were not entitled to the money should receive a percentage, and the rightful heirs receive the bulk, than that the whole of the funds should remain for ever in the hands of the Court of Chancery. The answer the hon. and learned Gentleman gave, however, was that he was anxious to keep these funds out of the hands of those who were merely speculating with them. The hon. and learned Gentleman had not said anything as to when the list was to be published—would it be on the 13th of September? He knew what delay was in connection with such Departments as these. If he could get anyone to follow him into the Division Lobby——

Sir R. ASSHETON CROSS: Will the list be published as soon as possible?

The ATTORNEY GENERAL (Sir Henry James): Yes; as soon as practicable.

Question put, and *negatived.*

Original Question again proposed.

Mr. LABOUCHERE said, he was sorry to have to detain the Committee at this time; but for the last two hours he had been waiting to ask a question of the Attorney General. He wished to know what the officials of the Petty Bag Office did? He saw there was a charge of £1,350 a-year in respect of this Department; but he had made inquiries of several legal Gentlemen in the House as to what these officials did, and had never been able to obtain any satisfactory reply. It appeared that there was once an Office of the Petty Bag, which was in the habit of issuing writs in the revocation of patents; but an application had been made to the chief official in the Department, not long ago, for the revocation of a patent, and his reply had been that that part of the Office had been abolished long ago. So far, therefore, as he could make out, this Office, which absorbed £1,350 per annum, was an absolute and total sinecure. He did not wish to move the omission of the Vote, as, possibly, the Attorney General would be able to give them some satisfactory explanation of what these wonderful officials were, and what they did.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, there were a great many duties connected with this Office. [*Laughter.*] Probably the hon. Member who had put the question had no wish to have it answered, judging from the levity of some hon. Members. Writs relating to patents, Writs relating to the elections of Members of the House of Commons, Commissions of Lunacy, and other documents, were all filed here. The Office was by no means a sinecure, in the sense of having no work. By the 13th *Vict.* power was given to raise the salaries of these officials when their duties were increased. Their duties had been increased, and the salary of the chief official had been raised from £600 to £800 a-year. The Legal Department Commissioners thought that the Office should be abolished; and, in consequence of their recommendation, it was provided, under the Judicature Act of 1879, that as soon as the present Chief Clerk ceased to be Chief Clerk, there would be no re-appointment, the duties being apportioned amongst other officials.

MR. LABOUCHERE considered the end of the hon. and learned Gentleman's speech much more satisfactory than the beginning. At the commencement he told them that the officials had a great deal to do; but at the end he said they had so little to do that it was intended to abolish the Office. He thanked the hon. and learned Gentleman for the information that they would soon be able to do away with Petty Bag.

MR. STANLEY LEIGHTON said, that for 1,000 lunatics they were paying the Lord Chancellor's Visitors between £4,000 and £5,000, whilst for the remainder of the lunatics in the country, some 70,000 in number, they only paid about £10,000. One of the reforms continually pressed upon the country was that these two sets of offices should be amalgamated—that there should be no distinction between the Lord Chancellor's Visitors and the Commissioners in Lunacy. At present a great deal of money was being wasted in this matter. A Committee of the House of Commons had reported against the maintenance of the existing distinction, and the subject deserved the attention of the Government. He would also remind the Committee that they were asked to vote that Estimate before the Report of the Lord Chancellor's Visitors had been presented to the House.

MR. WARTON said, he thought the hon. Member had abundantly answered the statement of the Attorney General as to the 30 per cent costs which solicitors in Chancery got more than those in Common Law; but there was another observation which the Attorney General made in reference to himself. The Rules which were laid on the Table in July were kept back for 16 days, and in a few days they would come into force. With regard to the practice of sending Equity Judges on Circuit, he protested against the system, and should protest, until some change was made. Some years ago a pretence was made of amalgamating things which could not be amalgamated—namely, Law and Equity. They were distinctly different, and could not be amalgamated. They might build big buildings and put the Judges together; but they could not amalgamate these things.

THE CHAIRMAN: The hon. and learned Member is travelling very wide of the Question. This Vote does not concern the fusion of Law and Equity.

MR. WARTON said, he was now speaking of the Chancery Judges and what was done with them. They were sent to perform duties which were not proper to them, and which they were not qualified to perform. There was nothing more horrible and ghastly than that Equity Judges should be sent to try men for their lives, they being as utterly unfit for that duty as any Member of that House. The system was horrible and revolting; and the responsibility must rest on the shoulders of those who had, in deference to a stupid cry, given the Equity Judges duties which they were unfit to perform. They had displayed most stupid ignorance of the principles of Common Law; and yet they were taken away from the duties they could perform. That was the reason of the present block in the Courts. He wished to hear from the Government whether they adhered to the system of sending men to perform duties they could not perform, or whether they would change that system? Then there was a question with regard to the imprisonment of lunatics. It had come out, in connection with the Lord Chancellor's lunatics, that a profit of something like £6,000 a-year was made out of the estates of those unhappy men; and he wished to know whether that sum ought not to be accounted for —what was done with that money, and how it appeared in the Estimates? He was told now that the amount was £5,800; but he held that a profit ought not to be made out of these people without its being accounted for.

MR. MONTAGUE SCOTT said, this was a question he had taken up with some vehemence some time ago; and he would appeal to the hon. Member for Oldham (Mr. Hibbert), who understood the question, to corroborate what he should say. There were not a sufficient number of these Commissioners or Visitors. One Commissioner had to visit many thousand lunatics in a year, and they could not possibly perform the work adequately. By a false economy the number of Commissioners had been reduced, although there was something like £4,800 a-year profit made out of the Lord Chancellor's lunatics; and the result was that the visits were a perfect farce. Having this profit of £4,800 a-year which was unaccounted for, he thought the number of Commissioners might be increased, and the visits made more effective. What was done with this money? It was a disgrace to this country that money should be made out of these lunatics; but if it was made it ought to be laid out for their benefit in the appointment of more Commissioners.

MR. HIBBERT said, it was no doubt true that for some years more money had been received in fees than had been spent on salaries to Visitors; but he must inform the Committee that the money received was a varying sum from year to year. The balance was always paid over to the Exchequer; and if the amount received was more than the amount expended, that might be a reason why the Lord Chancellor might be more liberal; but, although there might be a balance some years, there were occasions when there was no balance at all.

MR. MONTAGUE SCOTT asked what the balance this year was?

MR. HIBBERT said, he was not in a position to state the amount.

Original Question put, and *agreed to.*

(12.) Motion made, and Question proposed,

"That a sum, not exceeding £74,459, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Central Office of the Supreme Court of Judicature; the Salaries and Expenses of the Judges' Clerks and other Officers; of the District Registrars of the High Court; the remuneration of the Judges' Marshals; and certain Circuit Expenses."

MR. RYLANDS said, he proposed to move the reduction of this Vote by £3,000. When the Judicature Act was before that House in 1879 the then Chancellor of the Exchequer and the late Sir John Holker assured him that the Act would effect economies, one item to be got rid of being the Vote for the Petty Bag Office. What had been the fact? So far from there being economy there had been an increasing expenditure. In 1880 the staff was far too large for the work of the Central Office; and, although that work had been reduced the expenditure had gone on increasing. In 1880-1, the year after the establishment of that Office, the salaries amounted to £65,556; but this year they amounted to £71,337. The total expenditure in 1880-1 was £102,496; this year it was £115,450. In 1881 the House was informed that a scheme for future economy in this Office had been submitted to the Treasury for sanction, and that economy would be effected, both in the number of the Staff and in the salaries. He wished to know how soon that scheme was to come into operation? In the Writs Office, he was told, there were six first-class clerks, with salaries varying from £500 to £700 a-year; and the total amount voted this year for those six persons was £3,511. Each of those six first-class clerks was at the head of a room, controlling three under-clerks; but he was told that in three of those rooms there had been nothing done, and that two of the clerks had been absent for six months, besides the usual Vacation. He should like to know what steps had been taken to reduce the number of clerks in a Department where there was so much excess of strength? Then there was another Department—the Bills of Sale Office. That was a Department in which the business was materially reduced by the recent Bills of Sale Act, and would be reduced still further by the new Rules under the Judicature Act. According to his information, the three senior clerks did not attend more than two or three hours a-day; and the Office had, besides those three senior clerks, 30 ordinary clerks and three juniors. All the clerks in this Department belonged to the higher division of clerks. In this Department there was a large amount of merely mechanical work, and yet no lower division clerks were employed; and he was informed that 30 of these clerks, with salaries varying from £200 to £500 a-year, were doing the work of lower division clerks. Unless he got some satisfactory explanation of these facts, or they were disputed, he should assert that in the Central Office, which was to have been accompanied by economy, there were, at the present moment, at least double the number of clerks that could be properly employed. They were not half employed; and the whole arrangements of the Office were of such a character as to demoralize the Public Service. He should move the reduction of the Vote, in order to give the Solicitor General an opportunity of explaining these matters, or of giving an assurance that he would deal with the subject.

Motion made, and Question proposed,

"That a sum, not exceeding £71,459, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Central Office of the Supreme Court of Judicature; the Salaries and Expenses of the Judges' Clerks and other Officers; of the District Registrars of the High Court; the remuneration of the Judges' Marshals; and certain Circuit Expenses."—(*Mr. Rylands.*)

Mr. THOROLD ROGERS asked what the Clerk of the Rolls, who got £1,200, was?

The SOLICITOR GENERAL (Sir Farrer Herschell) said, he would make one or two observations on what the hon. Member for Burnley had said, because he was on the Committee appointed by the late Government to examine into the question of these Offices. He was satisfied that there would be great economy; but the hon. Member must remember the difficulty that arose in working a new system with an old system. The existing officers had to be utilized; some of them could not be dispensed with without being in some way compensated, and it was thought better to bring them all into the Central Office. Economy would be effected as this difficulty diminished; but he admitted that the time would shortly come when it would be desirable to appoint another Committee to investigate the subject. Until there had been some practical experience of amalgamation it was impossible to see how economy could be effected, and how the work could be done more cheaply.

Mr. COURTNEY stated, in reply to the hon. Member for Southwark (Mr. Rogers), that the Clerk of the Rolls was an Office which would be abolished on the next vacancy, and then the salary would be saved. The Clerk had to look after the enrolment of deeds in Chancery.

Mr. RYLANDS said, he admitted the fairness of the statement of the Solicitor General; but if there were a number of persons who were not required it would be better economy to retire them at once, as while they remained they were piling up their right to a pension; and, of course, an additional number of years in Office would entitle them to higher pensions. As the hon. and learned Gentleman had intimated that there would be a disposition to revise the whole matter again—and he must admit that the experience of the last year might have been very valuable—he should not divide the Committee; but, unless some very material change for the better was made, before next Session he should be inclined to draw very strong attention to the matter.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Warton.*)

MR. COURTNEY said, he hoped the hon. and learned Member would not persist with the Motion.

MR. DICK-PEDDIE asked the Government to agree not to take the Scotch Education Vote that night.

DR. CAMERON said, he hoped the Government would not take any Scotch Vote that night.

Question put.

THE CHAIRMAN stated that he thought the Noes had it, and, his decision being challenged, he directed the Ayes to stand up in their places, and Two Members only having stood up, he declared that the Noes had it.

(13.) £57,696, to complete the sum for Probate, &c. Registries of the High Court of Justice.

(14.) £6,818, to complete the sum for the Admiralty Registry of the High Court of Justice.

(15.) £7,675, to complete the sum for the Wreck Commission.

Resolutions to be reported *To-morrow,* at Two of the clock.

Committee to sit again *To-morrow.*

MOTION.

DISEASES PREVENTION (METROPOLIS) BILL.

MOTION FOR LEAVE.

SIR CHARLES W. DILKE asked leave to introduce a Bill

> "to make better provision, as regards the Metropolis, for the isolation and treatment of persons suffering from cholera and other infectious diseases."

In 1855 there was passed an Act of Parliament called the Diseases Prevention Act. That Act was passed in consequence of the cholera epidemic in that year, and it was followed by similar Acts with regard to Ireland and Scotland. Under that Act, and similar Acts for Ireland and Scotland, the powers of the local authorities for dealing with cholera epidemic in the United Kingdom were amply sufficient, and they were powers which needed no supplement at the hands of Parliament at the present day. But as regarded the means of putting the powers in force in the Metropolis, there was a certain amount of difficulty. There had been one great cholera epidemic in London since the days in which the Act was passed. That epidemic occurred in 1866. The work was thrown upon the Sanitary Authorities, and in the Metropolis there were no less than 38 separate Sanitary Authorities. In 1866 some of those Authorities had more work than others, and some of them performed the work extremely well, and others less well. The purpose of the Bill which he asked the House to allow him to introduce was, to give an option as to two different sets of Authorities in dealing with cholera in London; so that if the law threw the duty upon any Body unable to cope with an outbreak, there should be some other Body in the Metropolis to fall back upon. At the present time, the Metropolitan Asylum Board, which was elected by various Boards of Guardians, had the power to deal with fever and small-pox cases, and contained amongst its ranks men who had shown great ability in dealing with epidemic disease. It would be almost necessary—in fact, absolutely necessary—in London, in the event of a cholera epidemic, that they should be able to fall back upon a second Sanitary Body, in addition to the 38 Sanitary Authorities, for the purpose of the suppression of the disease. The object of the Bill was really expressed in its 2nd clause, which said that—

> "The managers of the Metropolitan Asylum District shall be within that district a local authority under the Diseases Prevention Act, 1855, for such purposes of the said Act, and with such powers and duties as may from time to time be specified by regulations of the Local Government Board. Subject to such regulations the managers may from time to time utilize any of their buildings, ambulances, and other property and their staff, for the execution of any powers or duties conferred or imposed on them under the said Act and this Act."

It would be seen that this clause constituted the Asylum Board an authority, not a sole authority. The next most important clause in the Bill was the 4th, which related to the expense. At the present moment, each of the parishes and districts under the 38 Vestries and District Boards would have to bear separately the expense incurred in connection with an outbreak of cholera in that parish or district. Supposing there were immense pressure on any one parish, as was the case in 1866, the whole of the costs of dealing with the epidemic in that parish would have to be borne by the parish, which might be, as was then the case, a very small one. It had been thought desirable to equalize the expense of coping with an epidemic by throwing it upon the whole Metropolis. The 4th clause, therefore, provided that—

> "The amount expended by any local authority in the Metropolis under the Diseases Prevention Act, 1855, other than the managers, in providing any building for the reception of patients or other persons under that Act, shall, to such extent as may be determined by the Local Government Board, together with two-thirds of the salaries or remuneration of any officers or servants employed in any such building under that Act, be repaid to them from the Metropolitan Common Poor Fund by the receiver of that fund, out of any moneys for the time being in his hands, upon the precept of the said Board, to be issued by them after the production of such evidence in support of the expenditure as they may deem satisfactory, and the Board may require contributions for the purpose of raising the sums so payable."

Those were the main clauses in the Bill. There was one clause with regard to the Sanitary Authority of the Port of London, which was intended to remove a legal doubt; but the 2nd and 4th clauses were, as he had said, the most important in the Bill. He was happy to be able to repeat to the House the assurance which he gave the other week—namely, that up to the present time there had been no outbreak of cholera in this country; and that, taking the country throughout, the condition of public health was very satisfactory. But there was a certain amount of anxiety with regard to London. There had been, during the last three or four weeks, a large mortality from diarrhœa amongst children under one year of age. Although the mortality from that cause amongst the adult population was small, the atmospheric conditions were such as to excite a certain amount of alarm; and as they were not safe against cholera epidemic even during the course of the present year, until more than six weeks had passed by, it had been thought desirable that powers, such as this Bill contained, should be obtained as quickly as possible. The Bill might be printed during the course of the present night, so that he hoped he might be allowed to take the second reading to-morrow night. He hardly anticipated there would be any opposition to the second reading of the Bill. The consideration in Committee he would put off for a few days, so that Members might have every opportunity of examining the details of the clauses. He was not wedded to the language of the Bill, and he should be very glad to do whatever he could to meet the views of any hon. Members who might see fit to take exception to any of the details.

Motion made, and Question proposed,

> "That leave be given to bring in a Bill to make better provision, as regards the Metropolis, for the isolation and treatment of persons suffering from cholera and other infectious diseases; and for other purposes."—(*Sir Charles W. Dilke.*)

Mr. HOPWOOD observed, that his right hon. Friend the President of the Local Government Board spoke of cholera, yet his Notice referred to other infectious diseases. That was one endeavour to obtain special powers in respect of what he hoped was only a panic. If it was meant to give the Metropolitan Asylum Board controlling power over all the Sanitary Authorities of London, he (Mr. Hopwood) was bound to say he should feel it his duty to resist the Bill. He would like to know, in the first place, whether the right hon. Gentleman proposed the Bill as a temporary measure; and, secondly, whether this was an attempt to obtain, at the hands of the people of London, a central control over their individual managements and their local concerns?

Sir CHARLES W. DILKE said, there was nothing in the Bill at which even the hon. and learned Member need be alarmed. As regarded the temporary nature of the measure, he (Sir Charles W. Dilke) was so anxious to obtain the alternative power that the Bill gave, that he would not be disposed to resist a clause providing that the Bill should be only temporary in its application.

Mr. WHITLEY asked the right hon. Gentleman whether he had any intention of bringing in a Bill for the protection of seaports, especially with regard to the delivery of rags?

Sir CHARLES W. DILKE said, he issued yesterday the Order which several days ago he said he had under consideration. The Order was issued yesterday to the only port at which rags had been landed; and to-morrow it would be sent to the whole of the remaining ports.

Mr. WARTON said, it appeared to be intended to make the Metropolitan Asylum Board only a Local Authority. He ventured to suggest that it would be better to give the Board some control over the different Local Authorities.

Sir CHARLES W. DILKE said, in introducing the Bill so late in the Session, his object had been only to propose clauses which would raise as little opposition as possible; and he had not considered it right to make the Asylum Managers in any way supreme over the existing authorities. If he were to attempt anything of the kind, he would be certain to raise opposition to the Bill.

Mr. T. P. O'CONNOR said, there had been strong complaints in Dublin with regard to the means there of protecting the health of the inhabitants at all times, and especially in times of epidemic; and his right hon. Friend the Member for Carlow (Mr. Dawson) had introduced a Bill on the question. He (Mr. T. P. O'Connor) supposed that this Bill would be strictly confined to the Metropolis, and that it would be impossible to insert any clauses dealing with Dublin?

Sir CHARLES W. DILKE said, it would be possible to introduce in the Bill, consistently with its form, provisions relating to Local Authorities in England other than those in the Metropolis. He feared, however, it would be difficult to introduce any provisions relating to Ireland, because in Ireland there was a different Local Government Board. In order to include Ireland in the matter, it would be necessary to introduce a separate Bill.

Mr. T. P. O'CONNOR assumed that that would be so. Of course, the anxiety arising from the threatened danger was common to all nationalities; and he would ask whether, in case the Bill of his right hon. Friend (Mr. Dawson) was, in his (Sir Charles W. Dilke's) judgment, fairly calculated to meet the evil, it would receive his support?

Sir CHARLES W. DILKE said, he would be very happy to confer with his right hon. Friend the Chief Secretary for Ireland on the subject. Of course, the English authorities would be very glad to place all the information in their possession at the disposal of the Irish Government.

Motion *agreed to.*

Bill *ordered* to be brought in by Sir Charles W. Dilke and Secretary Sir William Harcourt.

Bill *presented,* and read the first time· [Bill 279.]

QUESTION.

EGYPT—CHOLERA AMONGST THE BRITISH TROOPS.

Dr. FARQUHARSON said, that before the House adjourned, he should like to know whether the Financial Secretary to the War Office had any fresh news to give the House with reference to the cholera epidemic in Egypt?

Sir ARTHUR HAYTER said, the War Office had received to-day a telegram from General Stephenson, commanding in Egypt, to the following effect:—

> "General health good. Disease more amenable to treatment. Personal inspection to-day of fresh camp at Wardan; great improvement. Twelve cases there still under treatment, nine of which promise favourably."

Perhaps he (Sir Arthur Hayter) might be allowed to add that there was internal evidence in the telegram that the virulence of the disease was abating; and, though they must not be too sanguine, yet there was room to hope that they had arrived at the penultimate stage of this terrible epidemic.

ISLE OF WIGHT HIGHWAYS BILL.

Order for Committee read, and *discharged.*

Bill *committed* to a Committee of Five Members, Three to be nominated by the House, and Two by the Committee of Selection.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, 3rd August, 1883.

MINUTES.]—Public Bills—*First Reading*—Statute Law Revision * (176); Statute Law Revision and Civil Procedure * (177).

Second Reading—Electric Lighting Provisional Orders (No. 1) * (157); Electric Lighting

Provisional Orders (No. 2)* (151); Electric Lighting Provisional Orders (No. 3)* (152); Electric Lighting Provisional Orders (No. 4)* (158); Electric Lighting Provisional Orders (No. 9)* (161); Electric Lighting Provisional Orders (No. 10)* (162); Electric Lighting Provisional Orders (No. 11)* (163); Electric Lighting Provisional Orders (No. 6)* (159); Electric Lighting Provisional Orders (No. 7)* (160).

Second Reading—Referred to Select Committee—Petroleum* (154).

Report—Summary Jurisdiction (Repeal, &c.)* (153); Merchant Shipping (Fishing Boats)* (144).

Third Reading—Metropolitan Board of Works (Money)* (149); Companies (Colonial Registers)* (150), and *passed.*

PARLIAMENT — BUSINESS OF THE HOUSE—AGRICULTURAL HOLDINGS (ENGLAND) BILL.

QUESTION. OBSERVATIONS.

VISCOUNT BURY asked whether it was really the intention of the Government to proceed with the Agricultural Holdings (England) Bill on Monday, as it had not yet been circulated or even printed?

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL): It was arranged yesterday, after full consultation with the noble Marquess opposite (the Marquess of Salisbury), that the second reading should be taken on Monday.

LORD ELLENBOROUGH: I do not think it was then contemplated that the Bill would not be in the hands of your Lordships by that time.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL): It will be circulated to-morrow morning.

THE MARQUESS OF SALISBURY: Monday was fixed last night, it is true; but it is also perfectly true that the Bill has not yet been circulated.

THE EARL OF WEMYSS: The Bill stands eighth on the Paper for that day.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL): That can be arranged. If the noble Marquess thinks Monday an inconvenient day we can have a later one. My only difficulty is about giving Notice of the change.

THE MARQUESS OF SALISBURY: I have no doubt this discussion will serve as a Notice to the Peers.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL): Very well. Then we will fix the second reading for Tuesday.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 1) BILL.—(No. 157.)

(*The Lord Thurlow.*)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Order made on the 2nd day of March last 'That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Tuesday the 26th day of June next,' be dispensed with, and that the Bill be now read 2ª."—(*The Earl of Redesdale.*)

VISCOUNT BURY said, he thought that a measure of such importance would have been introduced by Her Majesty's Government with some statement. The House would understand that in making his present remarks he was actuated by no motives of preference or dislike for any particular Company, or for the Bills in general; but simply by considerations of public interest. This Bill was one of 11 which were on the Paper for second reading. One alone contained 500 pages of closely printed matter, and was full of abstruse technical details. Nine of those Bills were what was called unopposed—that was, had been examined by the Board of Trade, and Provisional Orders granted; but these were really in the same position as any other Public Bill, and their provisions required examination on public grounds. A year ago there was a great mania for electric lighting. By the Electric Lighting Act of 1882 the Board of Trade had power to grant a Provisional Order to any Company applying for one, and that Order had to be confirmed by Parliament. There were a large number of applications made under the Act; the Report presented to the House on the subject showed that 106 applications were received on and before the 21st of November, 23 by Local Authorities, 83 by Companies, 97 of them relating to England and Wales, 8 to Scotland, and 1 to the town of Belfast in Ireland; while 35 were in respect of London and the suburbs. The Bills dealt with districts. It was in evidence before the Electric Lighting Committee of last year that it would cost £100,000 to light a square mile in one of the districts. Few districts were less than a square mile, and the first matter of public importance was the question whether the plan of dealing with localities by districts should not be abandoned. The way in which the districts were parcelled out was such that the Companies could not efficiently light them. Under one class of these Provisional Orders any district might be divided into two Schedules, A and B; and while the Order enjoined the laying down of mains in the principal streets in Schedule A, Schedule B, and the minor streets in Schedule A, need not necessarily receive any benefit whatever for the whole period of 21 years. Every one of those Bills would create a monopoly for 21 years. At any rate, for two years they need do nothing, and then they might take time to consider when they should begin their works, and so forth. Considering the great difficulty there would be in ousting a Company which had obtained a footing of that kind, he thought it not too much to say that the Bill would confer a monopoly. Then, as to the expense for performing the works, the estimate for them ought to be set down in the Bill, and there ought to be evidence of the Company's being able to carry out the work. He would give one instance of a Company applying for powers under these Bills. Last year it paid £230,000 for patents, which had since become useless, and the Company had thereby become very much crippled. That Company was applying for powers to light no less than 25 districts in the City of London; and, taking each district as a square mile, the Company would be committed to an expenditure of £2,500,000, and had only paid £50 for the concession. What guarantee was there that this Company could bear such an expenditure as that? The fact was, no doubt, that having obtained these powers, they would sell them piecemeal to other parties, and would probably make a profit. That seemed to him to be laughing at Parliament and perfectly absurd. It was a serious question whether Parliament should allow this to be done. If the concessions were not sold, the Company might fall to the ground, though the public might want electric lights. Another point was that most of these Bills contained the same Orders which had been drawn up by the Board of Trade. These Orders should, it seemed to him, be embodied in one Act similar to the Railway Clauses Consolidation Act, and applied to all future Bills. Then there should be clauses as to the price to be charged. He found that that varied almost with each Bill. It varied per unit. A unit represented in lighting power about 100 feet of gas, and the price per unit in these Bills amounted to 7*d.*, 8*d.*, and 9*d.* That meant that while on the average 3*s.* 2*d.* was paid for 1,000 feet of gas, 5*s.* 10*d.*, 6*s.* 8*d.*, and 7*s.* 6*d.* was to be paid for the same amount of lighting power by electricity. That was a matter which ought to be closely investigated. He hoped he had said enough to induce their Lordships to agree with him that the Bills should, at any rate for the present, be postponed. These unopposed Bills ought to be referred to the same Select Committee as dealt with the opposed Bills. There were only nine Bills before their Lordships, because Nos. 8 and 9 had been strongly opposed in the other House, and only came to their Lordships last night within five minutes after they had left the other House. These opposed Bills did not in any way differ from the unopposed, except that it appeared that the work could be done a little cheaper. He would, therefore, suggest that the second reading of the unopposed Bills be postponed for the present.

LORD THURLOW said, he was not in the least surprised that the noble Lord had called attention to these important Bills; and he assured him that there was no intention on the part of the Board of Trade to allow them to be read a second time without a public explanation as to their nature. Their Lordships were aware not only of the very great interest the noble Lord took in the discussions on this subject, but also of his great knowledge of the details of it. Therefore, he, for one, felt that his opinion on a practical matter of this kind was entitled to a considerable amount of respect. At the same time, he hoped to show their Lordships that the question raised by the noble Lord had not escaped the attention of the Board of Trade, or of the carefully-composed Committees to which the Bills had been referred in the other House. He should first explain the position in which these Bills stood in their Lordships' House. Their Lordships were aware that these Bills had been presented in pursuance of the Act of last year, which was brought in by the President of the Board of Trade, and under which Provisional Orders were to be granted from time to time as applications for the purpose were made by public bodies, municipal or otherwise. At the same time, the Board of Trade issued a Code of Rules, which they had compiled with great care, stating the conditions under which Provisional Orders would be granted. They laid down three very important points. In the first place, the undertakers were to light some portion of the district allotted to them within a certain time, and subject to certain conditions. In the second place, a certain amount of capital must be raised. The noble Lord had questioned the ability of the Companies to comply with that condition; but he could assure the noble Lord that the Board of Trade had made minute inquiries into their financial condition. He thought a compliance with that second Rule would afford a sufficient guarantee. He would also point out that when once the Companies had obtained contracts, there would be no difficulty in their raising capital. The third point, upon which the Board of Trade placed the very highest importance, was that of monopoly. It was one of the very great advantages of the electric lighting system that it would, to a great extent, no doubt, break down the existing monopolies of the Gas Companies. So strong a feeling did the President of the Board of Trade and all the officers of that Department entertain against granting a new and powerful monopoly, that the Board of Trade went on to say that in the case of Companies no monopoly was, under the Act, granted, or intended to be granted, to them; and that should the Electric Lighting Companies to whom Provisional Orders should be granted neglect their duties in their district, or charge exorbitant prices, there was nothing to prevent the granting of another Provisional Order to a competing Body in that district. The Board of Trade wished it to be distinctly understood what the conditions were upon which Provisional Orders would be granted, and they would take care that no future claim to a monopoly should be made by any Company. The noble Lord had referred to certain questions of technical detail, with which, however, he would not now trouble their Lordships at length. The first point was as to the particular system of lighting to be adopted. There were, as their Lordships were aware, two principal systems—the circuit and the series systems. The Companies had power to conduct their lighting either on the one system or on the other. Then there was the question of the measurement of the supply, or the meter as it was called. That question was not yet quite settled. Then, with regard to the prices, these Bills comprised different rates. In one Bill, £3 10*s.* was charged for 100 units, and in another, £3 15*s.*; then 7*d.* for every unit beyond was charged in one Bill, and 9*d.* in another. There was nothing exceptional in this, for the price of gas varied in different localities. Moreover, the mode of lighting, and the lamps used, differed in different localities. The noble Viscount objected to the division of towns into districts for purposes of electric lighting. But if a town were lighted by one Company, a much more powerful monopoly would be created than if the town were divided into districts. His noble Friend also said that he would like to see all these Electric Lighting Bills embodied in one General Act. That, however, would be impossible, because these Bills were very numerous, and the conditions varied in each case. Numerous as they were, they were only the forerunners of a still larger number that would be introduced next Session. He trusted that their Lordships would not adopt the course recommended by his noble Friend, more especially as it would be unusual, and contrary to practice, to refer unopposed Bills to a Select Committee.

THE MARQUESS OF SALISBURY said, he felt for the unfortunate people of London, who had been cut out into squares for the Electric Lighting Companies. He thought some opportunity should be given of hearing whether or not the people could get the work done better than by these Companies. The Bill of last year was passed on the 18th of August; and schemes had to be presented to the Board of Trade before the 18th of September, or within one month, the result of that arrangement being that only those Companies which were standing ready to jump, as it were, were enabled to put in their claim. All real competition, therefore, had been practically excluded; and that was a very serious reason for allowing these Bills to be examined before a Committee, and giving a *locus standi*, not only to the

Companies who might have put in a rival claim, but also to the inhabitants who were so much interested in this work being done cheaply. He had no desire to discourage the adoption of electric lighting; on the contrary, he had a great belief in the future of electric lighting; but he did not think that it would have a fair chance under the present arrangement. The Bill before them contained some remarkable provisions. A part of the town was assigned to a particular Company and was divided into two blocks. The Company were told—"You must light Block A at once; but you may put off lighting Block B until a more convenient time," and no other Company was allowed to light it. The inhabitants of Block B would thus have to wait in order that the dividends of the Company lighting Block A might have time to rise. It was impossible to pass a Bill with such a provision as that in it without feeling a certain sympathy with the inhabitants of Block B. Everything south of Piccadilly was in Block A, which was very comfortable to them; but everything north of Piccadilly was in Block B, and everyone who inhabited Savile Row, Regent Street, Oxford Street, and thereabouts, would be compelled to go without electric lighting in order that something might be kept for the Company to extend into it in case their speculation should turn out to be a success. He thought that the inhabitants of these unfortunate districts were being handed over to a monopoly which had been very carelessly admitted, and the effect of which would be that electric lighting would be adopted at a much more distant period than it might otherwise have been. It should also be borne in mind that the greater the distance of the streets illuminated by electricity from the place of supply the greater the expense. The obvious policy, therefore, was to make districts as small as possible, and to encourage Companies to supply small areas.

THE EARL OF CAMPERDOWN said, that it had not been possible for their Lordships to examine carefully the provisions of the Bill, which he looked upon with the greatest possible distrust. They had been told that nothing in the nature of a monopoly was created by this Bill and the others on the Paper. It that were so, why had certain districts been assigned to particular Companies? What guarantee had they that the concession which had been granted would not hereafter be sold? His noble Freind (Lord Thurlow) had given as a reason for the difference in price that gas was provided at different prices in different parts of the Metropolis. He thought that the mere mention of gas or water ought to be sufficient to put their Lordships on their guard. Why should the price of gas vary as it did, and why should electric light be charged for at different rates in different parts of the town? He held that it would be rash to pass this and the following Bills without further inquiry.

VISCOUNT BURY explained that he wished to have the unopposed Bills referred to the same Committee which was to consider the two opposed measures. If his wish were acceded to, he should not oppose the second reading of the present Bill.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, he doubted whether much good would result from referring these Bills to a Select Committee at so late a period of the Session. Though he thought it his duty to move that the Standing Order be suspended, he did not see how this mass of Bills could be properly dealt with. He did not like to undertake to advise their Lordships, as he did not profess to understand the subject of electric lighting.

EARL GRANVILLE said, that, like his noble Friend, he did not like to address their Lordships on a matter he did not understand; but there were one or two points which he thought worthy of their Lordships' consideration. In the first place, there were opponents of these Bills in the House of Commons, and those opponents had disappeared; and, in the second place, there was great competition—almost too great—in the number of Companies. With respect to the principle, it was a principle applicable to the Bill of last year.

THE LORD CHANCELLOR said, that, as No. 1 Provisional Order Bill was opposed, it should be read a second time, and then referred to a Committee. The other Bills were not opposed.

Motion *agreed to;* Bill read 2^a accordingly, and *committed:* The Committee to be proposed by the Committee of Selection.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 2) BILL.—(No. 151.)

(*The Lord Thurlow.*)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Order made on the 2nd day of March last 'That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Tuesday the 26th day of June next,' be dispensed with, and that the Bill be now read 2ª."—(*The Earl of Redesdale.*)

Motion *agreed to;* Bill read 2ª accordingly.

VISCOUNT BURY said, he begged to move that the Bill be referred to the same Committee as that to which No. 1 Bill was referred, in order to enable Petitioners to be heard.

Moved, "That the Bill be referred to the same Select Committee as the Electric Lighting Provisional Orders (No. 1.) Bill, with leave to all petitioners to be heard." — (*The Viscount Bury.*)

THE EARL OF KIMBERLEY said, that last year a most elaborate Act of Parliament was passed for the purpose of enabling the Board of Trade to deal with those Bills. He was perfectly aware that it was within the competence of that House, and of the other House of Parliament, when a Provisional Order was made by the Board of Trade, to oppose it; but it was most unusual to do so when a Bill was not opposed. If they were to go back upon the General Act that had been passed, and not respect the Provisional Orders which had been made under it when they came from the Board of Trade, the whole system would break down.

THE MARQUESS OF SALISBURY said, that the object was not to reject the Bill, but to allow it to be inquired into.

THE EARL OF KIMBERLEY: That is the same thing in this case.

THE MARQUESS OF SALISBURY said, that if inquiry was the same thing as rejection it spoke very little in favour of the Bill. When the noble Earl said that the Bill was not opposed, the fact was that the Bill could not be opposed by the people most interested—the inhabitants of the districts affected. It was for the purpose of preventing the great blunder with respect to the Water Companies being repeated that the House was urged to accept the proposal of his noble Friend.

EARL GRANVILLE said, that the Motion of the noble Viscount would, if adopted, go far to change the whole of the Rules as to *locus standi.*

THE MARQUESS OF SALISBURY said, it had been done in the other House.

VISCOUNT BURY said, he had borne the amplest testimony to the great energy the Board of Trade had exhibited in arranging all the electric details, which were as perfect as they could be at present, though they might be still more improved in the course of time. He, however, made his Motion on public grounds, for the purpose of ascertaining whether the distribution of the districts was a proper one or not. At the present moment, the division into two districts left three-fourths of the whole district at the mercy of the persons to whom the Provisional Orders had been granted. What he wanted was that the Committee should see whether it was not possible to re-arrange the districts by streets.

THE EARL OF DERBY asked who were the parties to appear before the Committees? No one in the districts would have a *locus standi;* and the inquiry which his noble Friend asked for could not be conducted unless they were to change the Standing Orders of the House by which Private Business was carried on out of favour to a particular class of the community.

VISCOUNT BURY said, he had urged that every Petitioner should be heard.

THE EARL OF CAMPERDOWN said, that the material point, in his opinion, was the question of price. Different prices were to be charged. If one of these Bills was to be referred to a Committee, he could not see why they should not all be treated alike.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, that it was of great importance that time should be allowed to those interested in the question to come before the House.

LORD ELLENBOROUGH said, he apprehended that the Motion of his noble Friend amounted to this—that it should be an Instruction to the Committee that the different parties interested should be heard.

On Question? Their Lordships *divided:*—Contents 20; Not-Contents 25: Majority 5.

CONTENTS.

Somerset, D.
Salisbury, M.
Camperdown, E.
Milltown, E.
Hawarden, V.
Ashford, L. (*V. Bury.*) [*Teller.*]
Clinton, L.
Crofton, L.
Ellenborough, L. [*Teller.*]
Forbes, L.
Foxford, L. (*E. Limerick.*)
Gerard, L.
Harlech, L.
Hopetoun, L. (*E. Hopetoun.*)
Penrhyn, L.
Sherborne, L.
Ventry, L.
Watson, L.
Wemyss, L. (*E. Wemyss.*)
Winmarleigh, L.

NOT-CONTENTS.

Selborne, E. (*L. Chancellor.*)
Derby, E.
Granville, E.
Kimberley, E.
Morley, E.
Redesdale, E.
Shaftesbury, E.
Sydney, E.
Gordon, V. (*E. Aberdeen.*)
Sherbrooke, V.
Aberdare, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Breadalbane, L. (*E. Breadalbane.*)
Carlingford, L.
Carrington, L.
Clermont, L.
Howth, L. (*E. Howth.*)
Kenmare, L. (*E. Kenmare.*)
Methuen, L.
Monson, L. [*Teller.*]
Ramsay, L. (*E. Dalhousie.*)
Rosebery, L. (*E. Rosebery.*)
Saye and Sele, L.
Thurlow, L.
Wrottesley, L.

Resolved in the *negative.*

Bill *committed* to a Committee of the Whole House on *Monday* next.

SUEZ (SECOND) CANAL.

MOTION FOR AN ADDRESS.

Earl DE LA WARR said, he rose to ask what the intentions of Her Majesty's Government were with regard to the proposed New Suez Canal, and to move for Papers. Since the Agreement which had been arrived at by Her Majesty's Government, with regard to the Suez Canal, had been withdrawn, there remained the question as to the course which, under existing circumstances, would be adopted in view of the interests of this country; and, so far as he had been able to follow the Papers which had been laid before Parliament, he did not see that they were in possession of what the Government now proposed to do. It was evident that the question was attended with many difficulties. Legal opinions of weight had been expressed entirely in opposite directions; there had been hasty action on both sides, as well as hasty statements; and it was much to be regretted that Parliament was not consulted, and the feeling of the country ascertained, before coming to any conclusion upon a question so materially affecting great commercial interests. He did not, however, wish to dwell now upon what was past; but he did think that, as the Session was drawing to a close, Parliament and the country ought to know what the Government, under certain circumstances, proposed to do. He was not one of those who believed that the interests of this country had been very materially injured by the Agreement that had been made and broken off. The case, it was true, had become a complicated one; but, when considered on its real merits, it was not so much so, perhaps, as it had been sometimes represented. The Suez Canal Company, if he rightly understood, did not claim the exclusive right of a waterway between the Mediterranean and the Red Sea; all that they claimed under the Concession was the exclusive power—*pouvoir exclusif*—to make a communication through the Isthmus of Suez to the East of the Damietta branch of the Nile. He did not wish to enter upon the legal points which had been raised, neither did he suppose for a moment that the Legal Advisers of the Crown claimed infallibility; but he could not see, even granting that the Legal Advisers of the Crown were right in their opinion, that the interests of this country were materially jeopardized; for what was the actual position of the Suez Canal Company? They were very much like any other Company. It was true the original chief promoters of it were Frenchmen; and the mercantile world were greatly indebted to the distinguished person, M. de Lesseps, by whose energy, ability, and perseverance this great work was accomplished. But this did not make it a French Company exclusively. The Canal was not a French Canal; it was an Egyptian one, which at the end of 99 years, the period of the Concession, would revert to the Egyptian Government unless the Concession was renewed. The President was not of necessity a Frenchman. M. de Lesseps was appointed originally Director or

President for 10 years, and the power of nomination was vested in the Egyptian Government, the selection being made, as far as possible, from among the principal shareholders. That being so, it was evident that at any time the Egyptian Government might, if it were so disposed, nominate a Director or President of any nationality, and the majority of shareholders might also be of any nationality. There was, consequently, nothing to prevent the mercantile interests of this country being represented to any extent on the Board of Directors. He could not, therefore, see in what way this or any other country was likely to be much injured under the original Concession granted by the Viceroy Said Pasha in 1854, or under the Convention of the Khedive, Ismail Pasha, in 1866. But as they were informed in the Papers before the House that another Canal was likely to be commenced very shortly, he thought their Lordships and the country ought to be made aware, before the close of the Session, what the intentions of Her Majesty's Government were with regard to it. M. de Lesseps, in a letter to Mr. Gladstone, dated July 20, 1883, referring to the Agreement which had now, it appeared, been cancelled, said—

> "I formally declare that if our Agreement should be suspended or even cancelled, the excavation of a second Maritime Canal will be immediately carried out, and all the reductions of tolls provided for in that Agreement will take effect."

Were they, then, to understand from this that the Government would secure for this country, as far as possible, all the advantages, whether of tolls and dues or otherwise, which were provided for under the late Agreement, or were other negotiations being carried on? He wished to put this to Her Majesty's Government. He had one word to add with reference to Papers and Correspondence on this subject. He regretted that the noble Earl opposite (Earl Granville) had not thought it well to lay further Papers on the Table of the House. There was one very noticeable omission. So far as he had been able to follow the Papers which had been issued, there was a total absence of all Papers or Correspondence with, or relating to, the Government of the Porte and the Egyptian Government. It was very remarkable, as regarded the Ottoman Government, inasmuch as the ratification of the Sultan as Sovereign of Egypt was required before any concession could take effect. If such Correspondence existed, he would ask the noble Earl whether it could be laid upon the Table of the House, as well as any which had reference to the Egyptian Government? He might add that in the Correspondence and Papers presented to Parliament there were none which gave the views of other Powers who must be interested in this question.

Moved, "That an humble Address be presented to Her Majesty for Papers respecting the proposed new Suez Canal."—(*The Earl De La Warr.*)

EARL GRANVILLE: My Lords, I am really surprised at the Question of the noble Earl. Using the phrase of the late Prime Minister, I may say that a good many things have happened since Notice of this Question was first put upon the Minutes of this House. There have been important statements in both Houses of Parliament, and the original scheme has been abandoned. In the other House a Vote of Censure has been recently dealt with; and, with respect to Papers, they have been presented to Parliament up to the latest date to which they extend.

EARL DE LA WARR said, the noble Earl had not answered his Question relating to the intentions of the Government.

EARL GRANVILLE: I have no further statement to make in addition to the statement made in both Houses of Parliament the other day.

On Question? *Resolved* in the *negative.*

PETROLEUM BILL.—(No. 154.)

(*The Earl Granville.*)

SECOND READING.

Order of the Day for the Second Reading read.

EARL GRANVILLE, in moving that the Bill be now read the second time, said, that the original Act of 1862 had been repealed by another in the year 1871, which was the main Act affecting petroleum dealers. This Act had been supplemented by one passed in 1879, and another in 1881, which related to wharfing petroleum. Recently a great many representations had been made by local authorities that a change in the law was absolutely necessary; and he might state that persons engaged in the trade had admitted the necessity of further legislation. In consequence of these representations the present Bill was introduced. It dealt with mineral oil in general, and not merely with low test oil. The existing system of licensing by local authorities would be abolished, and uniform rules laid down respecting the trade; and thus the injustice of different dealers being subjected to rules differing with the locality would be avoided. The noble Marquess had presented a Petition against the Bill, and he was sensible of the importance of the matters referred to in that Petition. Complaint was also made of the late period of the Session when the Bill was introduced; but this was always likely to happen when legislation for the security of the public against dangers was required by the Home Department. Since the Bill was read a first time he had received representations from the Greenwich Local Authorities, showing the extreme danger of allowing 800,000 gallons of petroleum to be warehoused in one place and near to jute stores; therefore, this was a matter in which the public safety was deeply involved. He was glad to say that they could refer the Bill to a Select Committee, notwithstanding the lateness of the Session, as four noble Lords had consented to serve, and the noble Duke (the Duke of Somerset) had consented to preside as Chairman; and, consequently, there would be every opportunity given for considering the details of the Bill, which was, undoubtedly, one relating to the public danger.

Moved, "That the Bill be now read 2ª."—(*The Earl Granville.*)

THE MARQUESS OF SALISBURY said, he considered that the course proposed by the noble Earl was a fair one. It was a good Committee, and there would be a competent Chairman. The subject was one of great importance. The local authorities complained of the danger arising from the storage of these articles; and there would be, without doubt, great responsibility if the Bill were put off for another year. Some of the provisions of the Bill were peculiar, and would require great consideration, particularly those which required that all kinds of mineral oils should be kept in registered places, and that they should be kept in such a manner that they could not escape into other protected places. Now, though there were dangers arising from the sale of petroleum, yet it was a very useful thing—it was an absolute necessity of life; and, perhaps, no discovery in modern times had added so much comfort to the poorest classes of the community. He, therefore, held that that House ought to be very careful in introducing legislation, however much called for in the public safety, which should place any practical bar to the use of this necessary of life by a large portion of the population.

Motion *agreed to;* Bill read 2ª accordingly, and *referred* to a Select Committee: The Committee to be named on *Monday* next.

CHILDREN'S DANGEROUS PERFORMANCES ACT, 1879—JUVENILE ACROBATS.—OBSERVATIONS.

THE EARL OF SHAFTESBURY said, he rose to call the attention of Her Majesty's Government to the operation of the Act of 1879, intituled "The Children's Dangerous Performances Act." He did not intend to discuss the principle of the Act, as that had already been affirmed, but merely to refer to details connected with the matter. In 1879 a Bill was passed by the Government which provided that no person should cause a child under the age of 14 to go through any performance whereby, in the opinion of a Court of Summary Jurisdiction, life or limb should be endangered. These provisions had been altogether ignored. He believed that at this time the evil prevailed to a greater extent than it ever did before. Within the last two or three weeks he had received communications from persons who were deeply concerned about the continuance of horrible and disgusting exhibitions; and although the Session was drawing to a close, he thought it would be desirable to bring the subject under the notice of the Government, in order that they might consider whether next Session something could not be done in the way of amending the law so as to give the much-needed protection to young children, and save the country from exhibitions so disgusting to every sense of humanity. He would first direct their Lordships' attention to a letter in *The Times* of Thursday from a clergyman who had been present at a one of these exhibitions, animated by a desire to learn what was the true nature of the amusements that were so attractive to certain classes of the people. In his letter he described the feat which was designated that of "the human serpent;" and he said—

> "This 'human serpent' is a little girl, and she is made to throw her head backwards and to bend her spine so that her head not only touches the ground, but is bent completely under her, so that her face looks out from between her legs. In this painful position she is compelled to remain and to perform tricks until the blood rushes into her face and she is obliged to unbend, upon doing which she pants fearfully."

A few weeks ago he received a letter from a man who had been for more than 20 years connected with an association of gymnasts, acrobats, circus riders, and the like; and this correspondent said—

> "Of these wretched children the number is legion. They are taken at a very tender age—the earlier the better—under the guise of apprentices, and the masters claim control over them until 21 years of age. Now, my experience teaches me that before reaching that age 18 out of 20 who escape fatal accidents are obliged to wear pads or bandages, the result of broken limbs or sprains through falls; and I can assert that all and every accident that occurs is carefully hushed up and kept from the knowledge of the public, if possible."

All this was confirmed by the testimony of an acrobat who came to see him and give an account of his early life. He was 25 years of age, and could walk about, but was wholly incapable of muscular labour, and ever in danger of falling down. He described the torture undergone in training, especially for that which was called the "back-slide trick," in which the body was turned into a hoop, the head meeting the heels. His first informant further said—

> "If your Lordship had seen and knew, as I have seen and know during an experience of 20 years, the floggings and cruelties practised in the so-called tuition of those little ones, and the hardships they have to endure, I am sure your Lordship would not lose an instant in trying to stop those cruelties at once and for ever."

He might go on to much greater length; but surely here was enough to stir anyone to exertion on behalf of those miserable victims. The law in America, and he believed in certain parts of the Continent, was stringent and well observed. No boy or girl in America was allowed to appear in public as gymnast or acrobat before attaining the age of 16 years, and then only on the production of a certificate in proof of age. He might be asked—"What is your remedy for such a state of things?" There was, he thought, some legislative remedy; but the Session was too far advanced for any hope of the kind. The placing under apprenticeship for such services should be absolutely forbidden. Children were sold by their parents, or possibly surrendered by the workhouses. The age before which they might be exhibited should be raised to 17, for the cost of maintaining them to that age would eat up all the profits, and so put a stop to the system altogether. The Act was defective in providing that no performance should be permitted whereby "the life or limb of any child shall be endangered." The performance itself might not be dangerous, but the training for such performance was cruel and dangerous in the extreme; yet by the terms of the Act it was not prohibited. The school board authorities might be instructed to exercise more vigilance, and see that these children were sent to school. School and acrobat training could never go on together. The magistrates and the police, too, in the case of such exhibitions taking place within their respective jurisdictions, might be instructed to demand an inspection of the certificates of the ages of these children, and be empowered, if not satisfied, to prohibit the exhibition altogether. But laws, though good and necessary, might be ineffective unless backed by public opinion. So long as the public would countenance such things, and pay for seeing them, so long these horrible practices would continue. It was a disgrace to the age in which we lived, and it was in the hope of making an appeal to the community in general that they should express their disgust and horror of such amusements as these that he had ventured to bring this sad subject under the consideration of their Lordships.

THE EARL OF DALHOUSIE said, he did not take exception to anything that had fallen from the noble Earl. He might say on behalf of the Government, and on his own behalf, most sincerely, that the noble Earl was always listened to on such subjects with the greatest attention. He felt confident that the appeal of the noble Earl to the public would not be without its effect. But, however much the Government might sympathize with the noble Earl in his reprobation of these atrocities, and in his desire to put a stop to them, it was, as the noble Earl himself had said, too late to think of legislation this Session. The Act of 1879 had, no doubt, prevented some dangerous public exhibitions; but it did nothing to check a great deal of cruelty to children when they were being trained to acrobatic performances. That Act only passed with considerable modifications; and he believed, even in the form in which it was first introduced, it would not have met the cases his noble Friend had brought to the notice of the House. The noble Earl had shown in his speech what might be done without any further legislation, and he hoped sincerely that his words would not be lost upon the school boards of the country. Undoubtedly, it was impossible that school board education and acrobatic training could go together; and if the school boards were thoroughly active and efficient, acrobatic training must collapse. On behalf of the Government, he could only say that the matter, having been brought to their notice, should be most carefully considered.

Lord CARRINGTON said, that, with regard to the charge of apprenticing children from the workhouses, he would cause inquiries to be made as to whether Boards of Guardians had apprenticed children to acrobats.

The Earl of SHAFTESBURY said, that the Act of 1879 authorized the magistrates to prevent performances that were dangerous to life or limb; but if a magistrate went to witness an acrobatic performance he would probably not see any danger in it, on account of the proficiency acquired by the performer. The real danger lay in the training, which was not public, and which the magistrates could not stop.

STATUTE LAW REVISION BILL [H.L.] (NO. 176.) A Bill for further promoting the revision of the Statute Law by repealing certain enactments which have ceased to be in force or have become unnecessary: And

STATUTE LAW REVISION AND CIVIL PROCEDURE BILL [H.L.] (NO. 177.) A Bill for promoting the revision of the Statute Law by repealing various enactments relating to civil procedure or matters connected therewith, and for amending in some respects the law relating to civil procedure:

Were *presented* by The Lord Chancellor; read 1ª.

House adjourned at a quarter before Seven o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 3rd August, 1883.

The House met at Two of the clock.

MINUTES.]—Supply—*considered in Committee —Resolutions* [August 2] *reported.*

Public Bill—*Second Reading*—Local Government Board (Scotland)* [251], *debate adjourned.*

QUESTIONS.

CRIME AND OUTRAGE (IRELAND)—THE "BAYONET CHARGE" AT WEXFORD.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Who it was that ordered the recent bayonet charge at Wexford; and, whether the sub-inspector in command of the Police is the same C. E. A. Cameron formerly stationed in Gort, and later in the town of Galway?

Mr. TREVELYAN: Sir, the charge was made by order of Sub-Inspector Cameron. Mr. Cameron has in the course of his service of 23 years been stationed both at Gort and Galway.

Mr. HEALY: I beg to give Notice that I will ask whether it is a fact that when Mr. Cameron was stationed at Gort he had a dispute with the nuns of that community with respect to a right of way, and was obliged to leave Gort in consequence; and whether he is the same person who was obliged to leave Galway by direction of Archbishop M'Evilly for having directed the police to take notes in the chapel of entirely non-political discourses?

Mr. TREVELYAN: As the hon. Member has given Notice of that Question publicly, and as the details cannot come from Ireland for two or three days, I am bound to say that the Inspector General tells me that he holds the highest opinion of Mr. Cameron as an officer of the Force, and that he has performed excellent service during his 23 years' connection with it.

Mr. HEALY: Is the excellent service in question insulting nuns and Archbishops?

Mr. TREVELYAN: I am sorry that the hon. Member should have made such a retort to my observations.

EVICTIONS (IRELAND)—CARETAKERS.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that the daughter of a landlady who has evicted tenants at Mullinahone, county Tipperary, is continually allowed the use of the car owned by the Government, and the services of a constabulary driver?

MR. TREVELYAN: Sir, the person referred to is a caretaker of some evicted farms. She is under police protection, and is frequently escorted by police on a transport car—she travelling on her own car. I am informed that on two urgent occasions when proceeding upon some public duty she was conveyed on the police car.

THE IRISH LAND COMMISSION COURT —JUDICIAL RENTS.

MR. HEALY asked Mr. Attorney General for Ireland, Whether his attention has been drawn to the case of Richard Driscoll, tenant; John Hall, landlord, heard by the Land Commission on appeal at their recent Bantry sitting, in which the Sub-Commission having dismissed the tenant's application to fix a fair rent, the Land Commission reversed their decision, but fixed the old rent, £12, as the judicial rent; whether it is the case that on hearing of the appeal, the Court confined themselves exculsively to the facts bearing on the legal question in dispute, and neither heard evidence as to the value of the holding nor sent a Court Valuer to inspect it; whether similarly in the Court below there was no inspection of the holding by the Sub-Commissioners, they having decided to dismiss the case on legal grounds; whether on the hearing of the appeal it appeared in evidence that the landlord in the case is himself a tenant and holds the farm in question, with as much land again, as yearly tenant to Lord Bantry at the rent of £10 10*s*., being £1 10*s*. less than the amount which the Land Commission without evidence or inspection fixed as the fair rent of half the land so held; and, whether it is the practice of the Land Commission to fix rents in the absence of evidence, or other data; and, if so, on what principles they ascertain the fair rent in such cases?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER): Sir, I have applied to the Land Commission for information as to the facts of this case; and the Commissioners consider it inconsistent with their position and duty to make any statement in answer to Questions in Parliament as to their grounds for deciding cases judicially determined by them. There is an obvious reason for this objection upon their part. It is certainly not the practice of the Land Commission to fix rents in the absence of evidence or other *data*.

MR. HEALY said, the statement of the right hon. and learned Gentleman, as the mouthpiece of the Land Commission, was the merest subterfuge. ["Order!"]

MR. SPEAKER: The hon. Member is not entitled, in asking a Question, to enter into matters of controversy.

MR. HEALY: Then I beg to give Notice, Mr. Speaker, that on the Irish Votes I will call attention to the fact that the Land Commission decided this case in the absence of evidence; and, knowing nothing about its merits, fixed the rent of the farm at double the figure that the tenant was paying to Lord Bantry.

CONTAGIOUS DISEASES (ANIMALS) ACTS — FOOT-AND-MOUTH DISEASE.

MR. ARTHUR ARNOLD asked the Chancellor of the Duchy of Lancaster, Whether his attention has been called to a letter in the "Times" of the 18th ultimo, from Mr. Sanders, Special Commissioner from the Department of Agriculture, Washington, stating that for two years not a case of foot and mouth disease has been brought to the attention of the United States' Cattle Commission, except in two instances of freshly imported consignments from Great Britain; also to a letter in the "Times" of the 30th ultimo from Mr. Carman, Acting Commissioner for the United States' Department of Agriculture, declaring that "there is not a case of pleuro-pneumonia known to exist west of the sea-board States, and never has been;" and, whether Her Majesty's Government, seeing the freedom from cattle disease which obtains in parts of the United States remote from English importation, will consider by what modification of the Orders in Council or of the Law the people of this Country might enjoy the advantage of greater freedom of importation from these uninfected territories?

Mr. DODSON: My attention has been called to the two letters referred to. As regards that of Mr. Sanders, it is, nevertheless, a fact that at the beginning of this year we received several cargoes from the United States containing cases of foot-and-mouth disease; but I am glad to say, as I stated the other day, that during a period of now nearly four months, we have not received a single case of that disease from that country. As regards the other letter from Mr. Carman, it is admitted that pleuro-pneumonia exists in the Eastern States, and that there is no restriction on the movement of cattle within the United States, and, therefore, no guarantee against the introduction of disease from one State to another. The Agricultural Department at Washington insists very much on the danger which exists to the rest of the States in consequence of this condition of things. I may add, however, repeating what I said the other day, that under the Act of 1878 we have no power of exempting parts of countries from slaughter or quarantine. We, therefore, could not deal differently in this respect with the Western States from the manner in which we deal with the Eastern States. It would be necessary to have further legislation to do so.

CYPRUS (FINANCE)—ASSESSMENT.

Mr. ARTHUR ARNOLD asked the Under Secretary of State for the Colonies, Whether the attention of the High Commissioner of Cyprus has been specially called to Mr. Fairfield's Report of the following specimen of the work of the assessors at Larnaca, in regard to the Tax on profits of trade or business:—The Manager of the Anglo-Egyptian Bank £1; the manager of the Eastern Telegraph Company £1; the Agent of Messrs King and Co. 15*s.*; an English Barrister practising here 5*s.*; whether native traders are assessed upon this nominal scale; and, whether Sir R. Biddulph has reported that, prior to the remission of this Tax upon the income of Native mechanics, such labouring men were assessed at sums representing incomes of £8 8*s*. per annum?

Mr. EVELYN ASHLEY: Sir Robert Biddulph's attention has not been specially drawn to the passage referred to, because it is merely a quoted extract from a statement of his own. The assessment of this tax is made by the Muktar and Elders of the Communal Division, and is as inadequate for Native traders as for foreigners. The tax is not considered suitable for the circumstances of Cyprus, where there are even now too many of these paltry taxes; but its abolition has been deferred until it is seen whether the Revenue will bear the loss. It is true that Sir Robert Biddulph reported that incomes of eight guineas a-year were formerly assessed; but, at the same time, he reported that he had abolished the taxation of such small incomes as, in his opinion, preposterous.

CRIMINAL LAW (IRELAND)—CASE OF J. W. NALLY.

Mr. HEALY asked Mr. Attorney General for Ireland, If he can explain why Mr. J. W. Nally was not placed in the dock at Castlebar with his co-accused at the late assizes, when the Crown applied for and obtained a postponement of the trial; whether this was done to produce amongst his fellow prisoners the impression that he had turned informer; who is responsible for the arrangement; whether he had seen a letter addressed to a local newspaper by Mr. Nally, of which the following is an extract:—

> "I, as well as the public, feel at a loss to know why I was not brought into court on Monday last along with my fellow prisoners similarly charged with a conspiracy which never, I believe, existed. Why we should be separated is a mystery to me, and was done by no act or choice of mine. Had I the selection of my choice, I would not alone be in court, but on my trial, and have it over;"

whether a copy of the newspaper containing this explanation, would be permitted to be read by the other conspiracy prisoners; and, whether the Crown would have any objection to permit a letter addressed to each of them, in that sense, to reach its destination?

The ATTORNEY GENERAL for IRELAND (Mr. Porter): Sir, it was not necessary that all the persons charged should be in Court when the trial was postponed; and I am informed that there was no such object as is suggested in the Question for the absence of Nally. I have not seen the entire of the letter referred to; but have ascertained that the extract is correct. I am not aware of any objection to the other persons charged being permitted to see it, nor am I aware that they have not seen it. This matter, however, would be for the prison authorities to consider under the Prison Rules.

MR. HEALY: The right hon. and learned Gentleman has not answered that portion of my Question which asks who is responsible for the arrangements?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER): I am not aware, Sir, who is responsible.

MR. HEALY: I will renew this Question.

LAND LAW (IRELAND) ACT, 1881—THE IRISH LAND COMMISSION—SITTINGS AT ENNIS.

MR. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that the Land Commission Court had fixed a sitting to hear appeal cases at Ennis for August 6th next, which they have abandoned; if it is a fact that several hundred cases were listed for hearing and that they are now indefinitely postponed; if he is aware that the landlords continue to demand the old rents pending the appeals being heard, and that few, if any, settlements can be arrived at out of Court until a standard is established by a sitting of the Chief Commissioners in that portion of Clare; if he can state the reason for the action of the Chief Commissioners in deciding not to sit for some time to come to hear the Clare appeals; and, whether, in view of the important interests at stake, he will recommend the Chief Commissioners to hold the Court at Ennis on August 6th as originally fixed?

MR. TREVELYAN: Sir, the Land Commissioners inform me that they were obliged to postpone sitting at Ennis for re-hearings, as they had hoped to do, in consequence of two of the Commissioners being unable, from the state of their health, to undertake the labour of a Circuit sitting at that time. It is a mistake to say that the old rent is payable pending a re-hearing, as the judicial rent, until altered, is the rent which alone can be recovered.

METROPOLITAN WATER SUPPLY—THE SOUTHWARK WATER COMPANY.

MR. TATTON EGERTON asked the President of the Local Government Board, Whether he is aware that immediately adjoining the open filter beds of the Southwark Water Company a dust and ashes contractor sifts the contents of dustbins; and, whether he will take steps to prevent a practice so dangerous to the health of the population?

MR. GEORGE RUSSELL: Sir, the Board, so long ago as 1872, became aware that there was a dust yard in the immediate vicinity of filter beds of the Southwark and Vauxhall Water Company at Battersea, and that at this yard dry house refuse was sifted. The Board directed one of their Inspectors to inquire and report to them on the subject, and his Report was brought under the attention of Parliament by its presentation as a Parliamentary Return. The Board, however, have no power vested in them which would enable them to require the Company to discontinue the use of their filter beds at Battersea, or the dust contractor to discontinue the use of his dust yard. The Board will, however, bring the subject again under the attention of the Company.

MR. LABOUCHERE said, as it was desirable that all filth should be cleared away in London, perhaps the President of the Local Government Board would say whether it would be possible to see that the dust contractors did their duty in the different parishes? He believed that by most of the contracts they were required to call every day; but they certainly did not do so, and frequently the dustmen did not call at all unless they were "tipped."

SIR CHARLES W. DILKE, in reply, said, this matter was one absolutely within the control of the local sanitary authorities, and all the Local Government Board could do in extreme cases would be to issue a Circular reminding them of their duty. Their attention had already been called to this and other matters in a Circular from the Board. If an epidemic were to break out it was possible that the Board might be able to interfere under the provisions of the Diseases Prevention Act of 1855.

PAUPER LUNATICS, IRELAND AND SCOTLAND.

MR. O'SULLIVAN asked the Financial Secretary to the Treasury, Whether it is a fact that a capitation grant is paid for every lunatic pauper in Scotland; and, whether it is true that in Ireland a similar grant is only paid for paupers who are inmates of lunatic asylums, while for the great bulk of the lunatic poor in Ireland, who are inmates of poorhouses, no grant whatever is paid by the Treasury; and, if so, will the Government take any steps to redress this inequality?

MR. COURTNEY: No, Sir; the grant is only made on account of such Scotch pauper lunatics as are under the charge of the Scotch Lunacy Board. But the methods of dealing with them in Scotland differ from those in force in England and Ireland, the boarding-out system being largely favoured in the former country; and the right hon. Gentleman opposite recognized this distinction when he fixed the rules governing the grants in the Three Countries. I can hold out no hope that this grant will be extended; and the hon. Member will probably cease to desire the adoption in Ireland, and in that case in England also, of the Scotch system when he learns that, in the opinion of those best qualified to judge, so far from having relieved the rates, the Imperial grant has led in Scotland to an absolute increase in the local burdens.

MR. O'SULLIVAN: But is it not the fact that nearly half the number of pauper lunatics in Ireland are in the workhouses, and that no capitation grant is given for them?

MR. COURTNEY: It is the same thing in England.

MR. O'SULLIVAN: I know. But it is different in Scotland.

POOR LAW (ENGLAND AND WALES)—THE MAIDSTONE UNION.

MR. SCLATER-BOOTH asked the President of the Local Government Board, Whether it is the case that the Guardians of the Maidstone Union applied to the Local Government Board on the 17th of May last for permission to resume their weekly meetings at the Union Workhouse which had been experimentally removed from thence twelve months previously; whether a full statement of their reasons for desiring this change was submitted to the Board six weeks ago; and, why no decision on the subject has been arrived at or communicated to the guardians?

SIR CHARLES W. DILKE: Sir, the Guardians in February, 1882, passed a resolution in favour of holding their meetings in the town of Maidstone instead of at the workhouse at Coxheath, which is at a distance of about four miles, so long as suitable accommodation could be obtained in the town. The Board assented to the arrangement, and since that time the Town Hall has been used by the Guardians for their meetings free of charge. The Guardians in May last, at a meeting at which 23 Guardians were present, by a majority of one vote passed a resolution to the effect that the place of meeting should be changed to Coxheath. The Board received a communication signed by the Mayor, on behalf of the trustees of the poor and ratepayers of Maidstone, and at the request of a Vestry meeting of the parish —the parish, having half the population and ratable value of the Union, strongly objecting to this proposal, and urging that the existing arrangement should be continued. The Board informed the memorialists of the grounds which were assigned in a resolution of the Guardians for the proposed change, and their reply was received on the 20th ultimo. The Board, after full consideration of the circumstances, and especially having regard to the fact that the Resolution was only carried by a majority of one vote, have informed the Guardians that the Board are not prepared to assent to the proposal until there has been a further trial of the existing arrangement.

CONTAGIOUS DISEASES ACTS—NAVAL AND MILITARY HOSPITALS.

MR. HOPWOOD asked the Secretary of State for War, What was the comparative strength of the Military and Marine forces at Plymouth and Devonport in the ten weeks of last year and the same period of this year, referred to in his answer on Monday last; was the difference in number sufficient to account for an increase of the number of patients in the Naval and Military hospitals at Stoke and Stonehouse; and, does the increase apply to contagious diseases only, or disease generally?

THE MARQUESS OF HARTINGTON: It is not easy, Sir, to fix the naval population on which hospital ratios at Plymouth have to be formed, as it fluctuates from day to day by the arrival and departure of vessels. The reply I gave to the hon. Member for Plymouth (Mr. Maclivar) on the 30th of July was to the effect that his figures were substantially accurate; but I could not answer exactly. I will now state the actual Returns on which my reply was based. As regards the Military Force, the admissions to hospital for venereal diseases in the 10 weeks ended on the 20th of July this year were 183 on a total force of 2,859, while for the corresponding 10 weeks of last year the admissions from the same causes were 116 on a total force of 2,457 men. With reference to the Navy, the Return could not be procured at once by weeks; but it was found that on the 21st of July, 1883, there were 121 venereal cases in hospital on a total force of 7,309; while on the corresponding day of 1882 the number of patients was 47, on a total force of 7,334. The total admissions to hospital for military patients for the 10 weeks was larger in 1883 than 1882, the number rising from 312 to 460, the venereal cases accounting for 67 out of the increase of 148. The total number in hospital, as regards the Navy, similarly increased from 263 to 357; the venereal patients increasing by 74 out of a total increment of 94. The only element of uncertainty there appears to me to be in these figures is as to the quarters from which the troops had been recently moved. As to that I have not at present any information.

ARMY—CAVALRY COMMISSIONS.

Colonel O'BEIRNE asked the Secretary of State for War, If the statement that appeared in the Military intelligence of the "Times" of the 1st August is correct, viz.: That the Military authorities, in view of the large number of vacancies in the Cavalry, intend to introduce at once a qualifying examination for candidates for first commissions in the Cavalry?

The Marquess of HARTINGTON: Sir, it is not proposed to admit Cavalry candidates upon a merely qualifying examination. I have already stated that the subject is under consideration, and as soon as a decision has been arrived at, the regulations will be published.

INDIA (FINANCE, &c.)—EXPENDITURE.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for India, Whether, in his statement, that "the Viceroy, Lord Ripon, had reduced the expenditure in 1881-2 by £6,300,000," he included the sum of £9,720,000, being the reduction under the head of Military Reductions in Afghanistan, and a further reduction of over £2,000,000, under the head of Frontier Railways?

Mr. J. K. CROSS: Yes, Sir; I think the hon. Member for Eye must see that money spent on war and frontier railways is at least as irretrievably gone as if it were spent on useful public works. I spoke of gross expenditure.

Mr. ASHMEAD-BARTLETT said, he understood from the answer of the hon. Gentleman that there had been a practical increase of £5,400,000 in the Expenditure of India excepting the military expenditure.

NAVY—DOCKYARDS—COMMITTEE ON PROFESSIONAL OFFICERS.

Mr. H. G. ALLEN asked the Civil Lord of the Admiralty, Whether it is true, as lately reported in the newspapers, that the prospects of the responsible foremen and other officers of the dockyards will be prejudicially affected by the changes recommended by the recent Committee on Professional Officers; what changes it is proposed to introduce in the position of the leading men of shipwrights, and when such changes may be expected to take effect; and, whether the salaries of leading men of fitters, joiners, and other trades will be raised, and their numbers increased, so as to make them more nearly proportioned to those of the shipwrights?

Sir THOMAS BRASSEY: The reports to which the hon. Member refers are inaccurate. All the professional officers above the rank of foreman of the yard are to be incorporated in the proposed Royal corps of constructors, with equal or increased salary and a more defined position. The foremen of the yard are not prejudicially affected either in position or prospects; on the contrary, they are either to be incorporated in the new corps with all the highest appointments open to them, or, if not eligible for promotion by reason of the long-established rule as to age, foremen recommended will enter the corps on passing a qualifying instead of a competitive examination. Leading men of shipwrights will be placed on salary with improved position. The salary will be in all cases equal to the present pay, with a higher maximum in prospect. This change will be specially beneficial to the older men, and it will take effect without delay. The question of the position and pay of the leading men of other skilled trades was not referred to the Committee on Professional Officers, and was not dealt with in their Report; but we fully recognize its importance.

PUBLIC HEALTH—DANGER OF CHOLERA—DISINFECTION OF IMPORTED TEXTILE FABRICS.

MR. BRINTON asked the President of the Local Government Board, What steps, if any, have been taken to disinfect wools, and also carpets, rugs, and such like textile fabrics arriving in this Country from the East before allowing them to be distributed to the public?

SIR CHARLES W. DILKE: We have issued orders with regard to rags, which from past experience are known to be capable of conveying infection, though even they have not been known to have conveyed cholera. Steps for the disinfection of wools, carpets, rugs, &c., are not, in the opinion of the medical authority of the Local Government Board, necessary, and any proposed disinfection would interfere in a disproportionate degree with the trade in these commodities.

POOR LAW (ENGLAND AND WALES) —WORKHOUSE DIETARY.

MR. CAINE asked the President of the Local Government Board, If his attention has been called to the substitution of a fish diet once a week in the Bristol Workhouse, at a cost of twopence per pound; and, if he will issue an instruction authorising Boards of Guardians to substitute not less than two pounds of fish for one pound of meat in their scale of dietary?

MR. GEORGE RUSSELL: Sir, the Board have not yet received any communication from the Guardians of the Bristol Incorporation as to the substitution, in their scale of dietary for the workhouse inmates, of fish for meat once in the week. A proposal was, however, a few days since submitted by the Bath Guardians to substitute fish for meat on one day in each fortnight, by way of trial, and it is now under the consideration of the Board. It does not appear to the Board that they can properly issue any general instructions to Boards of Guardians on this subject; but they will be quite prepared to consider any proposal which they may receive from Guardians, with the view to such a substitution as that suggested by the hon. Member.

PUBLIC HEALTH (IRELAND)—CHOLERA HOSPITALS.

COLONEL NOLAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If any body, board, or authority in Ireland is at present in possession of a portable hospital which can be put at the disposal of any union in which cholera may break out; and, if any board, office, or person in Ireland has authority to occupy any site which it or he may think the best for a temporary cholera hospital?

MR. TREVELYAN: Sir, in two or three cases the sanitary authorities have floating hospitals, or other hospitals, for infectious diseases; but, so far as we know, there is no body or authority at present in possession of a portable hospital, which can be put at the disposal of another authority in whose district cholera may break out. Every sanitary authority has power to provide a temporary hospital for the use of its own district.

COLONEL NOLAN said, he desired an answer to the second part of his Question.

MR. TREVELYAN said, the authority could be given under Provisional Order.

ARMY—H.R.H. THE DUKE OF CONNAUGHT—THE COLONELCY IN CHIEF OF THE RIFLE BRIGADE.

MR. LABOUCHERE asked the Secretary of State for War, Whether His Royal Highness the Duke of Connaught receives any pecuniary emolument as Colonel in Chief of the Rifle Brigade, and of the Regiment of Scots Guards, to which he has just been appointed; and, by what regulations as to length of service, and by whose recommendation, these Colonelcies are given to general Officers?

THE MARQUESS OF HARTINGTON: Sir, the Colonelcy-in-Chief of the Rifle Brigade is an honorary appointment. The Colonelcy of the Scots Guards would carry pay if held by an officer who, having been a General Officer before July 1, 1881, elected to remain on the former rate of unattached pay, with succession to the Colonelcy of a regiment. His Royal Highness the Duke of Connaught is not in that category, and consequently receives no pay as Colonel of the Scots Guards. Regimental Colonelcies are conferred on the recommendation of the Commander-in-Chief, with the approval of the Secretary of State. As a general rule, they fall to the General Officer of longest service; but the rule is subject to exceptions in special cases. Members of the Royal Family have always been recognized as exceptionally situated with regard to the Colonelcies of the Household Regiments.

MR. HEALY asked the noble Lord, whether he could state that the Duke of Connaught, by accepting these honorary Colonelcies, was not shutting out any other officer from promotion?

THE MARQUESS OF HARTINGTON: Undoubtedly, Sir, if the Commander-in-Chief had recommended the appointment of an officer of the first category, to which I have referred, that officer would have become entitled to pay of the Colonel—£2,000 a-year. It is, proposed, however, as these prizes in the Army are held by officers under the New Rule, that the Army should be, to a certain extent, compensated by the appointed of a Field Marshal. I cannot exactly state how soon that Regulation will come into force; but I do not think that, except the individual officer who might have been appointed to this Colonelcy with pay of £2,000 a-year, the Army in general will suffer in any degree by the appointment which has been made.

MR. J. R. YORKE desired to know whether the result of this arrangement was that £2,000 a-year was saved to the country?

THE MARQUESS OF HARTINGTON: Not altogether. As I have said, the arrangements are not yet completed. His Royal Highness the Duke of Connaught will not draw the pay of Colonelcy. The Field Marshal who will be subsequently appointed being an old and distinguished officer of high rank, that probably will lead to the vacation by that officer of an ordinary regimental Colonelcy, which will then become available for another officer.

MR. LABOUCHERE: Do I understand the noble Marquess to say that His Royal Highness the Duke of Connaught will not receive any pay for either of these Colonelcies?

THE MARQUESS OF HARTINGTON: No.

MR. LABOUCHERE: In that case there will be two Field Marshals appointed.

THE MARQUESS OF HARTINGTON: The Colonelcy of the Rifle Brigade always was an honorary appointment.

MR. ARTHUR ARNOLD: I understand from the noble Marquess that it is intended to appoint another Field Marshal. Having regard to the fact that the existing Field Marshals are either men of very advanced age or else Members of the Royal Family whom the interests of the country prevent from being sent on foreign service, I would ask whether the noble Marquess is disposed to recommend that an effective officer shall be appointed to that high rank?

THE MARQUESS OF HARTINGTON: Will the hon. Member give me Notice of that Question?

EGYPT (RE-ORGANIZATION)—APPOINTMENT OF MR. CLIFFORD LLOYD.

MR. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that Mr. Clifford Lloyd has got an appointment in Egypt; and, if so, what is the nature of it? He also wished to know whether the report was true that Mr. Clifford Lloyd had been given one year's salary as an allowance on leaving the position he held in Ireland?

MR. TREVELYAN: I understood, Sir, that this Question was to be addressed to my noble Friend the Under Secretary for Foreign Affairs on Monday. All I can say is that I do not know what has been done in that Department. Mr. Clifford Lloyd has not yet resigned the appointment which he held in Ireland.

MR. HEALY wished to know, if it was not a fact that the appointments of Special Resident Magistrates would terminate this month; and, if so, whether Mr. Clifford Lloyd's appointment would be renewed?

MR. TREVELYAN: No, Sir; my impression is that these appointments expire on the 30th of September.

MR. JOSEPH COWEN asked whether police protection would be accorded to Mr. Clifford Lloyd after his departure from Ireland for Egypt? Was not the right hon. Gentleman aware of the statement that a sentence of death had been passed upon Mr. Clifford Lloyd by the secret societies?

MR. TREVELYAN: I do not know that Mr. Clifford Lloyd is the only one who has had sentence of death passed upon him. I am afraid that it will be very hard to protect Mr. Clifford Lloyd against his will. Whether Mr. Clifford Lloyd will choose to be protected or not is a different question. The fact of the matter is that these Special Resident Magistracies expire on the 30th of September, and the intention of the Government, principally as a matter of administrative convenience and the economical advantage of the country, is to re-arrange the criminal administration of Ireland in the manner proposed in the Bill which we recently brought forward. That Bill having been dropped in a manner in which it would certainly not have been dropped if it had been brought in for the purpose of strengthening law and order in Ireland, it will be necessary to adopt whatever temporary measures may be required to preserve law and order. Although I deeply regret the dropping of that Bill, on account of the object being to promote economy and administrative convenience, I can assure the House that law and order will be no less strictly preserved.

SIR GEORGE CAMPBELL asked whether the House was to understand that no assurance had been given to Mr. Clifford Lloyd that the other appointment would be reserved for him?

MR. TREVELYAN: I do not know exactly what the arrangements are, as they are being carried on by the Foreign Office. Nothing has been done within my knowledge.

MR. BIGGAR asked what was the position of Mr. Clifford Lloyd at present with regard to the Irish Government?

MR. TREVELYAN: At the present moment he is a Special Resident Magistrate.

MR. BIGGAR: He is away on leave; how long will that leave be continued?

MR. TREVELYAN: I have in my hand a telegram from Mr. Clifford Lloyd, asking that His Excellency will extend his leave up to the 10th of this month. That I fancy would make his leave a matter of three weeks or a month, and I believe that is the first leave he has enjoyed during the three terrible years he has held office.

SUNDAY TRAFFIC (SCOTLAND)—THE STROME FERRY RIOTS.

SIR GEORGE CAMPBELL asked the Lord Advocate, Whether there is any Law in Scotland against Sunday traffic; if so, whether both police and military were employed at Strome Ferry to protect the Railway Company in breaking the Law, while those who sought to enforce the Law were prosecuted under his (the Lord Advocate's) instructions; and, if this be the case, whether he will take steps by legislation, or otherwise, to bring the Law and the practice into harmony with one another?

THE LORD ADVOCATE (Mr. J. B. BALFOUR): Sir, it is, to say the least, exceedingly doubtful whether the landing of fish and its transmission by railway on Sunday could be prevented by any law now in force, and there has been no recent instance of a prosecution on account of such Sunday work. I may point out that even under the old Scottish Acts works of necessity were excepted, and it is a question whether the conveyance to market of a large quantity of perishable human food, which would otherwise have been lost, was not such a work. The police were employed to prevent mobbing and rioting, and the military were in readiness at Fort George in case the police should be overpowered in the event of the rioting being repeated on a larger scale, as was threatened by much larger numbers. It is the fact that 10 of the persons who took part in the riot were prosecuted under my direction, and convicted by a jury. I am not sure whether I quite understand the last part of my hon. Friend's Question, but I may say that there is no intention to legislate in consequence of the recent occurrence at Strome Ferry.

SIR GEORGE CAMPBELL: May I ask the hon. and learned Gentleman to answer the first part of my Question—whether there is any law in Scotland against Sunday traffic?

THE LORD ADVOCATE (Mr. J. B. BALFOUR): I think I have answered the whole of the hon. Member's Question.

Sir HERBERT MAXWELL: I think the hon. and learned Gentleman's answer is somewhat ambiguous. Will he say whether there is or is not a law against Sunday traffic in Scotland?

The LORD ADVOCATE (Mr. J. B. Balfour): There is a whole series of old Scottish Statutes on the subject; and it has been held, within no very long time, that, at all events, as regards selling in shops on Sunday, some of those old Acts are not in desuetude. But there has been no question raised as to whether work of this kind is or is not struck at by these Acts.

Sir HERBERT MAXWELL: Is it an open question?

The LORD ADVOCATE (Mr. J. B. Balfour): I so regard it.

SOUTH AFRICA—ZULULAND—CETEWAYO.

Sir STAFFORD NORTHCOTE asked the First Lord of the Treasury, Whether he can state to the House the conditions under which Cetewayo was allowed to return to Zululand; and, whether any, and what, restrictions were placed on the amount of forces which he was to be allowed to maintain? In putting the Question, the right hon. Gentleman said, that since he put the Question on the Paper his attention had been called to the fact that the conditions under which Cetewayo was allowed to return had been published and laid before Parliament; but the point on which he particularly wished for an answer was as to the restrictions, if any, which were placed on the amount of forces which Cetewayo was to be allowed to maintain.

Mr. GLADSTONE: Sir, the right hon. Gentleman has probably not got the exact reference as to these matters. The reference is Paper C. 3,466, pp. 113 and 250, and the right hon. Gentleman will there find an answer to the first part of his Question. With respect to the amount of forces Cetewayo was to be allowed to maintain, there was no restriction placed upon him, nor was there any in force at the time when a certain number of 13 Chiefs were put in possession of the dominion of Zululand, nor was any restriction placed on Usibebu, or any other person retaining power in Zululand. The understanding with Cetewayo was, however, that he was restrained from reviving his old military system.

PARLIAMENT—BUSINESS OF THE HOUSE.

MINISTERIAL STATEMENT.

Mr. GLADSTONE: With respect to the course of Business to-morrow, we hope to get, if possible, to the Report on the Scotch Agricultural Bill to-day; but, if not, it will be taken after the Parliamentary Registration (Ireland) Bill to-morrow, that Bill having been substituted for the Report on the Bankruptcy Bill at the wish of hon. Gentlemen opposite. ["Oh!"] There are several other measures as to which we hope to take a stage to-morrow, getting the Speaker out of the Chair on the Prevention of Cholera Bill if we should attain to the second reading of that Bill to-night; and we might also get the Speaker out of the Chair on the Local Government Board (Scotland) Bill, but not to go on with Committee on that to-morrow unless it is generally agreeable to Members of the House. As to the course proposed for Monday and Tuesday, hon. Members are aware of that; but on Wednesday, such very strong appeals having been made from the other side of the House, which we are very desirous to meet, we propose to take the Report on the Corrupt Practices Bill, altering the Order in compliance with the representations made to us. The Corrupt Practices Bill will, therefore, be brought forward on Wednesday, and I shall hope on Friday to get to the Report on the Bankruptcy Bill; but of that we will speak again in the course of the early part of next week.

Sir STAFFORD NORTHCOTE: The right hon. Gentleman used an expression just a moment ago about the Parliamentary Registration (Ireland) Bill to the effect that it was to be taken to-morrow in deference to the wish of Gentlemen on this side of the House.

Mr. GLADSTONE: I said it was substituted at the request of hon. Gentlemen opposite.

Sir STAFFORD NORTHCOTE: The wish expressed was that the Report on the Bankruptcy Bill should not be taken to-morrow, and no wish was expressed that the Parliamentary Registration (Ireland) Bill should be taken. What I was anxious to ask is, will the Government undertake that, after the Bills which they themselves bring forward on Saturday, they will move the adjournment of the House, so as not to permit other Bills to be taken which are not Government measures? That, I think, has been the usual undertaking when we have Saturday Sittings, and I think it is one which the House generally expects.

MR. T. P. O'CONNOR wished, before the right hon. Gentleman gave that pledge, to point out that the Labourers' (Ireland) Bill stood immediately after the Government Orders of the Day for to-morrow. It was a Bill of a non-contentious character, which passed the second reading without any Division. On the second reading he intimated that any Amendments proposed from either side of the House would be favourably considered by the promoters of the Bill. The Government proposed a large number of clauses which the Irish Members had embodied in the Bill. Since then the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had placed two Amendments on the Paper which the promoters of the Bill would accept, and Amendments by the hon. and gallant Member for Dublin County (Colonel King-Harman) would also in principle be accepted. Therefore, he might describe the Bill as non-contentious. The only stage which he proposed to ask the House to pass was that the Speaker be allowed to leave the Chair; Progress would then be reported. He hoped the Prime Minister, inasmuch as this Bill was not opposed by the Leaders of the Conservative Party, would allow that stage to be taken to-morrow.

MR. ANDERSON wished, before the Question of the Leader of the Opposition was answered, to ask the Prime Minister if it was not the fact that the Government could only pledge itself in regard to Government Business; whether it was not the right of the House at the time the Clerk at the Table called an Order, to decide when that Order should be taken; and whether, if the House decided that the Order was to be taken on Saturday, it rested only with those present on Saturday to decide that the House should or should not go on with it? He wished, further, to ask whether it was not the fact that last year, when the Government attempted to pledge itself against Private Members' Bills, they were defeated in the attempt?

MR. GLADSTONE: It rests with the House, and not the Government, to decide what Orders it shall take, or whether it shall take any Order whatever; but the Question addressed to me by the right hon. Gentleman is strictly confined to the part which the Government will take in respect to these Bills. Addressing me as a Member of the House, I feel greater force in the appeal made by the hon. Gentleman the Member for Galway (Mr. T. P. O'Connor) than when it is addressed to me as a Member of the Government, and responsible for arranging its Business. I consider I have no power to act in the matter. I am bound by good faith. When we obtained the extra time on Tuesdays and Wednesdays it was on a strict pledge, that so far as we were concerned, that extra time should only be applied to putting forward Government measures, and I must say the same pledge applies in its spirit, and, perhaps, even in its letter, to any Sitting on Saturday. I have, therefore, no option whatever but to say that we shall act in the manner stated by the right hon. Gentleman.

MR. T. P. O'CONNOR said, the right hon. Baronet the Leader of the Opposition might be aware that several Members on his side of the House had expressed themselves anxious that the Irish Labourer's Bill should be promptly passed. Under the circumstances, he would ask whether he had any objection to the Government making an exception in favour of this Irish Labourers' Bill; and whether he would take upon himself the responsibility of imperilling, if not destroying, the chances of the Bill being passed this Session?

SIR STAFFORD NORTHCOTE: I do not know whether I am quite in Order in answering this Question; but I wish to call attention to one point—namely, that my right hon. and learned Friend the Member for the University of Dublin is not here to-day and will not be here to-morrow, and I do not think the Bill ought to go on in his absence?

MR. T. P. O'CONNOR pointed out that he had already stated that he only wished to gain one stage, and that if they got into Committee on the Bill he would immediately report Progress.

MR. J. W. BARCLAY asked whether, in the event of the Agricultural Holdings (Scotland) Bill not being read a third time at to-day's Morning Sitting, it would be allowed to take precedence at the Evening Sitting?

Mr. GLADSTONE explained that the Government had no power to bring the Bill on before Supply; but he would do the best he could in the matter.

In reply to Sir Henry Holland,

Mr. CHAMBERLAIN said, he had looked at the Amendments to the Patents Bill, and should be able to accept them with some verbal alteration. Under these circumstances, and believing there was no objection to the measure, he proposed that it should be taken that day.

ORDER OF THE DAY.

LOCAL GOVERNMENT BOARD (SCOTLAND) BILL.—[Bill 251.]

(*Secretary Sir William Harcourt, The Lord Advocate.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir William Harcourt.*)

Mr. DALRYMPLE said, he could have wished that this Bill had been consigned to the legislative limbo where various measures of Her Majesty's Government had already gone; but as the Government had decided to take the judgment of the House upon it, even on the 3rd of August, he was not sorry to have an opportunity of stating the strong objections he entertained towards it. Who had asked for this particular measure? Who was, he would not say enthusiastic about it, but who really liked it? Who considered it was adequate to meet all the circumstances of the case? Who considered it would be a settlement of an important question? What was the language that was used about it outside these walls? It was described as an instalment, as a step in the right direction, as an advance on the present state of things, as a measure that would do little good, but would not do much harm; and only to-day he had read in the leading Scottish journal—he meant *The Glasgow Herald*—the following:—

> "We have always proclaimed the absolute innocence of this, the latest development of ideal Scottish administration."

Mr. J. W. Barclay

That was not very warm advocacy of the Bill. He was rather reminded of a good House of Commons' story of the right hon. Gentleman the Member for North Devon in reference to some *ad captandum* measure of the Government which was to help the farmers. Some farmers were asked whether they really liked the measure, and they said—"Oh, yes; we like it." "But will it do you any good?" "No; it won't do us any good; but we like the attention." It seemed to him that this measure was exactly a measure of that kind. It would not do much good, and it would not do much harm; but they liked the attention. There was no doubt that there were some persons who thought that even a bad Bill was better than no Bill at all for Scotland. He was not one of that number. The hon. Member for Edinburgh said the other day that the more he looked at the Bill the better he liked it. That seemed to imply that when he first saw it, he did not like it much. He could quite understand the hon. Member supporting the Bill, because the bellows-blowing in respect to this Bill had been in Edinburgh chiefly; and he had no doubt that in the mind's eye of many people in Edinburgh there was a vista opened of fussiness, self-glorification, and deputations without end. His view of the Bill, however, was exactly the reverse. The more he looked at it, the less he liked it. His belief was that it would undo much good, and initiate much that was mischievous. His purpose was to ask what was the attitude of hon. Gentlemen opposite representing Scotch constituencies towards the Bill? He was not going to tell the House what he believed their feelings to-day were, as they would have an opportunity of doing so themselves; but he wished they were free to say what they thought about the Bill. That was a strong thing to say; but he said it on his own responsibility as a Member of the House. There was an unreality about this whole business that struck him from the very first. There was an unreality as to the causes that led to the Bill; there was an unreality about the support given to it; and especially there was an unreality about the explanations of the Bill. With regard to the causes that had led to the Bill, it was said that their interests in Scotland were neglected. A high authority said, the other day—"We are overlooked." He said, also, that it was not legislation that they lacked in Scotland, but attention; and it struck him (Mr. Dalrymple), at the time, that that remark indicated the unreality and the fancifulness of the statement that their interests were neglected. He wanted to know, if they were neglected, whose fault was it? He did not desire to say anything against the Scotch Liberal Members. He entertained a warm regard towards most of them, and was proud to act with many of them on different occasions. But if the interests of Scotland were neglected, what were the 50 Liberal Scotch Members about? What did the Scotch Liberal Members effect for Scotland; or, rather, what might they not effect, if they were agreed? And yet the method they adopted when they were promoting the progress of any particular measure was of the most peculiar kind. They suddenly became aware that one or two Scotch Liberal Members were in a state of great activity and excitement, and upon inquiry they found they were engaged in the process of hawking about a "round robin" to be presented to one of their own number. That "round robin" asked that a certain measure should be advanced, and it was presented to the right hon. Gentleman at the head of the Government, who was a Scotch Member. He ventured to say that if the Scotch Members proposed to effect much for Scotland they must go very much beyond the argument from the "round robin," which he thought was an impotent method of proceeding, and he marvelled that they should have recourse to it, when there were ordinary and better means of pressing their views on the attention of the Government. But if their interests were neglected, which he denied, had there been anything wrong in the management of Scottish affairs? He understood from the Secretary of State lately that the management of Scottish affairs had been admirable. If, however, there had been defect, it was because the natural management of Scotch affairs in this House by the Lord Advocate had been impaired as to its efficiency of late years. This was no new thing. It was in the years preceding the administration of the present Officers of the Crown, that the Office of the Lord Advocate was seriously impaired. The right hon. Gentleman the late Home Secretary (Sir R. Assheton Cross), owing to circumstances which he would not describe, absorbed the power of the Lord Advocate. The separate residence of the Lord Advocate was abolished, and he was made the occupant of a very small and, he believed, unwholesome room in the Home Office. That went far to impair the diginity and the power of the Lord Advocate. Yet he was happy to say that the Lord Advocate's Office, and the occupant of the Office at the present moment, were as capable as ever of fulfilling all the requirements of the people of Scotland; and if proof were wanted, it would be found in the management—the skilful, courteous, and ready management—of the Scotch Agricultural Holdings Bill. If excuse were needed for attacking the Bill—and he denied that there was any—it would be abundantly found in the speech of the Home Secretary in introducing the Bill. He read the other day a remark by Mr. M'Laren, formerly Member for Edinburgh, who described the speech of the Home Secretary as being of the "don't duck me in the pond" style. That, he thought, very happily described the speech of the right hon. and learned Gentleman. The right hon. and learned Gentleman was careful to explain that the recent system of the management of Scottish affairs worked particularly well—so well that he threw the reins on the necks of Lord Rosebery and the Lord Advocate. He thought that was a happy-go-lucky expression, although Lord Rosebery was the author of it, because if they threw the reins on the neck of a horse they were very likely to come to a smash; and he was not surprised, therefore, to hear that the arrangement of throwing the reins on the necks of Lord Rosebery and the Lord Advocate was only a temporary one. Now he came to the explanation of the Bill given by the Home Secretary in introducing it. The right hon. and learned Gentleman, on that occasion, said it was not a grandiose proposal. But they lived to learn. Who would have thought that, of all people, Lord Rosebery would go down to Edinburgh and choose the complimentary occasion of his receiving the freedom of the City to advance this not grandiose proposal? Lord Rosebery, he need not tell those who knew Scotland, was a clever and attractive speaker. He had a happy humour about him which was quite beyond the comprehension of those Radical audiences whom he delighted, and on whom his speeches had a bewildering and bewitching effect. There was a mixture of flattery and exaggeration about his speeches which put his audiences in such a state of ecstasy that they would take anything from him, and their gullibility and credulity were unfathomable. He thought it very hard on this poor Bill that it should be made the subject on that complimentary occasion of this damaging exaggeration. If he (Mr. Dalrymple) were a friend of the Bill, which he was not, he would deprecate exceedingly this exaggerated and inflated criticism and advocacy. But what a contrast there was between the account given of the Bill in that speech and that given by the right hon. and learned Gentleman in introducing it. They ought to be thankful for the tone of wisdom and moderation of the Home Secretary, which contrasted so favourably with the extravagant criticism of his late subordinate. After quoting extracts from the speeches of Lord Rosebery and the Home Secretary, the hon. Member went on to say that it was a gross exaggeration on the part of Lord Rosebery to assert that there had been no definite arrangement for the conduct of Scottish Business. All he could say was that if the state of things was, as the right hon. and learned Gentleman (Sir William Harcourt) stated, satisfactory, what was the cause of the resignation of Lord Rosebery? It was said that the resignation of Lord Rosebery was intended to propitiate the Scottish Members, and to facilitate the arrangement of Scotch Business. What was the history of this measure? In its "pawkiness"—to use a well-known Scotch word—in regard to the quarter from which the salary was to be obtained, it was essentially Scotch. But in other aspects, in its disregard of the expectations and demands of the people of Scotland, and in its inadequacy to the circumstances of the case, it was essentially English. It could not be said there was to be no additional charge to the country, because if the salary of the Lord Privy Seal was not wanted, it would not be a saving to the country to apply it to another purpose. But he passed that by. The right hon. and learned Gentleman, when he introduced the Bill, described it as a *tertium quid*, because there had been a proposal on the subject by the late Government, and there was a demand in Scotland for something else; therefore, it was a *tertium quid*. The proposal of the late Government was to appoint an Under Secretary. The proposal was well intended; but it was mixed up in a ridiculous way with the Registry Office in Edinburgh, and no wonder the scheme was not heard more of. But the proposal to appoint an Under Secretary was perfectly intelligible, and it would have met the case which was sometimes mentioned where the Lord Advocate had not obtained a seat, and where the Business of Scotland required looking after in the House of Commons. But the other proposal was that which had been very generally made in Scotland, that there should be a Secretary of State for Scotland. That was the thing that was asked for, and was still asked for, and which it was expected would be got, even though the present functionary under the Bill was appointed. The different bodies in Scotland, whose opinion received the greatest possible attention when they happened to be in accordance with the wishes of the Government, all asked for a Secretary of State for Scotland, and not for a President of a Local Government Board; and it was highly characteristic of some of these bodies that, having asked for bread, they should be, hat in hand, thanking the Government for any stone they might get. He thought there was no dissatisfaction among these bodies as to the time that was devoted by the Lord Advocate to Scotch affairs. On no ground whatever was there any necessity for meeting the case on the assumption that the Lord Advocate might not occasionally succeed in finding a seat in Parliament. It was not a Lord Advocate only that sometimes failed to obtain a seat in Parliament, for he remembered two notable occasions on which Home Secretaries had failed to obtain seats; but he was not aware that the business of the Home Office had come to an end on that account. He would not go back on the recent management of Scotch affairs; but they knew that in consequence of remarks not always well-founded, but made in a general way, that Lord Rosebery was appointed about two years ago to give assistance to the Home Office, and have charge of Scottish affairs. If that arrangement had worked well, why did it end? They were told that one day in Committee of Supply the hon. Member for Burnley (Mr. Rylands) stated that it was necessary that the Under Secretary for the Home Department should be in the House of Commons.

SIR WILLIAM HARCOURT: It was the late Home Secretary who said so.

MR. DALRYMPLE said, it was the remark of the hon. Member for Burnley, which was endorsed by the late Home Secretary. The remark fell upon fruitful soil, for no sooner was it uttered than the change was made—and he had no doubt it was a very proper change—and the hon. Member for Oldham (Mr. Hibbert) was made Under Secretary. But what had that to do with the resignation by Lord Rosebery of the management of Scotch affairs? Because, if it were necessary that the noble Lord should have the management of Scotch affairs, he did not see why he should not have remained in charge of them. Was the resignation of the noble Lord a mere excuse? What part of the arrangement was intended to propitiate the Scotch Members? Because that had never been cleared up. Could it be that the Office of Under Secretary was not quite adequate to the dignity of the noble Lord? He had not heard the least explanation; but if any of these reasons was the right one, how very painful must have been the suggestion that there were dissensions in the Home Office. He could not but recollect that the rumour of the dissensions led to that interesting account which the right hon. and learned Gentleman (Sir William Harcourt) gave of his relations with Lord Rosebery. The House was moved by the account given by the right hon. and learned Gentleman, though there were some profane persons—and he (Mr. Dalrymple) was one of them—who found relief in laughing. The House would recollect the letter which the right hon. and learned Gentleman read from Lord Rosebery, in which he said that he knew what must have been the feelings of the right hon. and learned Gentleman with regard to these unfounded rumours. After that interesting revelation, he (Mr. Dalrymple) had looked on the Home Office with different eyes, as being the scene of such idyllic harmony and peace. The other day there was a very true remark made by a Scotch newspaper upon the management of Scotch affairs—namely, that it was characterized by "instability dashed with hilarity." That remark was completely true of the Bill. The Parliamentary functionary whom this Bill was to create was to be a Peer and not a Peer. The Bill contemplated centralization; and yet he ventured to say in a remarkable degree it suggested notions of a separate control of Scotch affairs. Then, with regard to the Boards, it was stated that they were working well; and yet this new Board was to swallow up the smaller Boards. [Sir WILLIAM HARCOURT: It does not.] Well, at least, this new Board was to make it its first business to overhaul the present Boards, and endeavour to ascertain whether the expenses of this new Department could possibly be defrayed out of their savings. That was a pitiful object to announce as the first duty of this new functionary. As he had said last night, they were thoroughly overhauled 14 or 15 years ago, and the Commission which was sent down to curse remained to bless them. But then there was "instability dashed with hilarity." He remembered that when, the other day, the Vote for the Lord Privy Seal's salary came under consideration, there was a sort of coyness or self-consciousness on the part of the Government which led him to see that there was to be no further proposal about the Lord Privy Seal. It was to be another person altogther, and the salary was to be absorbed for this new functionary. To create this new functionary, two Offices were to be destroyed. What the Prime Minister called the "lay character" of the Lord Advocate's Office was to be abolished, and the Office of the Lord Privy Seal was to be abolished, or to be held by a distinguished person without salary. The scheme was at once simple and complicated, subversive and reactionary. It subverted the present state of things; and yet, in one sense, it was reactionary. For while, at present, there was very much in common between the two countries, it was a step of a reactionary kind to establish a separate management of this kind. The most dismal hilarity was found in the 6th clause, which reserved the rights of the Lord Advocate. He thought that was adding insult to injury, and if the Bill reached Committee he should move the rejection of that clause. It was the merest mockery. No one could doubt that, whatever were the privileges and rights of the Lord Advocate, the lay character of the Office would be abolished. But the highest pitch of hilarity of all was reached about the *personnel* of this new Office. It was a very sad day indeed when Lord Roseberry resigned; but they might take comfort and think of that resignation with something like calmness, because Lord Rosebery was evidently about to be the new Minister. In fact, he thought that the Bill, in its main provisions, was intended to provide for Lord Rosebery. He claimed not to be considered unreasonable in opposing this Bill, for he might state distinctly that one of two courses would abundantly satisfy him. Although he did not like what the Home Secretary called the *tertium quid*, he should have been satisfied if the old responsibility and vitality of the Lord Advocate could be restored once more; and he wanted to know had any stand been made for that within the Government? When Lord M'Laren was amongst them, he believed that he did make a stand, not only for the ancient privileges, but the duties of the Lord Advocate. He believed that David stood up to Goliath at that time, and contended successfully with Goliath, until Goliath lifted him up bodily and placed him on the Judicial Bench. He wanted to know whether any remonstrance, any argument, or any resistance had been offered on this occasion to the final destruction, as he considered it, of the old character of the Lord Advocate's Office? He would fain believe that there had been, though they were not likely to hear it. Or, on the other hand, he would have been content, although he did not think it necessary, if the Lord Privy Seal had been appointed, with the charge of Scotch affairs. That would have been an Office of dignity and of great importance. It would not in any way have interfered with the Lord Advocate in that House, who would still have represented Scotland as heretofore in the House of Commons; and he thought—though perhaps not much consideration would be given to the idea—that such an appointment would have appealed to the imagination of the Scotch people, and gratified them very much. He knew quite well that that would have necessitated the appointment of a Peer; but he believed that the present Bill contemplated the appointment of a Peer, and he was one of those people who imagined that a Peer was not beyond the reach of human influences, and might be well fitted to manage Scotch affairs. He knew of some half-dozen Scotch Peers who could have abundantly fulfilled the idea in his mind; and why should not Lord Rosebery be Lord Privy Seal, with the management of Scotch affairs? That would have been an adequate proposal, and would have commended itself to the people of Scotland. He had no objection to Lord Rosebery being in that or any other Office. Lord Rosebery had made himself exceedingly courteous and pleasant to everyone in connection with Scotch affairs. He had a happy humour about him, which was not the strong point of Liberals as a rule; and although Radicalism, like adversity, might make him acquainted with strange bed-fellows, the noble Lord would have been able to discern between the real feelings of Scotland and the fussy activity of cliques and sects. That would have been an Office worthy of Scotland; but this President of the Local Government Board was neither one thing nor another. In this Bill, and in the prospect of this appointment, they were introduced into the higher regions of beadledom. It was a state of things in which the work was not so much ready to be done as requiring to be made. He felt there was the greatest susceptibility of mischief in that. There was at the bottom of it all an opinion that if this Scotch Board was created, much more Scotch Business would be transacted. The experience of the Local Board in England did not promise much in that way. Scotland was represented in several quarters as pining and panting for legislation. He did not recognize the description. They might create what Office they liked, and put what official they pleased into it; but unless there was a substantial agreement between the Scotch Members on both sides, Scotch measures would not have a chance of passing, even if there were half-a-dozen Secretaries of State. He regretted the introduction of this measure, and should deeply regret its passing into law, for he thought it destroyed much good, and initiated much mischief. He was one of those who thought that those were not true friends of Scotland who wished to accentuate the differences between the two countries. The more the politics and measures connected with Scotland and England were identified, the better would it be for this House and for Scotland, and for the Empire generally. He supposed it would be said that Scotch sentiment was in favour of this Bill. He awaited with interest the statements which would be made as to the real state of feeling in Scotland on the subject. He wished he could hear the real sentiments of his hon. Friend opposite upon this subject. He had no fear whatever that in this or any other matter the special interests and predilections, aye, and the prejudices, of Scotland would not be respected; but he thought the initiation of this new arrangement was calculated to widen the distinctions between Scotch affairs and English affairs in a manner that would not be beneficial to Scotland. He did not know what might be the judgment of the House upon this matter any more than he knew what opinions hon. Gentlemen might express publicly about it. He was not in the habit of collecting information on any subject in this House. Though he had not been at any pains to conceal his strong opinion against the Bill, he was not in the habit—as some Members were—of publishing his opinions through letters to the newspapers, or through the letters of a special correspondent; but he should give this Bill now, and should always give it, the strongest possible resistance. He believed it was absolutely unnecessary; but that if such a measure was necessary, then it ought to have been a measure commensurate with the importance of the case, consonant with the feelings of the people, and worthy of the history and traditions of Scotland. The hon. Member concluded by moving the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Dalrymple.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. JAMES STEWART said, that he was one of the Liberal Members alluded to by the hon. Gentleman who had just sat down who did not profess to attempt to amuse the House with humorous remarks. He would do the hon. Gentleman the justice to say that he had never heard a speech so full of acrid humour as that which had just been delivered. He would not answer any of the hon. Member's questions, but would simply refer him to the constituencies of Scotland for answer. Differing entirely from the hon. Gentleman, he was exceedingly glad that the Government had seen their way to bring forward this measure, and so to meet the wishes of the people of Scotland. The Bill, in his judgment, gave fair promise to supply the want of which the people of Scotland had long complained — namely, that their legislative affairs in that House had not got sufficient attention. That complaint might almost be said to be a matter of ancient history. In the year 1858 the right hon. Member for Montrose (Mr. Baxter) brought the matter before the House by way of Motion, and was followed into the Lobby by a very considerable minority. Since that time, the dissatisfaction of the people of Scotland had found frequent occasion of expression in Parliament. This meant no reflection on the distinguished Gentlemen who from time to time had occupied the post of Lord Advocate. It was no fault of theirs that the machinery at their command was inadequate to meet the requirements of Scotch legislation in a full and efficient manner. He might be permitted to observe that the force of the demand which had induced the Government to bring forward this measure had received no accession of strength, but the very opposite, from the character of the distinguished man who at present so worthily occupied the post of Lord Advocate. Had this measure implied any impeachment of that Gentleman's conduct of affairs, it was not necessary to say that it would not have seen the light of day, and would never have had the support of Scotch Members. He doubted if ever there was a Lord Advocate who had discharged his duties with greater ability and with greater acceptance on the part of Members of that House and of the people of Scotland generally, than the present Lord Advocate. But it was another and totally different question how far the present system was calculated to advance the legislative interests of Scotland. He wished to disabuse the minds of English Members—whose susceptibilities the hon. Member who had just spoken had endeavoured to arouse—of the idea that this demand on the part of the people of Scotland had anything in it approaching in the remotest degree the notion of the establishment of an *imperium in imperio.* It was in no merely provincial spirit that the Scottish people advocated this measure. It was no question of Scotland *versus* England. The national sentiment in Scotland was altogether of a healthy kind. It was a source of strength, and not of weakness, to England. They were proud of their nationality, and were also proud to feel that they were an integral part of the British Empire. This had been brought about by the wise and considerate recognition of the national sentiments of the Scotch people by those who in bygone times had administered affairs in this House. He was led to make these remarks, not only by the observations of the hon. Member opposite, but by the tone taken by the English Press when discussing this Bill. An article in the leading journal had put forward the view that if the Government acceded to the wishes of Scotland in this matter, they ought to recognize the claims of Yorkshire as well. The time might come when it might be desirable to decentralize government in regard to certain matters, and to divide the country into districts for the purposes of administration; and he could conceive, for instance, that Superior Courts of Justice might now be established with advantage at York or Lancaster; but to compare Scotland, with her distinctive laws and institutions, with York or Lancaster, showed a lamentable degree of prejudice and ignorance. He was glad the Government had not been swayed by such arguments and prejudices as these. It could not be denied that there was still a marked difference in the views and feelings of the people of Scotland on many subjects; but he considered that it would not be the desire of any wise Government to ignore those differences in any way that might offend or dissatisfy a loyal people. The impossibility of getting due attention paid to the legislative demands of the Scotch people caused loud complaints against the last Liberal Government, and they were continued under the Government which succeeded to Office in 1876. The late Home Secretary (Sir R. Assheton Cross) introduced a Bill to meet those complaints; but it did not give satisfaction to the people of Scotland, and he was glad that the present Government had been able to improve on the arrangements then proposed. Very few words were necessary in order to show that the present system could not be expected to yield the best results. In the first place, the one official who was especially to represent Scotland in the Government must be selected from among the members of the Scottish Bar. Men of the highest distinction, no doubt, were always appointed; but it must be remembered that, as a rule, the Bench and not the floor of that House was the goal of these gentlemen. During the last 40 years there had been 17 changes in the Office of Lord Advocate—on an average one in every two and-a half years. He found that 13 Gentlemen had occupied the post during that time. Lord Moncreiff held it for 13 years, and the tenure of Office of nine of the remaining 12 Gentlemen averaged a little over a year and a-half. Was it possible to acquire a knowledge of Parliamentary work in a short novitiate of that kind? Then the Lord Advocate had no sort of permanent staff attached to his Office; his Private Secretary usually went with him when the change of Office occurred, and the continuity of the work of his Department was almost certain to be cut asunder. Again, the Lord Advocate had a private practice to attend to. He did not mean to insinuate that a high-minded man such as the present Lord Advocate would allow his private interest to override his official duty. He knew, indeed, that the Lord Advocate sacrificed his private interests to the discharge of his public duties. But, looking at the vicissitudes of public life, they could not expect the Lord Advocate to give up his private practice. He questioned whether any other public official did so much official work for so small remuneration. He believed it would be found that the correspondence passing through the Lord Advocate's Office in these days was as much as the whole correspondence which passed through the Home Office 20 years ago. The marvel was that with such a system the work of Scottish legislation went on at all. But there were some people who viewed with impatience anything like separate Scotch legislation. They said that the law should be the same in the whole Kingdom; but those people forgot that, at the time of the Union, Scotland was guaranteed separate Laws and separate Courts, and they were not well-informed as to the great difference of opinion which existed in Scotland upon many points of legislation. Take the Temperance Question for instance. Would anyone say that, although Scotland was able 30 years ago to adopt the Forbes-M'Kenzie Sunday Closing Act, she ought to have done without that Act because it was not then considered that such a measure would be in the interest of England? This illustration showed, he thought, how absurd it was to say that where a section of the country, differing as Scotland did from England, was able to adopt beneficial measures, they should not be carried into effect until the whole of the country was able to follow. He admitted that the work of the assimilation of the law ought to go on, but it must necessarily be a work of slow progress. That progress, however, would, he considered, not be hindered, but helped largely, by the measure which was before the House. They had no reason to complain of the amount of Scotch law which has been imported across the Border, and he would be a bold English lawyer who would say that even now there were no points of Scotch law which might not, with advantage be adopted in England. But, on the other hand, it would be found that there were not a few provisions which had been engrafted on English measures from which Scotland derived no advantage, simply because English draftsmen found it easy to escape the intricacies of Scotch law by the simple process of saying—"This Act shall not apply to Scotland." He thought that the more efficient administration of Scotch Business under this Bill would do a great deal to correct this evil, and in that way the desirable work of assimilation would go on all the more speedily. There had been in Scotland an almost unanimous expression of feeling in favour of the Bill. As far as the representative bodies were concerned, it seemed to him that they had spoken in no uncertain voice in regard to their approval of the Bill. A very important body—the Faculty of Advocates in Edinburgh—the other day adopted a resolution in favour of the Bill, and showed that they preferred the interests of the nation to what might appear to be their class interests. They followed in this matter the steps of an eminent Scotch lawyer, who was Solicitor General in 1832 (afterwards Lord Cockburn), and who wrote in that year that he not only approved of the separation of the legal functions of the Lord Advocate from his political functions, but also desired the appointment of a Political Minister for Scotland. He did not consider it necessary to discuss the Amendments on the Notice Paper, none of which, he thought, were of importance, nor did he propose to go into the details of the Bill at this stage. He thought they were well calculated to meet the wants of the case. He hoped sincerely that the Government would be able to carry this measure, and he anticipated from it the utmost advantage to the Kingdom at large and to Scotland in particular.

MR. COCHRAN-PATRICK said, he took a different view from that of his hon. Friend the Member for Bute (Mr. Dalrymple). The principle of the Bill now before the House was to establish a Minister directly charged with the conduct of the affairs of Scotland, and responsible for them, and that was a principle strictly in accordance with the Constitutional theory and the Constitutional practice of the country. It was a principle which had received the sanction of the greatest Leaders on that side of the House; it had been approved of by Mr. Pitt, and it had been attempted, though unsuccessfully, by the late Lord Beaconsfield. He would support the second reading of the Bill, not only for the reasons he had given, but because he held it to be an admission on the part of Her Majesty's Government of the deplorable neglect into which Scottish Business had fallen in Parliament, and a recognition on their part of the necessity of doing something to remedy this state of affairs. But, while he approved of the principle of the Bill, there were many points in the details of the measure to which he had very strong and serious objection. The whole matter of Scottish Business involved two considerations which were distinct in themselves, and which it was highly important not to confound. One was the internal administration of the affairs of Scotland, or, in other words, the carrying into execution measures which had already received the sanction of Parliament and had become the law of the land; and there was the conduct of Scottish Business in Parliament, or, in other words, the giving to measures which were believed to be necessary for the good of the country a proper position in the Parliamentary programme. It had been said, and he believed it was perfectly in accordance with truth, that this Bill had been brought in on account of a certain amount of dissatisfaction existing in Scotland. He believed that such dissatisfaction did exist, and was very widely spread; that it was found in every class of society and in every political party in the country; but he did not hesitate to affirm that nine-tenths of that dissatisfaction arose, not from the internal administration of the affairs of Scotland, but from the conduct of Scotch affairs in Parliament. That being so, the question was how far did this Bill, introduced at the fag-end of a Session, deal with this important matter? Unless along with the Bill they had a direct assurance that Parliamentary measures for Scotland would be introduced at such a time that full consideration would be given to them, this Bill would, in his opinion, be unable to relieve the dissatisfaction of which he had spoken. It might be thought that any direct interference by Parliament with the Executive Government in the conduct of Scottish affairs would be unprecedented and impracticable. He was not prepared to say it would not be so; but there already existed a Treasury Minute of 1720 which provided that so long as Scotch Business was brought forward by the Government, that Business should be taken on one Government day each week until it was disposed of. He believed there was only one way in which the dissatisfaction which existed in Scotland could be removed. It could only be removed by giving to the proposed new Minister for Scotland, no matter what his title might be, such a place in the Government as would enable him to exert the influence of a Cabinet Minister. He was not one of those who found fault with the Bill because it did not make a direct provision of that kind, because it was utterly impossible that any Act of Parliament could do so. He believed the words of the present Bill were exactly the same words used in the Act which appointed the right hon. Gentleman the President of the Local Government Board for England; but the fact that they were not able to make it a condition of the appointment that the Minister should be in the Cabinet made it all the more necessary to have some assurance from the Government that such Minister should have such a predominant influence. If such an assurance were given, he had no doubt it would go a long way towards removing the feeling with which the measure was regarded in some parts of the House. There was another part which was important in considering the Bill. Many persons believed it would be of importance to have a Minister for Scotland in the House of Commons. He did not by any means share that opinion. They had already in the House of Commons a well-known Officer of State who was truly competent, if his action was free from shackles and restored to the position in which he was originally, to do all that was required in the House. It was, he believed, thought by some Members that the Lord Advocate of Scotland was only the official Head of the Bar. That was altogether a mistaken view of the position of the right hon. Gentleman. More than 400 years ago—in 1482—the King's Advocate for Scotland was, and had been for a long time previously, a high Officer of State. Then he was not necessarily a lawyer. The first Lord Advocate of whom we had any knowledge was Ambassador to the Court of England; and the fact that the Lord Advocate from that period till the present time was a high Officer of State, apart altogether from his legal duties, pointed directly to the proposition that he was the proper person to be charged with the conduct of Scotch affairs in the Lower House of Parliament. The objections to the measure had already been answered by the hon. Member for Greenock (Mr. James Stewart). There was no desire in Scotland for Home Rule; but a Bill like this, giving a just consideration to the measures deemed necessary for the conduct of Scotch Business, would have a direct tendency to prevent those feelings arising which they saw elsewhere, and which led to the desire for Home Rule. It had been said that there had already been a Secretary of State for Scotland, and the appointment had not proved successful. It was perfectly true that there was a Secretary of State for Scotland up to the year 1725, when the Office was abolished, simply because the then Ministers believed that the then Secretary of State for Scotland, the Duke of Roxburghe, was intriguing against them in that country. In 1731, however, the Office was again constituted, and continued till 1746, when the unfortunate event of the Rebellion, and the feeling which it created in this country, effectually caused the cessation of the appointment. He would not detain the House with any lengthy statement in support of the position he took up. He hoped that if the Bill passed the second reading the Government would be prepared to consider in Committee such Amendments as would make it of a more practical character, especially with regard to the Schedule at the end of it. In that Schedule there were some most extraordinary omissions and commissions, among the latter being the inclusion of an Act dealing with the affairs of Swansea. These errors certainly required amendment, and some of the details also needed revision; but the principle of the measure was sound, and he should vote for the second reading.

SIR EDWARD COLEBROOKE said, that before any Member of the Government addressed the House, he wished, in a few words, to state the difficulty he felt with regard to the Bill. He thought they were much beholden to the Government for the desire they had shown to give greater attention to the affairs of Scotland, and to provide that official Scotch legislation should be more specially attended to than hitherto. But, at the same time, he must confess that on reading the Bill, and the statements made by the Home Secretary, he was very strongly of opinion that the question would not be materially developed by the passing of the measure. He felt the greatest difficulty in understanding why the Bill had been introduced. The Home Secretary had given no reason beyond stating that it was called for by a considerable number of Scotch Members representing the sentiment of the people of Scotland. He believed this was a very accurate expression of opinion with regard to the origin of this attempt at legislation, because whoever had followed the affairs of Scotland must be aware that there was a great deal of feeling and sentiment in the matter—far more, indeed, in his opinion, than any solid conviction of any great grievance. There was the old story that the Scottish lion did not receive due attention; and there were complaints—perhaps a little more to the purpose—that the country was overridden with its lawyers, and that the Bar really controlled the whole administration of the country, as well as legislation in Parliament. He admitted that there was some truth in this; but he thought that much of the complaint arose from jealousy on the part of the lay Members for not having a fair opportunity afforded them of taking a lead in the administration of the country which they represented. Furthermore, there was a feeling among the country gentlemen that they did not like to be overridden by lawyers. He did not think this was sufficient to justify the change proposed in this Bill. He was an old Member of the House. He had known most of the Lords Advocate for many years past, and had seen a great deal of legislation carried through under their guidance; and he could testify to the admirable way in which it had been conducted. He would instance the manner in which Lord M'Neill piloted the Poor Law Act through the House, and the way in which the Education Act was carried through; while the present holder of the Office had shown, in connection with the Scotch Agricultural Holdings Act, what a Scotch lawyer could do in that direction. He was most anxious to know whether the present attempt at legislation was to be looked upon as having reference to administration generally, or merely to the conduct of Business in that House. He would ask the Government to state what on earth the new Officer would have to do. If the Office was to be a mere sinecure, involving not more than half-an-hour's work a-day, it would soon fall into discredit; and the individual holding it would not be allowed to enjoy such a position as would enable him, either in the House or in the Cabinet, if he was to be a Cabinet Minister, to supersede that which was held by the Lord Advocate. He did not think the responsibility for the neglect of Scotch Business rested on any person who had charge of it in that House. It was due to deeper causes, such as the block of general Business caused by the large amount of time given to Irish affairs of late years, and the character of special legislation with regard to Ireland. At the same time, he certainly held, with other Members, that Scotland had frequently been unfairly dealt with by giving a precedence to Departmental Bills over Scotch legislation which they were not entitled to either by their importance or by the pledges given by the Government. If the Bill was really intended to bestow greater attention on Scotch Business he should give his cordial support to it. He admitted fully that great advantage had arisen, and would in the future arise, from some Scotch Member of the House being associated with the Lord Advocate in the conduct of Scotch Business. This had been seen in former days, when, for instance, Sir James Fergusson, as Under Secretary of State, rendered very active assistance in the conduct of Scotch Business; and he had no doubt that if Scotsmen would come to the front opportunities of distinction would be afforded to them. From that point of view he thought there was a good deal to be said in favour of the arrangement recently made in the appointment of a distinguished Scotchman as Under Secretary of State. He, for one, thought it would be far better to have a new Under Secretary of State to assist in the conduct of Scotch Business than to create this proposed new Office. It was very important to maintain the connection between Scotch administration and the Home Office, and that the Home Office should be the central authority, to which Scotchmen could apply in case of any complaint of want of attention on the part of the Lord Advocate or the Under Secretary. Some of the matters referred to in the Schedule of the Bill certainly involved questions of importance; but most of them were general matters of administration that might be very well left to an Under Secretary in the Home Office, with the opportunity of appealing to the higher powers if any want of attention should be experienced. There was one other difficulty he felt with regard to the proposal. He thought they should have a very clear understanding whether it was intended to supersede the Board in Edinburgh. Twenty years ago the dissatisfaction expressed at the existing arrangements took the form of an attack on the Board. The matter was at that time fully investigated, and the attacks against the Board had been dropped for the last 25 years. Now they came in a new form. He admitted fully the case; but he thought the responsibility rested upon the Leader of the House. What the Scotch Members ought to do, if they felt themselves neglected, was to go to the highest quarter; and the sole effect of this Bill would be that the new Minister would hold *levees* in the Lobby, and would be the recipient of the groans of the Scotch Members, and things would never go any further. Certainly a difficulty would arise if the Office were held by a Peer. Members of the House of Commons would not be benefited by the change; but if the Office were held by a distinguished Scotch Member in the House of Commons, he would overshadow the Lord Advocate, and then he thought something might come of it. But they must always bear this in mind—that if the Lord Advocates had become such monopolists of the Business of the House, it had always arisen from the abilities and distinction they had arrived at, not merely in their Profession, but in the capacity they had shown in that House of dealing not only with legal questions, but any question of administration that might arise. These difficulties might be met by the statement that the Office was to be an important one; but otherwise he should feel constrained to vote against the Bill. As the matter stood, he felt that adequate cause had not yet been shown for the creation of the new Office; and, unless he was agreeably disappointed, he would vote against the Bill.

Mr. SCLATER-BOOTH said, he was of opinion that the conclusion of his hon. Friend who had just spoken was correct that no sufficient justification had been shown for this measure, which the Government had introduced at the last moments of the Session to waste some precious hours upon. He considered that the Bill contained a great deal that was unsatisfactory and uncertain, and a great deal that might possibly be mischievous. What he would particularly draw attention to was the confusing and ambiguous nature of its title and provisions. It was founded, apparently, on the English Act, passed eight or nine years ago, establishing for the first time a Local Government Board for England. The Local Government Board was appointed to take over permanently the functions of the tentative Board formed to superintend the execution of the Poor Law Act of 1830, and was, at the same time, entrusted with the control over proceedings under the Sanitary Acts in different parts of the country. The combination of these two functions was held to justify, in the opinion of Parliament, the establishment of the new Office of the President of the Local Government Board. But what did they find in respect to this Bill? The greatest possible difference of opinion as to what was to happen, and as to what were to be the duties of the President of the Scotch Local Government Board. They were told, on the one hand, as one of the inducements for passing this measure, that the new Office was to be in lieu of the Office of Lord Privy Seal, who had been constantly reviled for having an Office with emoluments, but without any duties to perform. But what duties were proposed to be performed by the President of the Local Government Board of Scotland? It appeared he was not absolutely to be responsible to that House for his acts of administration, whether sanitary or in connection with the Poor Law. He was merely to pass over matters to Scotland, and bring the answer back, which the Home Secretary now did perfectly well. His first objection to the Bill, therefore, was that unless the Government was prepared to disestablish the Board of Supervision—he would not say the Lunacy Board—and make the President of the new Board not only responsible to Parliament for what the Board of Supervision did, but to sit in his place and administer his Department—unless the Government were prepared to go so far, this Bill would be a mockery and a sham, and the President of the new Local Government Board would have no more to do in his Office than the Lord Privy Seal had at this moment. Another objection which he entertained, as an English Member, to this measure was, that there was no Poor Law system worth the name existing in Scotland at all. Hon. Members representing Scotland were fond of telling them that the Poor Law system of Scotland was better than that of England. [" Hear, hear!"] They were very welcome to that opinion; but he could tell them it would be a very mischievous change if it were substituted for the system in force in England; and as to sanitary administration, Scotland had nothing worthy of the name. It had been said that the Rivers Pollution Prevention Act failed in Scotland in doing the good which might have been expected from it. The real fact was that there were no sanitary authorities in Scotland charged with the execution of it; and, unless they were to go much further, and to form a Local Government Board for Scotland in the way in which it had been formed in England, he was bound to say that no case had been made out for this Bill. He could understand the Lord Privy Seal being turned into a Secretary of State for Scotland, or he could understand a Scotch Lord of the Treasury being appealed to as an authority in connection with Scotch matters, and being entrusted by the Government with the function of dealing with those questions which the Home Secretary had hitherto had charge of; but he did not understand the creation of an Officer of the Government with this portentous title, which immediately raised the impression that he was to be cognizant of, and responsible for, the details of local administration; whereas they were told in the same breath that this Officer would not undertake these duties. When he came to the Schedule he found that great ambiguity would attach to the establishment of the Office. He had mentioned the case of the Poor Law Board, and the anomaly which would exist if the President of the Local Government Board was not himself in the Chair of his own Office, and did not himself superintend the Poor Law administration. The same objection applied with reference to the Lunacy Board; but here he found that among the functions to be carried out by the Local Government Board were the management of the general police and the burgh police, and the industrial schools and reformatories. In those respects, it seemed to him, they were going too far in the other direction. The Government were proposing to hand over to a Board administrative functions which were essentially regarded as belonging to a Secretary of State. Until the Government could make up their minds as to the administration of police in England, it was too soon to hand over duties to the President of a Local Government Board, who would have to direct the local authorities, and represent the Imperial power in dealing with those local authorities, which would give him, instead of the Secretary of State, powers in reference to the police. Certainly it would be a most anomalous thing, and would be most violently resisted in England, if it were proposed that the President of the Local Government Board should take over the functions and duties of the Secretary of State in regard to police. He wanted to see the position of the Secretary of State in all these matters of local administration made very much clearer, and to see him recognized as Her Majesty's principal Officer of State and Minister of Justice and Police. From that point of view, he should object to see the President of the Local Government Board of Scotland endowed with these functions.

SIR WILLIAM HARCOURT: I have nothing to do with police.

MR. SCLATER - BOOTH: The Bill said the President of the Local Government Board of Scotland was to carry on the duties now discharged by the Home Secretary in respect of general police and burgh police.

SIR WILLIAM HARCOURT: They are, practically, nothing.

MR. SCLATER-BOOTH said, he did not know what the Home Secretary meant by saying these duties were practically nothing. He only knew he was engaged on a Committee for six weeks last Session endeavouring to undo the mischief occasioned by the over-legislation of the last six years. The Lord Advocate had been so moved by the experience of that Committee that he had introduced a Bill in the present Session of Parliament which would have greatly modified and got rid of the anomalous inconvenience of this system. But whatever the Secretary of State might say as regarded police, he could not deny that as regarded the industrial schools and reformatories he exercised jurisdiction in Scotland as part of his functions as Minister of Justice; and it seemed to him (Mr. Sclater-Booth) anomalous and misleading that the President of the Local Government Board for Scotland should be the chief police officer, and should attend to Home Office administration, such as reformatories, whereas the President of the Local Government Board in England did nothing of the sort. He was not unmindful of the feeling in Scotland in favour of a separate and distinct Office responsible for Scottish Business. He thought they could all appreciate and understand that feeling; but he did not think the want would be adequately met by the provisions of the measure they had now before them. He thought the measure was founded on a false analogy; that it would lead to false conclusions; that it, therefore, would not work well; and he should heartily join with his hon. Friend the Member for Bute (Mr. Dalrymple) in voting for its rejection.

SIR WILLIAM HARCOURT: If I rise at this time, it is because I know there is an anxiety, if possible, to finish this debate, and to devote what remains of the time of the House to other Scotch Business. [An hon. MEMBER: Not at all.] It seems to me, as far as I can learn, that the arguments in regard to this Bill are all one way. There have been, so far as I know, only two Members of the House who have spoken against the Bill. I can hardly reckon the speech we have listened to as a speech against the Bill. It is rather a speech of a late great authority of the English Local Government Board, who complains that the Bill is not identical with the English Local Government system. It never was intended to be so; therefore the whole of that part of the argument entirely falls to the ground. I will not follow the right hon. Gentleman any more into the view he takes of Scottish administration generally. He says the Scottish Poor Law administration and the Scottish Lunacy administration are very bad, and that they have no sanitary administration in Scotland at all. I think that shows that the right hon. Gentleman has not the same acquaintance with Scotch affairs which he certainly has of English Business. That, therefore, is all we get out of that speech. Then I will pass by the point he made against putting into a Local Government Bill the question of police. He says—"You are parting with the power which the Secretary of State has over the police." I am surprised that the right hon. Gentleman does not know that the Secretary of State has hardly any power over the police, except in the Metropolis, beyond the matters of pay and clothing, and the numbers—a subject with which, I hope, the Secretary of State will have nothing to do, for no greater mischief could be conceived than that which is at present done in England by the Secretary of State meddling and interfering, and saying to one town, "You shall have so many police," and to another town, "You shall have so many more." I have told the Inspectors of Constabulary that I will take the opinion of the communities, and not of the Inspectors entirely, on the subject, and that in my opinion it ought to devolve upon a town to say how many police it ought to have, and not depend on the opinion of Inspectors. This is my opinion of the principle on which affairs have been and will be administered. The notion that this Minister will have to do with the police in Scotland as the Home Secretary has to do with the police in London is an entire misapprehension. We have had one other speech —that is the very amusing speech of the hon. Member for Buteshire (Mr. Dalrymple), who commenced the debate. My hon. Friend the Member for Greenock (Mr. James Stewart) called it "a speech of acrid humour." I would call it, without applying the adjective, a speech of humour. The hon. Member for Bute made very good fun of myself and Lord Rosebery, and I enjoyed it very much. He said humour is not a strong point of the Liberal Party. I am afraid that is a confession we may have to make; but if humour is a strong point of the hon. Member, perhaps, if he will allow me to retort, I will say that argument is not the strong point of the Benches opposite; and if there is anything that illustrates the contention, I should say it is the speech of the hon. Member for Bute. I followed his remarks throughout; but I could not find in all this very amusing sack with which he has supplied us one halfpennyworth of bread. There was a great deal—I will not say of abuse—but of invective against the people of Scotland, and against the Members for Scotland who support this Bill. He admitted that the great majority of Members for Scotland were in favour of the Bill; and he admitted, also, that a great majority of the people of Scotland were in favour of the Bill.

MR. DALRYMPLE: Not at all. I said they were in favour of a Secretary of State.

SIR WILLIAM HARCOURT: But the hon. Member complained that when this Bill was produced they did not resist and resent it, and one of his great complaints was that they were satisfied. Well, I cannot help that. I feel it is the duty of the Government to introduce that which the people of Scotland will accept; and if they are willing to accept this Bill, I cannot understand why the House of Commons should object. I do not think that my Predecessor in Office (Sir R. Assheton Cross) was present when the invective of the hon. Member for Bute was poured upon his head, because the right hon. Gentleman was the *Fons et origo mali*, for he is the man who destroyed the previous excellent and invaluable system of Scotch administration. It was the right hon. Gentleman, according to the hon. Member for Bute, who overthrew the authority of the Lord Advocate, and nothing has been done well ever since. Well, Sir, that is a very heavy charge, and it was loudly cheered, I observed, by the Conservative Members for Scotland. They are not a large body, but they are able to cheer. Well, this is a denunciation of their own Home Secretary, and they may console themselves with the humorous shafts of the hon. Member for Bute. I never overthrew the authority of a Lord Advocate. Far from it. I have always been only too glad that the Lord Advocate and the Scotch Under Secretary should transact Scotch Business, because I knew they transacted it a great deal better than I could. I never overthrew the authority of a Lord Advocate, and I do not think it is true that my Predecessor overthrew the authority of the Lord Advocate, and brought all these unnumbered ills on the Scottish nation. I do not know; but, if that be so, those irreparable evils have followed from it, and ever since the administration of the right hon. Gentleman opposite (Sir R. Assheton Cross) Scotland has demanded some new system, and, at all events, I have inherited that unfortunate state of things. The hon. Member for Bute has endeavoured to draw a distinction between the view taken of this measure by myself and Lord Rosebery. I confess, although I thought his remarks on that subject were very amusing, substantially there is no difference between us. If there is a difference between Lord Rosebery and myself, it is that he has the ardour and imagination of youth, and I may, perhaps, have acquired the dulness and scepticism of age; but beyond the tone with which people in these different situations look at the same subject, we are perfectly agreed, and always have been agreed, on the subject of this Bill—the object with which it was introduced and is intended to accomplish. That is really all that requires to be said as to the speeches we have heard against the Bill. I have said before that the Conservative Members for Scotland are not a numerous body. One of the most distinguished Members amongst them has made one of the most instructive and ablest speeches in support of the Bill. I think that is a sufficient proof that the overwhelming opinion of the people of Scotland is in favour of a change of this character. I am very much surprised at the opposition that has come from the Benches opposite. I do not know whether the right hon. Member for South-West Lancashire (Sir R. Assheton Cross) is going to denounce this Bill to-day. He used strong language about it some days ago. I was very much surprised at that, because it is not always the case that Members of the same Party disagree in the view they take of a particular subject. I think I recollect the Leader of the Party opposite (the Marquess of Salisbury) at Edinburgh using very strong language—almost as strong, almost as imaginative on the subject of Scotch self-government as any that has been employed by Lord Rosebery. If that be so, I shall be extremely surprised to hear a denunciation of a Bill of this character from the right hon. Gentleman the Member for South-West Lancashire. That the condition of the existing state of things was not satisfactory is proved by the fact of his having introduced a Bill for the appointment of an Under Secretary for Scotland. What does that show? It shows that he thought Scotch affairs did require some additional aid, and that the existing condition of things was not satisfactory. Well; but can he say, or can anybody say, that the proposal for the appointment of an Under Secretary fulfilled the wishes and expectations of the people of Scotland? Why, everybody knows that it did not. That was a proposal that was rejected altogether. Therefore, profiting by experience of the failure of that proposal, the present Government brought forward a proposal of a different character. I venture to think that no proposal has been received with more favour or more support than the present proposal. That being so, I think it will be clear by the votes of Scotch Members, and I hope of the majority of this House, that this will be considered, as I have always considered it, as a moderate proposal to give more effectual attention to Scotch Business both in this House and out of it. I have never pretended that if you had a Minister for Scotland you would pass all your Bills, because a Scotch Minister cannot manufacture time any more than any other Minister. People say—"Oh, give us a Secretary of State for Scotland, and we will pass all our Bills." All I can say is, that I have the misfortune to be Secretary of State for England, and I cannot pass the Bills I want to pass for England. Even a Minister cannot overcome the difficulties which have to be encountered in that respect. I have been very glad to hear from everybody on both sides of the House the recognition of the fact that in this Bill there is nothing to disparage the authority or interfere with the Office of the Lord Advocate. Whether the Minister for Scotland be in the House of Lords, or whether he be in the House of Commons, the Lord Advocate must always be a principal Representative of the interests and of the Business of Scotland. Well, then, the right hon. Gentleman who has just sat down asked—"What is this Minister to do?" That was explained when I troubled the House on the introduction of the Bill, and it is explained by the Schedule of the Bill. He is to perform the duties the Secretary of State now performs with reference to the subject-matters mentioned in the Schedule of the Bill. I do not see how it is possible to make a more explicit statement than that. Several matters are excluded from his duties. These are the matters in reference to law and justice, which will still be conducted by the Secretary of State, acting on the advice of the Lord Advocate as before. But you will have the advantage of a person who may presumably be conversant with the habits of Scotland, with the peculiarities of the institutions of Scotland in reference to those matters which are referred to in the Schedule of the Bill. Can anybody say that it will not be a useful matter to have a person possessing political experience and Parliamentary authority to bring all those influences to bear upon the administration of the matters mentioned in the Schedule of the Bill, and with the peculiar knowledge which will enable him to make that influence most effectual in dealing with these affairs? That is the simple object of the Bill. I venture to think that the reception which the Bill has had in Scotland, amongst the people of Scotland, and amongst the Scotch Members, is such as I hope will insure it a favourable reception from this House, and I hope it may be read a second time.

SIR R. ASSHETON CROSS said, that, as the right hon. and learned Gentleman the Secretary of State for the Home Department had introduced his name into the debate, he trusted that he might be permitted to say a few words in reference to this measure. The right hon. and learned Gentleman had said that the speech of his hon. Friend the Member for Bute (Mr. Dalrymple) contained no argument, but only humour. In his opinion, however, the speech of the right hon. and learned Gentleman opposite had contained neither argument nor humour, though it did contain a great deal of banter. [Sir WILLIAM HARCOURT: There was brevity.] Brevity was the soul of wit; but he did not know that there was any wit in the speech of the right hon. and learned Gentleman. There was not a single argument from one end of it to the other in favour of this peculiar proposition which the right hon. and learned Gentleman had placed before the House. Somebody had said that he (Sir R. Assheton Cross), when Home Secretary, had interfered with the function of the Lord Advocate, and impaired the Office which he held. He could assure the House that nothing was further from the truth than that statement, because his object had been to enable the Lord Advocate to do as much as possible to raise his Office. The late Lord Beaconsfield had said they ought always to remember that the Lord Advocate was one of the great Officers of State for Scotland; that the Office was one of ancient rank and ancient fame and history; and that nothing should be done in any Bill to derogate from the dignity of that Office. He (Sir R. Assheton Cross) was afraid that the dignity of the Lord Advocate would be very much affected by the proposal of the Home Secretary. When the late Conservative Government introduced a Bill to provide for an Under Secretary of State, a deputation consisting of the Dean of Faculty and other lawyers came to him, and the principal objection which they raised to that proposal was that it would materially diminish the dignity and usefulness of the Lord Advocate. That was one of the strongest points which they laid before him. Now, the present proposal was a totally different one from that. It was to bring into existence an Officer of much higher rank than an Under Secretary of State—not a mere Under Secretary of State, but an independent Officer who would be neither fish, flesh, nor fowl, but who certainly would be a much greater person than any Secretary of State could be, and his appointment would be quite certain to affect the dignity of the Lord Advocate to a much greater extent than the appointment of any Under Secretary of State. In his opinion, the Lord Advocate was fully competent to do everything that was required. The Under Secretary of State which had been proposed by the late Government would have been under the Lord Advocate to a great extent. What was the position of the Lord Advocate at present? The late Government, who were said to have derogated from the dignity of the Lord Advocate, had raised their Lord Advocate to the rank of a Privy Councillor. The present Lord Advocate, though called right honourable, was not a Member of the Privy Council; and he regretted very much that the present Government had not followed the example of their Predecessors in this matter. The Lord Advocate, not being a Privy Councillor, could not sit on the Committee of Council on Education in Scotland. He thought this was one of the greatest mistakes they could have made in regard to the position of the Lord Advocate. The Lord Advocate ought to be a Member of the Privy Council, so that he should be able to sit on the Education Committee. Nobody could, therefore, say that the Conservative Government, whatever they did, had interfered with the rank or dignity of the Office of the Lord Advocate. He still believed that the real objection to the proposal for an Under Secretary was the mode in which he was to be paid, because it was proposed that he should be paid out of the money saved in the Office of the Lord Clerk

Register of Scotland. He believed if the Treasury had consented to pay the £1,200 or £1,500 a-year that was required for the salary of an Under Secretary, the Bill of the late Government would have become law. He entirely agreed with the hon. Baronet (Sir Edward Colebrooke), who had spoken from the other side, and to whose remarks he thought the Secretary of State had paid scant justice. The hon. Baronet had spoken as strongly against the Bill as most people, and his remarks had been entirely unanswered, excepting in almost the last sentence of the right hon. and learned Gentleman's speech. He did not know a Scotchman whose opinion on such a subject was more entitled to respect than that of the hon. Baronet. He still held that if they had an Under Secretary of State they would be very much better than with this Bill. In the first place, under this Bill, as he understood it, it was contemplated that the person who was to fill this Office was to be in the House of Lords. The argument that was used when he was in Office was that those interested in Scotch Business should have someone to whom they could go; but under the Bill these difficulties would still confront them. He knew that some Scotch Members were going to vote for the Bill, because they thought it was a step in the direction of getting a Secretary of State for Scotland. He ventured to say that if that was their ground they would find that they had been mistaken. If the Government had chosen to revive the proposal for an Under Secretary of State who would always be in the House of Commons, they would have done very much more to further the interests of Scotland than by bringing in this Bill. He had asked the Secretary of State to give him some details of the expenditure which the proposed Office would entail; but he had been amazed when the right hon. and learned Gentleman said he could give him nothing of the kind, and he was still more amazed when the right hon. and learned Gentleman said he had not worked it out himself. He could give him no idea what the expense would be. When it was suggested that this Gentleman would want an office and staff, the right hon. and learned Gentleman said, "Oh, dear, no." What, it was asked, would this Officer have to do? He would, it was said, have to look about and see how many Boards he could disestablish and pull down; and out of the ruins of those Boards in Edinburgh and elsewhere he was to provide his own staff. That was really not the way to proceed. They wished to be told what this man was to do. Was he to be simply a person who was to read over papers, and make his minutes upon those things that would be sent to the Secretary of State under the present system, or was he really to be responsible for the actual working of the Department? That was what they wanted to know, and that was what they had not been told. Was he to have the working of the Board of Supervision, the Lunacy Board, and of all those other Boards? Was he to have an office in Scotland or in London? [Sir WILLIAM HARCOURT: Both.] Very well. Then, where was his salary and his staff to come from? These were matters that ought to be in the Bill. The question what the Officer would have to do, apparently, entirely depended upon himself. He had to pull down the ruins they had heard of, and some of them might be rather hard to pull down, and would give a deal of trouble. The Bill ought to say what he was to be responsible for; but, at the present moment, they knew nothing—simply that there was to be a man appointed who was to have a salary of £2,000 a-year. He heard an hon. Member say, "It is a job." He would not have ventured to suggest such a thing himself; but he thought it would have looked very much better on the face of it if the duties of this Officer had been set forth in the Bill. He still hoped that if this unfortunate Bill was to become law—he called it unfortunate because he did not think it would meet the real wishes and wants of the Scotch Members—but if it was to pass a second reading—he hoped it would not, and he certainly would vote against it—he trusted that in Committee they should have, at all events, some detailed plan as to what this Gentleman was to do, and what his functions were to be.

MR. ANDERSON said, the right hon. Gentleman who had just sat down had said he had never done anything by any Bill to derogate from the dignity of the Lord Advocate of Scotland, because, he said, it was a principle of Lord Beaconsfield to keep up the dignity of that ancient

Office, and not to destroy it in any way. They did not say that the right hon. Gentleman had destroyed the Office by a Bill; but they said the right hon. Gentleman had derogated from it by his practice in that House. Previous to that time all Scottish deputations went to the Lord Advocate, and all Questions about Scotch affairs were addressed to the Lord Advocate; but the right hon. Gentleman, when he was Home Secretary, came forward and said—"I am the Secretary of State for Scotland; deputations must come to me."

Sir R. ASSHETON CROSS: I beg the hon. Member's pardon. I never said anything of the kind.

Mr. ANDERSON said, he had not meant to say that the right hon. Gentleman used those words; but his conduct towards deputations and towards Members of the House was to that effect. That was how the dignity of the Lord Advocate was derogated from in those days. That was the first symptom of the decadence of the Office. It was when a highly estimable and good-natured Gentleman (Lord Gordon) was Lord Advocate. If it had occurred in the days of some other Lord Advocates that they had had experience of, that sort of thing would hardly have been submitted to; but, unfortunately, it was submitted to. The reason that some change was wanted now was that Scotland had got into the belief that its Business did not get proper attention in that House. He did not think there had been any want of administration at home. It was want of attention to Scottish Business in the House of Commons. A number of Members of the Cabinet had always measures of their own to push forward, and there was a strong rivalry inside the Cabinet, each one being anxious to get his own measure pushed forward to the sacrifice of others; and, under those circumstances, Scotland being entirely unrepresented in the Cabinet, always went to the wall. That was the feeling under which Scotch Members desired to have a Secretary of State; and it was under the feeling that this Bill would, to a certain extent, remedy that state of things—he did not think it would remedy it altogether, but it was in the belief that it would go a certain way in remedying that—that they desired to pass this Bill. The hon. Member for Bute (Mr. Dalrymple), in the beginning of the discussion, had said Liberal Members were not free to speak on the Bill. He did not know what the hon. Member meant by that expression. If the hon. Member meant that they were afraid by speaking at length the Bill might not be read a second time to-night, he agreed with him; but if the hon. Member meant that they were afraid to speak out their minds, he could only say that he had himself never felt any want of freedom in that respect. They supported the Bill because they believed it would be a good Bill for Scotland. For his own part, he confessed he would rather see the Chief Officer for Scotland in that House than in the House of Peers. But there seemed to be at this moment a special fitness in the latter arrangement; and he believed if the appointment went to the House of Peers in the manner expected at present, it would be greeted with acclamation in Scotland. But he did not think that would be satisfactory as a permanent arrangement. He hoped to see that Office one day in that House. They had, certainly, no idea of derogating from the dignity of the Office of Lord Advocate, and as long as that Office was held by the Gentleman who at present filled it, they could not have one who was more acceptable in every way. They desired to pass this Bill, and he hoped he should see it passed ere long.

Mr. A. J. BALFOUR said, that the hon. Member for Glasgow (Mr. Anderson), in the latter part of his speech, had vaguely adumbrated that the first holder of the new Office would be a Peer. In the first part, he had attacked his right hon. Friend the late Home Secretary. But it was well known that the reason why, under the late Government, the Home Secretary had answered Questions and received deputations on Scotch Business was the continued ill-health of Lord Gordon. He confessed that his own feelings in regard to this measure were of a very luke-warm character; he had no enthusiasm for it, and he had no burning aversion to it. The speech of the right hon. and learned Gentleman who had introduced the Bill had been characterized by a diffidence very unusual to him. He had spoken in an almost apologetic manner. In effect, he said that the Bill would please somebody, and hurt nobody. When Gentlemen brought forward Bills, they generally showed some enthusiasm in support of them; and, for a long time, he could not make out the meaning of the tone of the right hon. and learned Gentleman. But the speech of Lord Rosebery at Edinburgh had cleared up a great many things. It was tolerably evident that the real parent of the Bill was Lord Rosebery, and that the Home Secretary was really only in the position of a step-father. He chaperoned the Bill; but he did not think he did so with any great liking, and he believed the right hon. and learned Gentleman would see the Bill dropped with great complacency. If they were to judge as Solomon did, in the case of the two mothers, between the comparative agonies of the Home Secretary and Lord Rosebery in view of the impending massacre of the Bill, they would have a pretty clear indication as to which of them the parentage of the Bill was to be attributed. With regard to the position of the Lord Advocate, he had no predilection for any system which put the management of non-legal affairs into the hands of lawyers; but he was satisfied that, of all the Gentlemen returned to that House, no one was better qualified to carry on the Business than the Lord Advocate, and he contended that the Bill derogated from that Office. Supposing such an official as the one proposed had been in existence at the present time, who would have had charge of the Scotch Agricultural Holdings Bill? Would it have been the Lord Advocate or the new official? The Bill would be a new departure, and could they say they did not derogate from the official position of the Lord Advocate? There was one argument in favour of the Bill which he had omitted to notice, and it was this—One defect of Scotchmen was that they did not show well at the poll; they had a habit of returning a majority of Liberal Members, and the result of that was that a Liberal Government could always command the services of eminent Scottish lawyers. It had not always been the case that the Conservative Government could do so, and that was a consideration the Conservatives should not lose sight of. This provision might be of convenience in the extremely unexpected event of a Conservative Government coming in. He did not mean to say that a Conservative Government were likely to come in; but in no circumstances, however important, ought it to be lost sight of when they were passing legislation of this kind. Though he should vote with his hon. Friend against the Bill, still that was a reason which made him believe that, after all, there was something to be said for it. It had been pointed out by hon. Members on the other side that what they wanted was not a good official in Scotland, but a good man in England; and by that was not meant a man who would conduct Business well through Parliament, but a man who would have such influence with whatever Government was in power that he would get the Business carried on. Was such an official as that proposed by the Bill likely to be one from whom they would ever gain anything from a Parliamentary point of view? How would he be able to exercise pressure on Government which was not now exercised by the Under Secretary or the Lord Advocate? If it was thought worth while to have a Secretary of State for Scotland, they should not see, as they often did see, important Scottish measures brought on at half-past 1 o'clock in the morning, or at the fag end of a Saturday Sitting. If they had a Secretary of State for Scotland, they should certainly not see, at any rate, anybody more important than a Peer appointed. The real motive the Government had in view in making the appointment was to confer on Scotland an honorary distinction. They felt truly that Scotland had great claims on the present Ministry. They felt, or they ought to feel, that these claims had been very imperfectly recognized; and just as the Government refused to give place, or a pension, to a distinguished foreigner, but gave him a title, so this Government gave to Scotland this honorary distinction. Honorary distinctions did very little good to the persons who received them, and they did very little harm. He should observe the result of the debate, and of the Division that was to follow, whichever way it should turn, with very great equanimity; but, on the whole, it appeared to him it was inexpedient to bring in these legislative shams—he did not use the word offensively—measures which could have very little result, and were merely meant to throw a sop to people who were discontented. He did not think it was a good principle to encourage this species of legislation; and if his hon. Friend went to a Division, he should follow him into the Lobby.

SIR ALEXANDER GORDON said, they could not do better than note the words which the noble Lord to whom public rumour gave the new Office used in addressing the people of Edinburgh last week, and which were cheered very loudly. The noble Lord said—

> "There are only two States in the Union of the United States that have larger populations than Scotland; and there is no State in the Union, however small, that has not its complete Executive apparatus, nor could they carry on their affairs properly without such apparatus."

So that the noble Lord would contemplate a Federal Union existing between England and Scotland, instead of the incorporating Union which at present existed. That was what the noble Lord was driving at, and he thought the House ought to be made acquainted with it, so that they might know what the views were of the Minister who was to be appointed. The noble Lord had also told the people of Edinburgh that it was almost impossible to legislate for both countries in one Bill. But he (Sir Alexander Gordon) would point out how erroneous that statement was. Only yesterday a Bill had come down from the Lords relating to factories which applied to both countries. In the present Bill, the Schedule contained no less than 18 Acts applicable to the United Kingdom which the Scotch Minister would have to dispose of and deal with. Amongst these Acts were the Markets and Fairs, the Rivers Pollution, Food and Drugs, Contagious Diseases (Animals), and Labourers' Dwellings—all of which were most important, and applicable to both England and Scotland; and it was most desirable that such Acts should be administered by a central authority, and upon a uniform principle. If the new Scotch Department were to work these Acts, it would require a very large Department, supplied with competent experts, as well as competent officers, and clerks. The expenses of carrying out the whole of these Acts in their entirety would be very great indeed. When he asked a month ago whether the Chancellor of the Exchequer would lay on the Table an Estimate of the expenses of carrying out these Acts, the Home Secretary replied that the expenses would be quite unimportant and insignificant. The Bill either meant that the whole of this Business was to be transferred to another Department, or it was a complete sham, and would be of no use whatever. The Contagious Diseases (Animals) Act it was most important should be worked from one centre, and under the able management of the Vice President of the Council. That was now proposed to be transferred to the Scotch Department; so that, while the Scotch Minister might decide one thing with regard to the admission or rejection of cattle, the English Minister might decide another, and there would be no central authority responsible for the expulsion of foot-and-mouth disease from the country. In his opinion, this Act and the Education Act, as well as other Acts, ought to be worked from one centre and on one system. To make the system complete it must include the functions of the Board of Trade in regard to Scotland, and also those of the future Department of Agriculture. The Board of Supervision, also, which was composed of three or four of the most able men in Scotland, would have to be supervised again, by a young man, who probably knew nothing about the subject. Then it was also proposed to transfer the carrying out of the Public Health Act to the new Board. It was most important that all the steps taken under the Act should be taken from one central Office. The 30th section of this Act related to precautions to be taken with regard to cholera. But in order to bring that into operation under the Public Health Act for Scotland they had to go back to the Quarantine Act of 1825 with regard to the landing of persons from vessels. Though this Act was transferred to the new Board, the Quarantine Act was not one of those to be put under Lord Rosebery's control. He, therefore, did not believe that the Bill had been thought out or worked out in all its details, as ought to be the case, before the House accepted it. He thought it was rather a novel proceeding to put the whole administration of the affairs of Scotland into the hands of, it might be, a very clever and amusing young man. The system which it was proposed to change had been growing up gradually ever since 1707, to the great advantage of both countries; and now it was proposed to alter or upset that system without any reason whatever being notified to the House. He thought it would be better, before such a plunge was taken, that they should appoint a Select Committee to inquire whether any change was necessary, and whether that change would be a benefit to the Empire. He hoped this question would not be viewed as a Party question, as it had really nothing to do with Party; it was for the benefit of the country, and that was the light in which he viewed it. He was sorry to differ from the opinion of many of his Colleagues from Scotland in regard to the Bill; but he was glad, in view of the not very courteous remark made regarding himself by the hon. Member for Greenock (Mr. James Stewart), to have the support of another Scotch Member so highly respected and so influential as the hon. Member for North Lanarkshire (Sir Edward Colebrooke). He believed the origin of the measure was the jealousy which existed among some Scotch Members that so many good things should go to the Scotch lawyers. He hoped that this measure of separation would not be read a second time, for, though he loved his native country — North Britain — much, he loved Great Britain more.

SIR JOHN HAY said, he was glad that the Home Secretary had been present when one of the supporters of the Government had opposed this measure, because he could not now go away with the impression that the House and the Scotch Members were unanimously in favour of the Bill. He agreed with the hon. and gallant Member (Sir Alexander Gordon) that this was not a Party question; but it was one that required great consideration, and which, in his judgment, had not received that consideration to which it was entitled before it was allowed to pass into law. What was the state of the question? Several years ago the Government in which the present Prime Minister held Office appointed a Commission, presided over by Lord Camperdown, and that Commission was sent to Scotland to investigate this particular matter. Not only was the Report of Lord Camperdown's Commission against this change, but the evidence—especially that of Sir William Gibson-Craig—on which that Report was founded was evidence of very great weight. The hon. Member for Greenock (Mr. James Stewart) had alluded to the difficulty of getting Scotch measures passed, and instanced the Sunday Closing Bill for Scotland. That was a most unfortunate instance, because that Bill, known as the Forbes-Mackenzie Act, was passed rapidly through Parliament in accordance with the wishes of the people of Scotland. Although it was true that there might be some slight delay with Scotch Business, he ventured to say there was less delay with Scotch Business at this moment than with English and Irish Business. He was not aware of any Scotch measure at this moment of which the Lord Advocate had been in charge—and as to which there was any demand in Scotland—such as the Agricultural Holdings Bill, which the Lord Advocate was not competent to pass through the House with general acceptance. The fact was that the arrangement provided by this Bill would do the greatest possible injury to Scotch Business. The mode by which Scotch Business had been well conducted in the past had been by the appointment of a respectable Scotch Gentleman, as Scotch Lord of the Treasury; and the Lord Advocate and he were competent to carry on Scotch Business in the House of Commons. In the Cabinet, at the same time, there had been a Scotchman of eminence, though not as a Scotch Minister, who, when communicated with by the Scotch Lord of the Treasury and the Lord Advocate, was ready to urge on his Colleagues the necessity of arranging for time in the House of Commons for the consideration of Scotch Business. But the misfortune was that at this moment, through the secession of the Duke of Argyll, there was not a Scotch Representative in the Cabinet. The Prime Minister was, no doubt, a Scotch Member of the greatest possible eminence, and also a Scotchman, and the Scotch nation was proud of having him as one of its Members. But he could not be expected to devote his attention, which was directed to Imperial concerns, to the ordinary local Business of Scotland; and, moreover, he was a Welsh rather than a Scotch resident proprietor, and had not practical experience of Scotch local Business. When the Cabinet was first constructed, it had the Duke of Argyll, and in the previous Administration the Duke of Richmond held a similar position. They were eminent persons upon whom the whole of Scotland could rely; they had nothing to gain, and they performed duties which the officer now to be appointed would not perform at all. There would be no duty left for the new Minister to perform, or he would have little to do but to draw his salary. He was not to appoint his staff; he was not to have the means of appointing persons for his Office; but he would be bound to take such persons as the Treasury approved. There was no intention of breaking up the Board of Supervision, or the Board of Lunacy, or the various other Boards which conducted Scotch Business; and yet it was from the fragments of these Boards that the staff of the new Local Government Officer for Scotland was to be obtained. The creation of this Minister not in the Cabinet, and with no power, would merely give an opportunity for shutting the mouths of Scotchmen who claimed to have a share in the National Government, and it would debar them for ever from proper access to the Councils of the Crown. He would give his most earnest opposition to the measure.

SIR HERBERT MAXWELL said, he was surprised that the debate had gone so far without anything more than a passing reference to the Commission which was appointed to inquire into the questions of Scottish administration in 1870. That Commission was the direct outcome of an agitation somewhat similar to the present. He was reminded of the story told by Samuel Rogers, who related that at the time when plate glass was first introduced he went to the house of a friend who had fitted up the house with plate glass. He, not understanding it, thought the windows were all open; and, sitting at dinner with his back to one of the windows, by mere force of imagination caught a severe attack of lumbago. He thought that something similar to this was the reason of the present state of Scottish feeling. It had been impressed on Scotsmen that they were in a bad way. They had been told repeatedly by Members of Parliament and by candidates that Scottish Business was neglected, and that, if elected, they would vote for the creation of a Scotch Department. The necessity for that Department was the subject of a minute and searching inquiry by the Commission appointed in 1870. In the Report of that Commission there were one or two passages which he would recommend to the attention of the House. The Commission reported that those who objected most strongly to the Boards did not profess to ground their objections upon personal knowledge. He would like to ask how many hon. Members of the House had any practical knowledge of the Boards working in Edinburgh. He thought that the allegations against the present system were founded on general impressions, and nothing he had heard to-day had removed that conviction. He had not heard a single argument to justify an interference with a system which was working, if silently, at all events efficiently and economically. What was true in 1870 was true now. The Report of the Commission said the present distribution of business among the various Boards in Scotland was peculiar to Scotland, but was decidedly economical, and would bear favourable comparison, from a national point of view, with some Public Departments in England or Ireland. If that was true, why interfere with that system? What was wanted now was a man in this House, and not a noble Lord in "another place" to be an ornamental figurehead to the Scotch Department. He was the last to deny—he had felt it keenly since he came into Parliament—that the House was in the habit of treating Scotch Business in a stepfatherly way. The empty state of Benches at present was sufficient evidence of that. But would it ever be different? Did it not rest with Scotch Members themselves to undertake their own Business, and see that it was not neglected. English Members often asked him what was the meaning of this or that. Let them stay away if they chose; but let Scotch Members have a fair opportunity of discussing their Bills. Let their Bills be put on the Paper sufficiently early in the Session, and not like this—which was for the creation of a fresh Department—in the first week in August. He should follow his hon. Friend the Member for Bute (Mr. Dalrymple) into the Lobby with the greatest confidence that he was discharging his duty, because he objected to this Bill as an attempt—and he thought it would prove an unsuccessful attempt—on the part of the Government, and especially of the Home Secretary, to satisfy the demands of a fussy and ambitious section of the Party which sat behind them.

Mr. J. A. CAMPBELL said, that the Home Secretary had spoken of the absence of argument against the Bill. At all events, the right hon. Gentleman must have observed what was itself an argument against the Bill—that there was much difference of opinion as to what the Bill really was, as to what the want was which was to be supplied, and as to how that want could be supplied by this Bill or by any Bill of the kind. When a new functionary was appointed they ought to have some definite information as to what his duties were to be. He spoke of a functionary, because he presumed he might dismiss the idea of there really being a Board at all, and assume that the Board was to be a mere name, and that the creation of the Office of President of the Board was the real object of the Bill. What was the proposed new Minister expected to do? Was he to improve the administration of Scottish affairs in Scotland, or was he to promote Scotch Business in Parliament? These were two entirely different things. The hon. Member for Greenock (Mr. James Stewart) said that there was in Scotland a general opinion in favour of the Bill. He would ask what interpretation the people put upon the Bill who were in favour of it? He thought that the difference of opinion as to what the Bill meant was in no small degree owing to the conflicting accounts of it given by those who had brought it forward. When they wanted to know what a Bill was, the first thing to do was to look at the Preamble. But this Bill had no Preamble. It began bluntly, "Be it enacted." When the late Government introduced a Bill for the appointment of an Under Secretary of State, they set forth clearly in a Preamble that the object was to make better provision for the conduct of Scotch Business in Parliament. But no explanation of this kind was given here. In the present Bill itself he found that the powers and duties which were to be transferred to the new Minister were duties now discharged by the Privy Council and the Home Office, and related principally to such matters as health, the inspection of mines and factories, &c., requiring the service of experts; and he saw no advantage to be obtained from having a separate Department in Scotland for the same purposes. The question to be considered was, whether the effect of this Bill would not go beyond the intentions of the Government? The Bill contained a clause expressly reserving the duties and functions of the Lord Advocate. But the misfortune was that, however good the intentions of the Government might be in that respect, the operation of the proposed change might be very serious in relation to the position of the Lord Advocate. It appeared to him that the Government had no very clear idea in their own minds in introducing this Bill. It did not seem so much to be intended to remedy any distinct grievance, as to satisfy some vague desire for increased recognition of the claims of Scotland to attention at the hands of the Government. They would be glad to accept additional Parliamentary assistance, especially in the form of the services of some high Officer of State, provided always that no harm should be done to the Offices they had already learned to respect—especially the Office of Lord Advocate. He found himself in one respect at variance with some of his hon. Friends. He thought that it was a defect of the Bill that it did not make it imperative that the new Minister should be a Member of the House of Lords. If the new Officer of State were a Peer, there would be less danger of his interfering with the position and dignity of the Office of Lord Advocate. But a Peer who was President of the Local Government Board ought certainly to have the dignity and the position as well as the salary of the Lord Privy Seal. The Bill failed to give anything that would lead them to expect an improvement in the conduct of Scottish Business. For that they must look elsewhere than to this Bill. The Bill had been introduced as a moderate one. He thought moderate was scarcely the term to give it. The Bill was either too much or too little. Either a Bill aiming at something much larger would be good, or a Bill not aiming at so much would be good. This Bill, in his opinion, would do no good whatever, and he should have pleasure in following the hon. Member for Bute in opposing it.

Lord HENRY SCOTT said, that, having taken a very great interest always in the affairs of Scotland, although an Englishman, he thought he should be wanting in his duty if he did not join his hon. Friends in their protest against this Bill. Anything that would be for the benfit and progress of Scotch Business he should welcome with great pleasure; and having had in former years some experience of the manner in which Scotch Business was conducted, it struck him that this Bill would not do anything towards its improvement. When they had had a good strong Lord Advocate, who insisted upon going on with Scotch Business properly, and would exercise a certain amount of pressure on the Home Secretary, they had had Scottish Business extremely well done. But in late years the Home Secretary had, so to speak, sat upon the Lord Advocate, had squeezed him out of sight altogether, and had not allowed him to take that part in Scotch Business which was his right and due. Scotch Business had also fallen into arrear for the same reason that all other Business had fallen into arrear—that was, the want of proper business arrangements, and not bringing Business forward at the proper time. But how were they to get any advantage from this Bill? The Preamble of the Bill ought to run in this way—

> "It having been found that the Secretary of the Local Government Board is unable to get on with the Home Secretary, be it therefore enacted that the Business should be transferred from the Home Department to the Local Government Board."

It would be interesting to know what position the new Minister was to occupy. Was he to be put on an equality with the Lord President, or was he to have the position of a Cabinet Minister at all? It looked as if a sort of jumble was to be made of the Offices of Secretary of State, President of the Council, and President of the Local Government Board; and all they knew for certain was, that the Officer to be appointed was to have £2,000 a-year. They were left in doubt as to what other sums were to be required for the payment of subordinates. Under those circumstances, and with expenditure largely increasing, it did seem to him most extraordinary for a *quasi*-economical Government to ask the House to spend £2,000 a-year extra on a new Office, and not tell them what the total cost of the Office would be. According to the clauses of the Bill, the duties of the new Minister were to be multifarious—a sort of mixture which only a Secretary of State could transact. A Bill of this sort, giving a Minister such an indefinite position, could not be a success, the only definite clause being one to save the *amour propre* of the Lord Advocate. Considering these circumstances, and the lateness of the period of the Session, he saw no advantage in this Bill at all. He was most anxious that Scottish Business should be done well and properly; but if it was properly set about there was no difficulty in doing it. What was there so special about Scottish Business that it should require an entirely new Office? It was one of the happiest things for Scotland that she had never put herself in the position in which Ireland had done in that House. The Scotch Members had always worked for one common object and with one common end in view, always doing their best to preserve a thorough union between the two countries, without disturbing in any degree the advantages of their local government. All he could say was that if the Bill were passed, it would have a tendency very much to destroy this satisfactory state of affairs which had existed so long.

MR. WARTON said, there were many evidences in the Bill of ill-considered haste. It was perfectly apparent that the Government had not made up their minds as to which of two courses they were going to adopt. In accordance with the terms of the Bill, they might either appoint a Board or a single official, and they did not yet appear to know which of these two alternatives they would pitch upon. The Bill said when the President was appointed the Board was to be deemed to be in existence, and there was nothing to compel the appointment of a single subordinate. The Bill also destroyed the Lord Advocate's position—that was the gratitude of the country for a long succession of able men, who had done their work so well. The Government, not having carried out the pledges they gave in the Queen's Speech, were endeavouring at the end of the Session to make up by quantity for the want of quality in their legislation. He felt strongly that this Bill ought not to be proceeded with.

It being ten minutes before Seven of the clock, the Debate stood adjourned till *To-morrow.*

QUESTION.

EGYPT—HEALTH OF THE TROOPS.

Sir **LYON PLAYFAIR** asked the Financial Secretary to the War Office, Whether any further information had been received at the War Office as to the health of our troops in Egypt?

Sir **ARTHUR HAYTER**: Yes, Sir; in reply to my right hon. Friend, I have to read the following telegram received at the War Office to-day from the General commanding in Egypt, which shows that the improvement is maintained:—

> "August 3.—General health good; continued improvement. Telegram from El Wahdan, cholera becoming less virulent. At first every case proved fatal; now many becoming convalescent."

The House suspended its Sitting at five minutes to Seven of the clock.

The House resumed its Sitting at Nine of the clock.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at five minutes after Nine o'clock.

HOUSE OF COMMONS,

Saturday, 4th August, 1883.

The House met at Twelve of the clock.

MINUTES.]—Public Bills—*Second Reading*—Parliamentary Registration (Ireland) [155]; Local Government Board (Scotland) [251]; Union Officers' Superannuation (Ireland) [132]; Diseases Prevention (Metropolis)* [279].

Committee—Labourers (Ireland) (*re-comm.*)* [240]—r.p.; Payment of Wages in Public-houses Prohibition [126]—r.p.; Cruelty to Animals Acts Amendment (*re-comm.*) [118]—r.p.

Considered as amended—Third Reading—Agricultural Holdings (Scotland) [278]; Patents for Inventions [261], and *passed.*

QUESTIONS.

LOCAL GOVERNMENT BOARD (SCOTLAND) BILL.

Sir **JOHN HAY** gave Notice that on Monday he would ask the Lord Advocate, If it was the intention of Her Majesty's Government to proceed further this Session with the Local Government Board (Scotland) Bill; and, if so, whether the House might hope to receive some information from the Lord Advocate and the Solicitor General for Scotland in explanation of the measure, and of the various legal difficulties suggested in debate in so momentous a change in Scotch Parliamentary procedure, and especially as to the arrangements contemplated in regard to the management of reformatories and industrial schools, as well as to the mode of payment for the offices in England and Scotland and the necessary staff, other than the £2,000 a-year derived from the denudation of the Office of Lord Privy Seal?

Sir **WILLIAM HARCOURT**: Sir, I will answer the Question at once. It is the intention of Her Majesty's Government to proceed with and pass this measure. The Lord Advocate and the Solicitor General for Scotland can afford any information which hon. Members may require on this subject. They did not speak yesterday, because they did not desire to assist in talking out the Bill.

PARLIAMENT—THE LATE "COUNT-OUT."

Mr. **ASHMEAD-BARTLETT**: I beg to give Notice that I will, on Monday, ask the Prime Minister whether he will in future give the Government Whips instructions not to mislead hon. Members by distinctly informing them that it is the intention of the Government to make a House, and by failing to do so; and I will further ask him whether he is aware that a number of Members of the Conservative Party were distinctly told by the Government Whips that it was not necessary for them to come early to the House, because it was quite certain a House would be made and kept? I may state that I, myself, in consequence of that, took no pains to ask hon. Members to come down to the House. I also wish to ask the Chief

Secretary for Ireland whether he can inform the House if there is any truth in the statement that three of the late witnesses in the Crown prosecutions in Ireland had been refused permission to land at Melbourne by the Australian Government?

Sir WILLIAM HARCOURT: I think I had better answer the Question of the hon. Member at once. Neither the Prime Minister nor anyone else instructed the Government Whips to mislead anybody.

Mr. ASHMEAD-BARTLETT: I rise to Order. I gave Notice of a Question to the Prime Minister for Monday. [*Cries of* "Order, order!"]

Sir WILLIAM HARCOURT: An imputation has been made in the Question, and I will take the opportunity of answering it at once. Imputations of the kind cannot be allowed.

Mr. ASHMEAD-BARTLETT: I rise to Order. [*Cries of* "Order!"]

Mr. SPEAKER: The right hon. and learned Gentleman is in possession of the House.

Mr. ASHMEAD-BARTLETT; But I rise to Order. [*Renewed cries of* "Order!"]

Mr. SPEAKER: Until the right hon. and learned Gentleman says or does something out of Order I cannot interrupt him.

Mr. ASHMEAD-BARTLETT: You have not heard my point of Order. I wish to ask you, Sir—[*Interruption, and cries of* "Name!"]

Mr. SPEAKER: The right hon. and learned Gentleman is in Order.

Mr. ASHMEAD - BARTLETT: I have not had an opportunity to state my case. [*Renewed cries of* "Name!"]

Sir WILLIAM HARCOURT: It is impossible to allow imputations made in such language to remain unanswered, and more especially as the hon. Member the other day made an imputation of that character in giving Notice of a Question which he said he would pursue——

Mr. ASHMEAD - BARTLETT: In regard to what?

Sir WILLIAM HARCOURT: An imputation of corruption upon the Suez Canal officers, to which a flat contradiction on the part of the Company, who were alleged——

Mr. ASHMEAD-BARTLETT: I rise to Order again. May I ask whether the right hon. and learned Gentleman is in Order in introducing this matter?

Mr. SPEAKER: The right hon. and learned Gentleman must confine himself to the Question of which the hon. Member gave Notice.

Sir WILLIAM HARCOURT: Sir, with reference to the Question of which the hon. Member gave Notice, I desire to answer it at once. I say that neither the Prime Minister nor anyone else instructed the Government Whips to mislead anybody on the subject, nor have they misled anybody. The hon. Member has said he took no pains to induce his Friends to be present last night.

Mr. ASHMEAD-BARTLETT: Early.

Sir WILLIAM HARCOURT: Yes, early. All I can say is that it appears to me that in the month of August that is an indiscreet course on the part of anybody who desires to form a House.

Mr. ASHMEAD-BARTLETT: With reference to the statement made by the Home Secretary, I beg to give Notice, for his advantage, that I shall, on Monday, ask the Prime Minister whether he is aware that a number of Gentlemen on the Conservative side were distinctly told by the Government Whips on Friday, as well as on Thursday, that the Government intended to make a House last night. I can prove it.

COURT OF CRIMINAL APPEAL BILL.

Sir GEORGE CAMPBELL: I beg to give Notice, with reference to a Notice which appears on the Paper this morning, that, before the Criminal Appeal Bill comes on, I shall ask the Attorney General whether in Grand Committee, an important extension of the Bill having been made, he did not say that he would loyally accept that decision; and, if so, why he has now put on the Paper a Notice to bring the Bill back to its original form?

The ATTORNEY GENERAL (Sir Henry James): I do not know whether that is a sort of imputation; but I never stated anything of the kind. I stated that for the purposes of that Committee I would accept that decision.

Mr. ASHMEAD-BARTLETT: Will the Chief Secretary for Ireland answer the Question I addressed to him?

Mr. TREVELYAN: I was under the impression that the right hon. and learned Gentleman the Secretary of State for the Home Department was going to answer the hon. Member. It is absolutely impossible on this subject to give any information to the House.

PARLIAMENT—BUSINESS OF THE HOUSE.

Sir STAFFORD NORTHCOTE said, he wished to ask the Secretary of State for the Home Department, what was to be the course of Business. In consequence of the "Count-out" yesterday there were now 13 Government Orders on the Paper, which was an arrangement which would not have been made had not the House fallen through last night. He wished to know which of these Orders it was intended to take, and how long it was proposed to keep the House sitting to-day?

Sir WILLIAM HARCOURT, in reply, said, that the Government did not mean to make any attempt to pass any of the Orders beyond the first six.

Sir STAFFORD NORTHCOTE: Will none of the others be proceeded with?

Sir WILLIAM HARCOURT said, that would depend on the desire of the House to transact Business. The information that the Government had was that most of the Orders were Orders which would not occupy a considerable time, and to which there would be no protracted opposition. He should hope that the Local Government Board (Scotland) Bill, so far as the second reading was concerned, would not occupy much further time. As to the Scotch Agricultural Holdings Bill, there were not many Amendments to be considered, and he was told yesterday that there would not be any opposition to the Report on the Patents for Inventions Bill, and certainly not as regarded the Diseases Prevention (Metropolis) Bill. He hoped these measures would be disposed of by a reasonable time, so that the House would not be kept sitting to a late hour.

Sir STAFFORD NORTHCOTE said, there was an understanding last Session, when they had Saturday Sittings, that the House should not be kept sitting to an unusually late hour, beyond 6 or 7 o'clock. He presumed they might anticipate a similar arrangement to-day, and that the Government, on passing the last of the Orders they meant to press, would move the adjournment of the House themselves.

Mr. Trevelyan

Mr. T. P. O'CONNOR said, he yesterday made an appeal to the Prime Minister to exempt from the operation of his pledge the Labourers' (Ireland) Bill, the reasons he had submitted being—first, that the measure had passed a second reading without opposition; and, secondly, that the Government, raising no objection to the Bill, had wished to have some Amendments put in it, which Amendments, to the extent of a page and a-half, they had placed on the Paper and he had accepted. The Bill, therefore, though it was in his name, was practically a Government measure. In addition to this, the Amendments which had been laid on the Table by the late Attorney General for Ireland (Mr. Gibson) had, he believed, been accepted. He wished to know whether the Government had any objection to the Bill being taken to-day if that course were assented to by the right hon. Gentleman the Leader of the Opposition?

Mr. ANDERSON asked, whether it did not rest with the House, when an Order of this kind was called, to decide whether or not it was to be gone on with? No pledge could be properly given after what had already occurred.

Sir WILLIAM HARCOURT said, no pledge was given yesterday on this matter. The Prime Minister had asked for a Saturday Sitting only for the purpose of making progress with Government Bills. He (Sir William Harcourt) had nothing to add to what the right hon. Gentleman had said yesterday. With reference to what had fallen from the Leader of the Opposition as to naming an hour for the adjournment, it was obvious that there was a danger in doing that, as Gentlemen might speak with an eye upon the clock. It was not the desire of the Government to keep the House sitting to a late hour.

Mr. TOMLINSON said, the right hon. and learned Gentleman seemed to think that the Patents for Inventions Bill would pass without opposition. There was, however, a page and a-half of Amendments to it, and some of them were of a controversial character; therefore, he hoped the Government would reconsider their decision on this point.

Sir WILLIAM HARCOURT said, he did not say that the Bill would pass without opposition, but that there would not be a great deal of opposition to it.

COLONEL KING-HARMAN wished to to know whether the Government proposed to press on the fourth Order—the Union Officers' Superannuation (Ireland) Bill.

MR. TREVELYAN said, they did.

MR. T. P. O'CONNOR said, he understood the right hon. and learned Gentleman to imply that the Government had no objcction to proceeding with the Bill he had mentioned to-day. Under the circumstances, he would ask whether the Leader of the Opposition would object to its being taken?

SIR STAFFORD NORTHCOTE said, he did not know that he had any right to answer the Question. As the hon. Member had appealed to him, however, all he had to say was that they could not make a distinction between one Bill and another. A Saturday Sitting entailed a considerable sacrifice on the part of the House, and it was only allowed on the understanding that nothing but Government Business should be taken.

ORDERS OF THE DAY.

PARLIAMENTARY REGISTRATION (IRELAND) BILL.—[BILL 155.]

(*Mr. Trevelyan, Mr. Attorney General for Ireland.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Trevelyan.*)

MR. ION HAMILTON, in rising to move that the Bill be read a second time that day three months, said, he was surprised that the Chief Secretary for Ireland had not made any observations in explanation of the objects of the measure. The Bill had passed through many vicissitudes. It was first introduced in 1876, framed upon the Report of the minority of the Select Committee which made an exhaustive inquiry into the subject of registration in 1874. The measure had been hurried through that House in 1880 in a manner which did more credit to the ingenuity of the Government than their fairness as public men; but, happily, it was thrown out in "another place." It was with some surprise, however, that they now saw the Government adopting this Bill at the close of another Session in which they had abandoned a measure for the reconstruction of the Constabulary, to which some importance was attached, because there was not sufficient time. Many Gentlemen interested in the present Bill, notably the two Members for the University of Dublin, were unavoidably absent. The tendency, if not the intended result, of this measure would be to make the appearance of a man's name on the Register *primâ facie* evidence of his right to vote. It was simply a measure for compulsory registration; and he was aware the Liberal Party believed that every man was a born politician, if not, that it was their duty to made him a politician. In the county he represented many men were very indifferent about having their names placed on the Register; this Bill would enable them to be registered without leaving their comfortable sofas or firesides. The privilege of being allowed to vote was worth seeking after; indeed, what was worth having was worth going to get. If the intention of the Government was to have people registered *nolens volens*, many would be placed on the Register in Ireland who would not cordially support even the policy of his right hon. Friend (Mr. Trevelyan). They must look at the question in a broad light. These were days when they required to speak plainly. There was no doubt that the Bill, if passed, would place in far greater political power the Party represented by the hon. Gentleman the Member for the City of Cork (Mr. Parnell). He (Mr. Ion Hamilton) and they were diametrically opposed in policy, and he should be sorry to see further power placed in their hands. If the Bill passed a second reading, he hoped it would not be proceeded withwithout due precautions being taken in Committee. It was, in his opinion, an ill-timed measure to remedy an entirely imaginary evil. It had been introduced as a concession and as a sop, he might say, to those promoters of change and agitation from whom the Government had taken this Bill, and he really thought they had, upon this occasion, taken their policy. He begged to move that the Bill be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Ion Hamilton.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. TREVELYAN said, he could assure the hon. Member that he moved the second reading of this Bill silently, not out of want of respect to him, or those with whom he acted, but because he wished to ascertain the line of objection which was to be taken to it before he addressed the House. Now that he had heard those objections, and had found them similar to the arguments used against the Bill in previous years, he must own he had not yet perceived one argument put forward in either House which was founded on the principle of the Bill. The hon. Gentleman had commenced a sort of historical account of what passed in preceding years; and, arguing from the year 1880 to the present occasion, the hon. Gentleman had again complained of the lateness of the Session, and that the Government was now pushing forward a measure to which they had not seemed very favourable, and he had again described the Bill as a sop to the promoters of agitation. But these were not sufficient arguments to induce the House of Commons to reject the Bill, for which very grave reasons could be given. The hon. Gentleman adduced one argument which was greatly in favour with the opponents of all Reform Bills from the year 1832—he said this was a Bill for compulsory registration, and spoke about sofas and firesides and quiet gentlemen who were indifferent to registration. But the people they wanted to take part in the affairs of this country were the quiet business men—men who minded their own business well, and proved thereby that they could mind the business of the country. These were the men, however, who had not the time to run into the Registration Court at the bidding of every trifling objector; but these were the men who were always pointed out to the objectors. There was no doubt whatever that to the quiet voter, who simply wished to give his vote and nothing more, they would do an immense benefit by this Bill. But what injury would they do to the opposite party—the objector? Was it so very great a grievance that if one man wished to deprive another of his vote he should make out a case? If he could not prove his objection, then he showed that he was actuated by an unworthy motive, and desired to disfranchise that man because he belonged to the opposite Party. In that case the objector deserved no sympathy, and the passing of this Bill could make no grievance to him. The business of a good citizen was not to take trouble to secure his vote, but to take trouble to exercise it. It was the State which ought to take the trouble to give the man the right to vote, and that right to vote had been already given by Reform Bills passed by large majorities through both Houses of Parliament—really he hoped the hon. Member would find some better argument; but the right of voting was nullified by a bad system of registration. A worse system of registration than that existing in Ireland it would be impossible to find. Any person in Ireland, without making any inquiry except whether his victims belonged to his own or the opposite Party, might, on the eve of the sitting of the Registration Court, make out 200 or 300 objections; and if he had 200 or 300 pence to buy postage stamps might put these objections, not to be always delivered to the persons, but to lie at the office of the post town, while those persons, quite ignorant of what was going on, were being deprived of their right to vote. It was not even necessary he should be ignorant of the objection made to exclude him from the franchise. Take the case of a merchant or lawyer with a house at Howth or Malahide. If he did not wish to lose an entire day at the Registration Court he must lose his vote, to which he had as much right as to his house. Everthing which hampered and made registration expensive, encouraged intrigue and all the worst forms of political organization, and discouraged the best sort of political organization. Under such a system they gave a distinct advantage to a Party which was unscrupulous enough to make objections at random, and they placed at a distinct disadvantage a Party that was too scrupulous to take that course. Using no insinuation against any particular Party, he claimed that the present system in Ireland discouraged political purity. If they shifted the onus of proof from the voter to the objector, which was what this Bill mainly proposed, as in municipal elections, they did not necessarily give a vote to a single man who ought not to have it, Every valid objection would still be upheld. But hundreds and thousands of men would be saved from their present loss of citizenship, and from an immense amount of hardship and trouble which there was no right to inflict upon them. The hon. Gentleman said the time had come when they should speak out plainly. Undoubtedly that was the case; and now, and for some years to come, every man who wished to influence public opinion would have to speak his whole mind. This was not a question of giving strength to one Party or another, but of making genuine that which Parliament had long ago conceded as a right. In his opinion, and in the opinion of the Government, very great political good would be done by this Bill, because it would remove a genuine Irish grievance. Could any man believe that disaffection would be increased by giving to a few hundred men in every county facilities for recording their votes, which at present belonged to them as a right? On the contrary, he believed that petty injustice, such as this Bill was designed to prevent, stirred men to disaffection. On the responsibility of the Government he declared that this Bill would greatly strengthen the Executive in Ireland by their being able to show that an indisputable Irish grievance brought to Westminster, with English and Scotch Gentlemen sitting there, was redressed cheerfully and fully, and so as to leave no sense of wrong behind. As the Bill passed its second reading in 1879 and in 1880 without a Division, so he hoped it would pass without a Division to-day.

Mr. J. LOWTHER said, the right hon. Gentleman had told them that the Executive Government in Ireland required strengthening—it was not necessary the House should be told that. But if the Government considered this measure one that was calculated to render easier the task they had in governing the country, why did not the right hon. Gentleman and his Colleagues take the House into their confidence at a more reasonable time of the Session? He was glad to find the right hon. Gentleman had somewhat tardily arrived at opinions with regard to what he termed arm-chair politicians. He told the House that he placed in that category quiet business men who attended to their own business, and who the Government thought it was desirable should enjoy the franchise. It was a curious thing that when some time ago hon. Gentlemen on the Opposition side of the House endeavoured to obtain facilities for quiet business men to exercise freely and easily the franchise, Her Majesty's Government put every obstacle in the way. The right hon. Gentleman said there was a class who nobody wished to exclude from the franchise. He (Mr. J. Lowther) was very curious to know what that enviable section of humanity could be. The right hon. Gentleman had described them as professional men resident in the suburbs of Dublin. Those suburbs, of late, had not been particularly enjoyable places of abode for professional men, or for any other persons. The right hon. Gentleman took upon himself to say on behalf, he (Mr. J. Lowther) presumed, of all the Representatives of Ireland, that there was no desire to exclude these persons from the Register. He hoped on this subject the right hon. Gentleman had had opportunities of more accurately making himself the representative of Irish popular opinion than he unfortunately had been able to do on many other points. The right hon. Gentleman charged hon. Members sitting on the Conservative side of the House with opposition to the Bill upon the ground that it would contribute largely to the representation of one particular Party in Ireland. He (Mr. J. Lowther) had always said that, in his opinion, the Party led by the hon. Member for the City of Cork (Mr. Parnell) were the Representatives of a large numerical majority of the people of Ireland. He had always said so notwithstanding the vehement contradictions he had encountered on the Treasury Bench —not from the Chief Secretary, who was too well acquainted with the condition of Ireland to denounce as a calumny that simple statement of fact. He did not know which Party in Ireland would be benefited by the change; but he thought, if a large number of new voters were put on the Register, the complexion would be found to be that which was indicated by the right hon. Gentleman. The argument which had been addressed to the House had evidently failed to carry conviction to the mind of the right hon. Gentleman, and when the Division Bell rang he (Mr. J. Lowther) would feel obliged to withdraw from the House. The House of Commons, he hoped, would not accept the doctrine which the right hon. Gentleman boldly laid down—namely, that any time in the Session was time enough to introduce a measure which Her Majesty's Government and their supporters desired. This was a large alteration — he abstained from using the word reform—of the machinery governing registration in Ireland, which ought to be discussed in a full House. A Saturday's Sitting was deservedly far from popular in the House, and it had been promised that only non-contentious Business was to be taken on that day. Certainly that Bill could not be described as not being of a contentious character. Its importance to the country could hardly be overstated, and he hoped at this period of the Session the House would not read a Bill to which strong opposition was entertained by many Members from Ireland representing the most loyal portion of the community.

Mr. FINDLATER said, that as one of the loyal section of the population of Ireland he gave the Bill his hearty support. He had suffered from the present unsatisfactory system. For the last two years he had been dragged from Dublin to Kingstown to prove his right to vote, although there was not the shadow of a reason for serving him with a notice of objection. It was done merely on the chance that his ordinary avocations would prevent him attending to defend his vote. Many Dublin gentlemen were in the same way kept waiting in a Court-house for hours, in order that they might substantiate their claim to be upon the Register. They claimed this Bill as a protection from the manœuvring of Party managers. He looked upon the Bill as an excellent one. It had had many fathers, and it must be an excellent child to have secured so large a parentage.

Mr. ASHMEAD-BARTLETT said, the Bill might have a very innocent appearance, and, looked at in itself, it was, perhaps, not open to many objections. But there was something very extraordinary in the action of the Government in this matter. As was pointed out by the right hon. Gentleman the Member for North Lincolnshire (Mr. J. Lowther), if the Bill was so important for the convenience of voters in Ireland, why was it not introduced earlier in the Session? As a matter of fact, this was an attempt to resuscitate the Kilmainham Compact. This, taken in conjunction with the recent action of the Government in Irish matters, was an attempt to obtain the support of the Irish Party for Liberal measures. He trusted the Irish Party would not take the bait. The Government had alienated and disgusted public opinion in England and very largely in Scotland by their mistakes, and now they had to fall back upon the Irish Revolutionary Party What had been the result of their administration in Ireland? Mallow and Monaghan supplied the answer. He did not think the Government would, by their present course of action, gain anything in the long run, though with their usual blindness they still hoped that by throwing such sops as this Bill represented they might at a critical time—say at a General Election—purchase the Irish vote. He believed the Irish Party knew their power too well to permit themselves to fall into the trap which was being prepared for them. He hoped the House would reject the Bill.

Colonel KING-HARMAN said, he should support the Motion for the rejection of this wise Bill, which had so many fathers that it was difficult to know who its fathers were. The right hon. Gentleman the Chief Secretary for Ireland had spoken theoretically; but he had displayed great want of knowledge how the Bill would work. He had said that the Government had made up their minds that the Bill was absolutely necessary, that it would remedy a standing and acknowledged grievance, and that he relied upon it as one of those measures which would lead to the general pacification of Ireland. He (Colonel King-Harman), however, objected to the Bill, because it was badly framed, and would not carry out the object in view. As a matter of fact, it was a Bill for the promotion of wrongful claims and the creation of faggot votes. It was not right that frivolous objections should be made to a man who had a right and a wish to possess the franchise; but this Bill would really encourage frivolous claims. The Bill proposed that the claims should be made by the poor rate collectors; but he must point out to the House that the poor rate collectors in Ireland were very different persons from the overseers of the poor in England, who had to do with the making up of the Registers. The overseers were obliged to reside in the parish and were familiar with the status of all the inhabitants, while in Ireland the collectors need not reside in the baronies for which they collected, and had no knowledge of the majority of the householders. Then, again, the majority of the collectors were selected on purely political grounds, and there was every reason to believe that in the future that would continue to be the case. Therefore, the collectors would be elected because they supported a particular Party; and, consequently, he would say that when those men made a claim that certain persons should be placed upon the Register, they would do so as a rule because those persons would vote for the Party to which the collectors were attached. So far as he could see, the Bill would affect two distinct parties—those who were too idle, too lazy to take the trouble to claim their votes, and those who for obvious reasons in the present state of Ireland did not want to go on the Register, and did not want to have votes which they would be compelled to exercise by tyranny and not law. It was perfectly well known that there were men holding respectable positions in Ireland now who placed their houses in the names of their wives in order that they might not be on the Register or placed upon the Jury Lists at the risk of their lives. [MR. HARRINGTON: To avoid payment of their debts.] Was it well, at the present time, to increase the number of Irish Members sitting below the Gangway whose chief claim to the suffrages of their constituents was that they were opposed to the Union of the Empire, and that they were, in point of fact, the chief champions of disorder in the country? This was not a time for disturbing the franchise, or any portion of the Irish Electorate. This was not a time to increase the opponents of law and to give a distinct triumph to the Party led by the hon. Member for the City of Cork (Mr. Parnell). Were the Government so enamoured of that Party, after the experience of the other morning, when the vituperative speeches heaped upon the Chief Secretary compelled him to withdraw the Police Bill, that they must now introduce another Bill to strengthen that Party? If the Chief Secretary was desirous to bring in a Bill for the welfare of the people of Ireland, why did the Government drop the Sunday Closing Bill, which was asked for and pressed for by nearly the whole of the people of Ireland? The Bill was brought in, he would not say by a trick, because that was not Parliamentary, but by a surprise. The Government were perfectly well aware that at this period of the Session the majority of the Conservative Members would be absent, and therefore they postponed bringing in the Bill; but, at the same time, they had no hesitation in postponing the Irish Estimates, because Irish Members were not present. It was the old story of doing anything and everything to gain the votes of hon. Members below the Gangway. It was the old story of sop and surrender. It was an effort on the part of the Government to get a supposed advantage by trying to please the Members below the Gangway, and to gain a few votes for Monday. If they passed this measure, they would do away with many Conservative Members, and the certain result of it would be that there would not be a Liberal Member left in Ireland. He had heard that hon. Members from Ireland below the Gangway considered this Bill was directed against the county of Dublin. All he could say was that he was not one bit afraid. He stood there backed by the largest majority that had ever sent a Representative to that House from the county of Dublin, and he ventured to predict that when the next General Election took place, if the Party that was opposed to law and order ventured to oppose him, he should be returned by a still larger majority. Yet he believed there were some constituencies that would be very deeply affected by this Bill, and that the ribald section would profit by it.

MR. MELDON said, he thought it was rather late in the day to discuss, in an argumentative manner, the principle of this Bill. Up to the present time, in previous Sessions, everything that had been done in connection with this Bill had been done unanimously, and without opposition or Division. In 1874 the system of registration of voters in Ireland being considered a public scandal, the matter was referred to a Select Committee. Two Reports were presented—one in favour of the principle of this Bill, and another, through the casting vote of the Chairman, to contest that principle. A Bill of one clause was introduced in 1877, 1878, and 1879, and was agreed to unanimously by the House, the Conservatives then in power not venturing to oppose it. Owing to the obstruction of one of the Members for Ireland, as far back as 1878, that Bill was not passed into law. A Bill precisely like the present one was introduced in the Session of 1880; but the Conservatives then did not venture to argue against its provisions. It passed the third reading without any opposition on the part of those Gentlemen who were now so emphatic in denouncing the same measure. The present system of registration in Ireland was one of the remaining great checks on the freedom of electors in that country. It was, no doubt, impossible in the county of Dublin, or in any other part of Ireland, to intimidate voters, or to prevent them recording their votes; but yet in the county of Dublin and in a few other constituencies where the Conservatives held sway in Ireland the grossest intimidation was practised. [Colonel King-Harman: No, no!] In the county of Dublin a system of the grossest "Boycotting" took place—not to intimidate voters from giving their votes; but to intimidate highly respectable persons from putting their names on the Register.

Mr. ION HAMILTON asked whether the hon. Member could give an instance?

Mr. MELDON said, he could. In the township of Kingstown respectable tradesmen would not be dealt with if their names were on the Register.

Mr. ION HAMILTON said, he must totally deny that statement.

Mr. MELDON said, that, at any rate, an explanation was required of the great difference which appeared between the names in the local directories and those on the Register.

Mr. DAWSON said, he wished to express his acknwledgments to the Chief Secretary for having introduced this Bill. He regarded it as the thin end of the wedge of a system of Constitutional government for Ireland. He had no objection whatever to what was in the Bill; but there were serious omissions, which he should endeavour to fill up in Committee.

Mr. CORRY said, he objected to the Bill, because it was introduced at a time when it would do much to encourage the party of disorder. He did not think the Bill would make much difference in the strength of voters in Ireland; but that difference, even if it was only a slight increase of the popular party, would be unfortunate in the present condition of affairs in Ireland.

Mr. ILLINGWORTH said, he warmly supported the Bill. He said that if they desired to have Ireland peaceable and orderly they must give the people of Ireland every opportunity of speaking Constitutionally, and of being represented Constitutionally, according to the desires of the people of Ireland, and in proportion to the population of that country. Irish Members who sat on the Conservative Benches were accustomed to boast of their loyalty. It was easy for them to be loyal. They had held a domination in that country which their numbers by no means justified. It had been necessary to deprive the great majority of the people of Ireland of their rights in order that the Members of the Irish Conservative Party should make a boast of their loyalty. He did not despair, even yet, if by steady steps Parliament proceeded in giving to the great mass of the Irish people their Constitutional rights, that in the end the Irish people would return to Constitutional courses. [Mr. Healy: Hear, hear!] So far from poverty or disaffection being reasons for depriving people of their rights to representation in the House of Commons, he regarded them as the strongest reasons that could be urged why the Government should persevere in trying to confer upon the Irish people this and other rights of which, for a long period, they had been defrauded.

Question put.

The House *divided*:—Ayes 97; Noes 17: Majority 80.—(Div. List, No. 257.)

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Monday* next.

LOCAL GOVERNMENT BOARD (SCOTLAND) BILL.—[Bill 251.]

(*Secretary Sir William Harcourt, The Lord Advocate.*)

SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Amendment proposed to

Question [3rd August], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Dalrymple.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

MR. WARTON said, that yesterday afternoon, when the hour arrived for the suspension of the Sitting, he was pointing out to the House the gross blundering way in which this Bill, and especially the Schedule of it, had been drawn. He had called attention to the thoroughly inaccurate, inconsistent, and absurd character of the Schedule, his object in doing so being to elicit an opinion from the Lord Advocate or the Solicitor General for Scotland, because neither of those two much respected Gentlemen had spoken on the Bill. He thought if there was any responsibility for such a hash as this, these hon. and learned Gentlemen should have an opportunity of denying their participation in it. He did think it was hardly respectful to the House to put forward such a Bill as this, especially with such a Schedule, and that neither of these hon. and learned Gentlemen should address the House on the subject. He had thought yesterday of moving the adjournment of the debate in order to give the hon. and learned Gentlemen an opportunity of speaking on the Bill. He hoped that without such a course being taken they would take the opportunity to justify the Bill, which he heartily hoped was not theirs in any sense of the word.

COLONEL ALEXANDER said, he desired to explain in a very few words the reasons which induced him to give his support to the second reading of the Bill. It had been said that the principal object of the promoters of this Bill was to find a place for a distinguished and able supporter of Her Majesty's Government. He did not believe, however, that that was the case. He did not believe it was necessary to go so far afield to find a reason for the introduction of the Bill. He thought they had a very sufficient reason in the profound feeling of dissatisfaction which for some time past had been expressed on both sides of the House with regard to the way in which Scotch Business generally was carried on and administered in that House. Yesterday his right hon. and gallant Friend the Member for the Wigtown Burghs (Sir John Hay), as well as his hon. Friend the Member for Wigtownshire (Sir Herbert Maxwell), referred to the Report of Lord Camperdown's Commission, and triumphantly pointed to it as conclusively establishing their contention that the introduction of this Bill was wholly superfluous and unnecessary. But he must say it seemed to him, after a perusal of that Report, that his right hon. and gallant Friend (Sir John Hay) had no reason to congratulate himself. It appeared to him quite clear that, although Lord Camperdown and his Colleagues were satisfied that there was no great cause for complaint as to the way in which the Scotch Departments were administered generally, there was great room for improvement in regard to the way in which Business was conducted in that House. Those Commissioners were irresistibly forced to this conclusion by the evidence of two very competent witnesses—not one, as the right hon. and gallant Member said yesterday, but two unimpeachable Conservative witnesses—the late Sir William Stirling Maxwell and Mr. Nisbet Christopher Hamilton, as well as his hon. Friend the Member for Linlithgowshire (Mr. M'Lagan), who spoke with considerable authority as having had practical experience of the great inconvenience resulting from the present system. The objections to the present system were not new. Complaints had been made at intervals from 1804 downwards, that by reason of the Lord Advocate and the Home Secretary being overworked, Scotch Business had fallen into arrears. Measures were brought in too late in the Session, and too late at night, so that the work was generally hurried, and very often scamped. He found that in 1804 the Lord Advocate of that day told the House of Commons that by reason of the abolition of various Departments of the State, the duties appertaining to those Departments had been concentrated in his person; and he went on to say that he believed he had given as many as 800 military opinions, and that the work of the Attorney General was as nothing compared to his. If that statement was true, having had some personal experience of the way the duties of the Attorney General in England were carried on, it appeard to him that the labours of the Lord Advocate must be prodigious indeed. He would remind the House that in June, 1858, just 25 years ago, a Motion was made on this subject in this House by the right hon. Gentleman the Member for Montrose (Mr. Baxter), who, in moving that Resolution, animadverted very strongly on the neglect and mismanagement of Scotch Business in this House, owing to the multiplicity of duties with which the Lord Advocate was charged. What did Lord Palmerston say on that occasion? Lord Palmerston on that occasion, curiously enough, took up a line totally opposed to the line taken up by those who contended that the Lord Advocate was the Minister responsible for the conduct of Scottish Business in this House. Lord Palmerston, speaking, as he did, with the experience of a former Home Secretary, and therefore having been responsible himself for the conduct of Scottish Business in the House, observed that—

> "A great deal of Scottish Business never goes through the hands of the Lord Advocate at all. The Lord Advocate, I beg the House to understand, is only consulted by the Home Secretary, and has no greater authority than an individual giving advice."

This was the interpretation put upon the duties of the Lord Advocate by one who was always acknowledged to be a competent authority on this matter. The Lord Advocate was only a subordinate Officer of the Home Secretary, who was virtually the Scotch Minister in this House. He should not object to this arrangement were the Home Secretary competent to undertake the duties of the Office; but they all knew, from the confession of the right hon. and learned Gentleman himself, that this was by no means the case. They all knew that the right hon. and learned Gentleman was overwhelmed with work, caused to a certain extent by the imposing of new duties, and it had been recently found necessary to appoint an Under Secretary of State for the Home Department. He thought the Scotch Department in that House was very much undermanned as compared with the Irish Department. Why should the Irish Department, as at present, be represented by a Chief Secretary and three ex-Chief Secretaries, by an Attorney General and an ex-Attorney General, whilst Scotland must content itself with a Lord Advocate and a Junior Lord of the Treasury? It was only by accident that they had the advantage of the presence of the Solicitor General for Scotland. One disadvantage resulting from the present system was that an ex-Lord Advocate very rarely found a place in that House. During the late or present Administration there had been no ex-Lord Advocate in the House. He was not astonished that the late Government should be opposed to this Bill, because it was only after six years tenure of Office, and when they were in *in extremis*, that they thought even of appointing a Junior Lord of the Treasury. The late Government made no Scotch appointments at all—stay, he was wrong in that statement; they made, at the outset of their career, the Member for Inverness-shire a groom. It was said they were anxious to have a Scotchman as a Minister; but that was not so. What they did want was not a Scotchman as a Minister, but a Minister for Scotland—and, provided he was a competent man, they did not care whether the Office was held by an Englishman, an Irishman, or a Scotchman. And it did not signify what the name of such Minister might be; they did not care whether he was termed Chief Secretary, like the Chief Secretary for Ireland, or a Secretary of State, or President of a Local Government Board, so long as he spoke with a weight and authority which even the present Lord Advocate—and the present Lord Advocate was as good as the best—could not possibly pretend to. They had only to look back to what took place yesterday week in this House. Nothing more ridiculous could be conceived than what then occurred, to see the way in which Scotch Business was regarded. On that occasion they found the hon. Member for Great Grimsby (Mr. Heneage) button-holing the Prime Minister, who was assuring him it was the wish of the House to put aside the Bill that stood next on the Paper—the Agricultural Holdings (Scotland) Bill—and take the one following it, which related to England; there was the hon. Member for Hertford (Mr. A. J. Balfour), who though not a Scotch Member was a Scotchman, rushing frantically about in the House imparting advice and consolation; and lastly, the Lord Advocate endeavouring, as well as he could, to make matters pleasant all round. By this Bill they would escape all that; and it was with the view of escaping all that, or in order to have Scotch Business fairly transacted in this House, that he advocated the passing of this Bill. He had only one word to say in conclusion. He, to a certain extent, agreed with what yesterday fell from his hon. Friend the Member for Bute (Mr. Dalrymple). The Scotch Members might expect great advantages from the passing of the Bill; but they must, to a certain extent, rely upon themselves. They must really show some power of self-assertion in that House, and make their opinions more felt. They must show that they had some backbone. They grumbled too much in the Lobby, and their voices were too seldom heard in that House. Their distinguishing characteristics as Scottish Members were meekness and modesty — qualities excellent in their way, but qualities which, he was sorry to say, were not much appreciated in the British House of Parliament. Only conceive the power which 45 resolute men might wield! Only conceive what they might do by putting a little pressure on the Government — in other words, by making themselves occasionally a little more troublesome, even at the risk of being dubbed "Obstructionists!" If they did this there would be no necessity even for doing what the hon. Member for Buteshire objected to — namely, hawking Petitions about for signature in the Lobby. Although much might be expected from this Bill, and although he would give his heartiest support to it, he thought they should do a great deal more by occasionally relying upon themselves.

SIR H. DRUMMOND WOLFF said, he thought that in a matter of such importance as the entire re-organization of the conduct of Scottish Business, the English Members were entitled to say a few words. He wished to inquire from the Government what was the real object of the Bill, because it had not hitherto been explained? The hon. and gallant Member who had just spoken had complained that Scotland was not so well represented in that House as Ireland. He did not think Scotland could be put on the same footing as Ireland, because the government of Scotland was remarkably good and orderly, and the state of Ireland had not given equal satisfaction. Why had the Lord Advocate not yet favoured the House with any remarks on the subject? Surely there was no authority in the House so eminent as the Lord Advocate; he was by common consent one of the best Lord Advocates who had ever sat in that House; and when they were about to disestablish him, he thought they ought to find out from himself how far he concurred in this measure, which he thought would be derogatory to the high position the occupant of his Office had always held in that House. He should be glad to hear from the Government that this Bill was not intended to be in any shape a reward for the Mid Lothian Election. There was a certain noble Lord who, it was well known, was very instrumental in bringing about the result of that Election; who, it was said, had contributed a good deal to the manufacture of faggot votes; and who declared, either before or during the election, that he had been under the wand of the enchanter. It now seemed that the wand of the enchanter was about to create a place under the Crown which would just suit the noble Lord. He did not think when Parliament met that it was ever intended to bring in a Bill of this magnitude. It was not brought in until the noble Lord resigned the Office of Under Secretary of State. As soon as the noble Lord was elbowed civilly out of that place by the Home Secretary, who was united with him in ties of personal affection, that personal affection developed itself in the production of the present Bill, which was to place the noble Lord, or whoever might be appointed, in the Cabinet. The only way in which the noble Lord could be placed in the Cabinet, without offending the claims of his rivals, was that he should be specially connected with Scotch Business. He would ask the Lord Advocate whether he would kindly give the House a little information, which had been denied them by the Home Secretary, as to the functions and staff of this new Officer? It was said there was to be no staff, except what was to be made hereafter. There was no Vote taken for the composition of the new Department. The President was to have a salary of £2,000 a year, and that apparently was all he had to receive.

There was to be no Private Secretary, no clerks, and no officers, except such as he could hew out of the existing Departments. He understood there were about 11 Boards in Scotland which performed the different functions of government, and the President of the new Department was to be charged with duties which were now discharged by the Secretary of State under 30 different Acts of Parliament, all of which embraced the highest and most important functions of government. In the discharge of all this the noble Lord, or whoever might be appointed, was not even to have the assistance of a clerk. Then they were told that the new Minister was to form his Department out of the existing Boards in Scotland. He supposed that meant that on the verge of a General Election he was to be allowed to manipulate these Boards, to take those officers who might be useful, and dismiss those who were not obedient to himself. They all knew the capabilities of the noble Lord, and they were called upon not only to give him a place, but to bring in an Act of Parliament which would enable the Prime Minister to reward his particular supporter. He thought they ought to know how far this noble Lord was to be allowed to manipulate the Departments in Scotland, and how far he intended to reduce them or increase them. He contended that on the verge of a General Election it was most monstrous and dangerous to confer powers of this kind on a noble Lord whose antecedents were so well known——

Mr. BUCHANAN: Mr. Speaker, I rise to Order. I wish to ask whether the hon. Member is in Order in making the allusions he has done while discussing this Bill?

Mr. SPEAKER: The hon. Member is assuming that a certain appointment is to be made under this Bill. Whether he is correct or not in the assumption, I do not know.

Sir H. DRUMMOND WOLFF said, the hon. Member for Edinburgh was very fond of calling other hon. Members to Order; but he should wait to gain a little more experience before pursuing that hobby. In his (Sir H. Drummond Wolff's) opinion, the only object of the Bill was to provide a place for the noble Lord; and in the face of the Corrupt Practices Bill, it was somewhat surprising to see this performance on the part of the Government. One Scottish Peer who dabbled in the Mid Lothian Election was made an English Peer; another noble Lord was immediately rewarded by the manufacture of a new place, which was not foreshadowed in the Queen's Speech, and which was only provided for the noble Lord after the terrible disaster which occurred a few weeks ago. On that account he wished to appeal to the Home Secretary whether he would continue to countenance such proceedings? He did not think that this kind of reward should come from the Prime Minister and the Home Secretary, and should be ratified by an Act passed in that House. For these reasons he wished to give every opposition to the Bill now before them, in the hopes that it might be more considered, and that in Committee it should be specified what were to be the functions of the noble Lord; what Departments he was to deal with, what rights he should possess to create new offices or abolish old ones; and they should have it all cut and dry, so that they might not see all the Boards in Scotland manipulated in the interests of one particular Party.

Sir GEORGE CAMPBELL said, he would have been glad had the Bill passed the second reading yesterday. It seemed to him that there had been very little argument against this Bill. All that had been said against it was in the nature of invective, and the argument of the opponents of the measure was that it was a Bill of the Government, and, therefore, they did not like it. The hon. Member for Bute (Mr. Dalrymple) seemed to him to add rather too much argument to his humorous speech. He proved conclusively three things—first, that no change was wanted, and that the present arrangement was perfectly satisfactorily; secondly, he proved that what was wanted was an Under Secretary—that was the real thing, and nothing more; and, in the third place, he proved clearly that no body in Scotland would be satisfied unless they got a Secretary of State. The hon. Member had proved by overwhelming argument these three things; but, like the omnibuses trying to get through Temple Bar together, it seemed to him that these three things proved by the hon. Member had rather jostled one another.

Mr. DALRYMPLE: These were the remarks of the hon. Baronet the Member for North Lanarkshire on the other side of the House.

Sir GEORGE CAMPBELL said, his impression was that this proposal of the Government was a happy compromise between an Under Secretary, which was too little, and a Secretary of State, which, he thought, was too much, and which they were not likely to get. He believed the President of the Local Government Board for Scotland would be a very useful institution; and, though he would occupy that position which it was right and proper a Minister for Scotland should occupy, he would not necessarily be in the Cabinet, nor would he necessarily be excluded from the Cabinet. As he understood the Office, judging by the analogy of the Offices of like salary and position—such as the President of the Local Government Board of England, the Vice President of Education, the Postmaster General, the Chancellor of the Duchy of Lancaster, and several other Offices—it was an Office held under the Government; but the President would not necessarily be in the Cabinet. He, however, hoped that on the present occasion the Office might be held by a Gentleman who might not improbably be a Member of the Cabinet. It was suggested that the proposed change was derogatory to the great Office of the Lord Advocate, and that it was not necessary that the change should take place when that Office was so well filled. He entirely differed from that view. It would not be a derogation from the position of the Lord Advocate; but it would put that Office on a much more dignified footing than it at present occupied. No doubt, the change would take away some of the duties that were now performed by the Lord Advocate; but he thought that Officer would hold a much more dignified position, as a Minister of Justice for Scotland, when he was freed from the somewhat humiliating function of acting merely as the subordinate of the Home Secretary in regard to certain matters which did not concern his Department. The hon. Member for Aberdeen (Mr. Webster) was possessed with the idea that this was a horrible advance in the direction of Home Rule——

Mr. WEBSTER: The Member for Aberdeenshire.

Sir GEORGE CAMPBELL: Well, the Member for Aberdeenshire——

Sir ALEXANDER GORDON: The Member for East Aberdeenshire.

Sir GEORGE CAMPBELL said, the hon. and gallant Member for East Aberdeenshire seemed afraid that the proposed change was going in the direction of Home Rule. He (Sir George Campbell) thought they had too much centralization already. In this Government they had centralized too much. It might be he was wrong; but if his hon. Friend would succeed in sweeping away the broad distinctions which now distinguished Scotland from the other parts of the United Kingdom, if he succeeded in abolishing the Churches of England and Scotland, and in fusing the laws of the two countries into one great Code, in which predominance would be given to the law of Scotland, on account of its intrinsic merit, why, in that case, if the hon. and gallant Member thought proper to vote for more complete centralization, he might have an arguable case; but extreme centralization was not successful, and he did not attribute great weight to the argument of the hon. and gallant Member that this Bill was in favour of Home Rule. It seemed to him that they did want a Local Government Board in Scotland which could perform the functions of the Local Government Board in England, and a good deal besides. They had been told that in Scotland they had no Poor Law worthy of the name, and no Sanitary Authority worthy of the name. He could not admit it; but that was the very strongest argument they could have for the new Department, which would be capable of giving Scotland the benefits of a good Poor Law and Sanitary system, and many other good things. The proposition of the Government was an extremely good one—it was a *juste milieu*, and gave Scotland neither too much nor too little. Although he generally approved of the present Bill, he thought there was one thing wanting, and that was a more complete inside, as it were, to the Bill. He thoroughly approved of the objects and principles of the Bill; but he thought something more was wanted in the shape of detail. He would like to know from the Government what was to be the position of the President of the new Local Government Board? It seemed to him necessary that the new Board should be amalgamated with the old Boards. If this was not so, he did not think the new Officer would have enough work to justify his appointment and the salary that he was to draw. If the new Officer was only to be a kind of cherub sitting up aloft and looking down upon the local Boards his time would not be sufficiently occupied, and there would not be sufficient justification for giving him this high salary. His principal object in rising was to express a strong hope that when they got into Committee the Government would see their way to propose conditions under which they should be saved the necessity of having another Bill to occupy the time of the House next Session. He hoped the President of the new Board would concentrate in himself the general superintendence of the administration of the different Boards in Scotland; that he would be *ex officio* the Chairman of these Boards. He would then have amply sufficient work to occupy him, while he would be responsible to Parliament, either in the House of Commons or in the other House, for the functions which these Boards exercised. He hoped the Bill would be brought to maturity in a shape that would work well.

Mr. SIDNEY HERBERT asked if the Home Secretary or some other Member of the Government would give the House some idea of whatthe new Office was intended for? He found from the Schedule that four Departments would be amalgamated in the new Office. There would be the business now done by the Local Government Board, the business of the Home Office, the business of the Privy Council, and certain duties now undertaken in the Office of the Board of Works. A very large staff would be required to undertake all this work. It had been suggested by many hon. Members who spoke in favour of the Bill that it would be necessary to have an office in Edinburgh as well as in London, and he was of opinion that it would be necessary to have two offices. The Bill ought not to pass a second reading until the House should receive some idea what the Imperial Exchequer would have to pay.

Sir WILLIAM HARCOURT: I am out of Order in speaking again; but I need not infringe the Rule. It is a question of general arrangement of Offices, and I am asked a question with respect to payment. That question does not belong to me. The right hon. Gentleman the Member for South-West Lancashire asked the same question yesterday, and I gave the only answer I could.

Mr. GORST: I rise to Order. I wish to know if the right hon. and learned Gentleman is in Order in speaking twice?

Mr. ASHMEAD-BARTLETT said, he objected to the Bill on general grounds. He objected to it, in the first place, because it was distinctly a Separatist's Bill. It was calculated to render Scotland more separate and more distinct from England. It was going back to old times; it was undoing all the good which several centuries of intercourse and union between the two countries had effected. The Bill was wholly uncalled for. The Government had convulsed Ireland; but there was no reason why they should convulse Scotland too. Why should they not let alone the Scotch people, who were happy, peaceful, contented, and orderly, and who made no demand for this Bill? He believed, if the hon. Members on the other side of the House were polled, independent of Party, a great majority would be found to vote against the Bill. The hon. Member for Portsmouth (Sir H. Drummond Wolff) objected to the Bill, because it was a sort of reward for electioneering services. He (Mr. Ashmead-Bartlett) would not go so far as that. He admitted that the conjuction of conditions was extremely suspicious. He admitted that the peculiar events in Mid Lothian gave rise to some natural reflections on the Bill, and there was very little doubt that it was introduced for the purpose of giving an Office to a certain noble Lord. [General Sir George Balfour: No.] He (Mr. Ashmead-Bartlett) did not accept the denial of the hon. and gallant Gentleman. He did not believe the Bill would ever have been heard of had it not been for the fact that for some reason or other it was thought desirable to find a more suitable and higher Office for the noble Lord. Therefore, the relations which subsisted between the noble Lord and the Prime Minister were suspicious. There was another point to which he desired to draw attention, and that was the patronage which the Bill would give to whoever was appointed to the position. That was a question which was making way, unfortunately, in this country. The disposition of patronage for Party services was one which was corrupting and ruining the Government of the United States and the Government of France. [Mr. Buchanan: Question!] He was not departing from the Question. He wished to point out the mischievous effect of Government patronage by the high Officers of the State. Assuming that a large amount of patronage was about to be given which had never been enjoyed before by an Officer of the State, he contended that it was a most dangerous and unfortunate precedent, which would have a tendency to carry this country onward in the direction of injurious Democracy. He objected to it on three grounds—because of its separatist tendency, because of its suspicious aspect with respect to electioneering affairs, and because it was dangerous to give Government such power of patronage.

Mr. GORST said, he gathered from the fact of the Lord Advocate not rising to address the House, after the observations addressed to him, and the claim made upon him by the hon. Member for Portsmouth, as the principal Member of the Government responsible for the affairs of Scotland, that the hon. and learned Gentleman had been muzzled—["No, no!"]—and had received orders from the right hon. and learned Gentleman who had charge of the Bill that he was not to favour them with his views on the matter. Something had been said about the position of the Lord Advocate being humiliated by this Bill; but he thought his position was more humiliated by the Home Secretary walking in and out of the House exercising a crontrol over the debate, and obviously preventing the Lord Advocate from addressing the House, and from giving the House that which it was entitled to have from him—namely, his experiences of the Office he held and his opinion upon the present Bill. It was apparently intended to collect all the different Departments of Government in Scotland—all those Boards and subordinate officials who at present attended to the affairs of Scotland—and put them all in one room, and place the noble Lord, who was a Member of the House of Lords, over their heads. What they wanted to know from the Lord Advocate was how that would work? He understood there were certain clerks in the Home Office who attended to Scotch Business; there were certain clerks in the Local Government Board Office who attended to Scotch Business; and there were, no doubt, clerks in the Privy Council who also attended to Scotch Business. [Mr. Buchanan: No.] Well, if it was not so, that was what he wanted to know from the Lord Advocate. The hon. Member for Edinburgh was very fond of interrupting speakers; but did he assist them in their deliberations? With great deference to the hon. Member, he should like to be informed by the Lord Advocate in what Departments there were clerks who attended to Scotch Business, and from what Departments these clerks would be taken for the purpose of forming the staff of the Local Government Board Office? He wanted to know whether that would increase or not the charge on the Public Revenue? It was quite conceivable that the present clerks might be able to conduct the affairs of Scotland more economically than if they were devoted exclusively to Scotch Business in the Scotch Department that was to be created. They wanted to know whether this arrangement would conduce to economy, and whether Scotch Business would be conducted more efficiently under the new arrangement than at present? He thought before the House of Commons was asked to create a new Department, with all the expenses attending it, that they were entitled to be informed by the Government on the points he had raised. It ought not to be the case that they should see the Members of the Government silent on the Treasury Bench, apparently listening to the debate, but when asked to give their advice continuing to sit in stolid silence. He confessed to a feeling of disappointment and indignation at the apparent contempt with which the Lord Advocate had treated the House; and unless he made some answer to the arguments that had been urged in the course of the debate, he (Mr. Gorst) should feel it his duty to resist the second reading of the Bill.

Question put.

The House *divided*:—Ayes 99; Noes 21: Majority 78.—(Div. List, No. 258.)

Main Question again proposed.

Mr. GORST said, he saw the Chancellor of the Exchequer in his place, and he would address to him the questions which had vainly been put to the Home Secretary and the Lord Advocate. Nobody wished to be too hard on a Government which was inclined to perpetrate a little job of this kind. It was natural that they should do so, and nobody wished to deprive them of the opportunity of doing so. But these kind of jobs ought to be perpetrated with some sort of regard to Parliamentary decorum. They should be done with a certain amount of plausibility in the House of Commons, and the case ought to be put by a Minister carefully and seriously, and not in the off-hand and contemptuous manner in which the Bill was placed before the House by the Home Secretary. Therefore, as he saw the Chancellor of the Exchequer now on the Government Bench, and apparently in charge at the present time of Government Business, and as he knew that the Chancellor of the Exchequer had a desire to observe Parliamentary decorum, he would address to the right hon. Gentleman the questions he had unsuccessfully addressed to the Home Secretary and the Lord Advocate. The Home Secretary, because he would not, and the Lord Advocate, because he was obviously prevented, had not answered the questions addressed to them, and both of them had now left the House, and hon. Members had no opportunity of repeating their questions to them. What he wanted to know was this. It was quite clear that the appointment of this Minister would render necessary a considerable amount of re-organization in several of the Departments of State —they did not quite know what. The Home Office was one; the Privy Council was, undoubtedly, another; and most people thought that the Local Government Board was a third; but the hon. Member for Edinburgh (Mr. Buchanan), who knew all about it, said no. The first question he had to ask was in how many Departments of the Government would the re-organization of the clerks and permanent staff be necessary? That was a fair question to ask, and it was one to which they ought to have an answer. The second question he would ask was whether the alterations that would take place, or the transferrence of these clerks from the several Departments of the Government into the one Central Department of the President of the Local Government Board for Scotland, would entail any great amount of increased expense upon the taxpayers, and, if so, how much? They had not been told that. They had been invited by the Home Secretary to settle that there should be a President of the Local Government Board for Scotland, and that his salary should be fixed, without anything being said about the further expenditure that would follow. Before they assented to the second reading of the Bill they ought to have from the Chancellor of the Exchequer, if not from the Home Secretary, some kind of explanation as to what amount of expense this re-organization of these Public Departments was likely to entail. He said, again, that when these kind of Bills, when these sort of things, were brought in, they must be brought in with a certain amount of Parliamentary decorum, and one essential part of that Parliamentary decorum was that when questions of the nature he had asked were put, the Government should condescend to give an answer.

Sir WILLIAM HARCOURT: The rather unusual form of procrastination which——

Sir H. DRUMMOND WOLFF: Sir, I rise to Order. I wish to ask whether the Home Secretary, having spoken on the second reading of this Bill, is entitled to reply or not?

Sir WILLIAM HARCOURT: It is another Motion.

Mr. SPEAKER: There is a new Question before the House, and the right hon. and learned Gentleman is perfectly entitled to reply.

Sir WILLIAM HARCOURT: I am astonished that my hon. Friend should have sat so long in this House without knowing that we have entered upon a new Question. The remark I made was that when an Amendment of this kind had been moved——

Sir H. DRUMMOND WOLFF: There is no Amendment before the House.

Sir WILLIAM HARCOURT: Well, although I have known a second Division to be taken on the Main Question, I have hardly ever known a debate endeavoured to be raised in this form. However, having entered my protest against such a proceeding upon a Saturday, I will, as briefly as I can, endeavour to answer the questions of the hon. and learned Member (Mr. Gorst). I gave the whole of the information to the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) yesterday that I was in a position to give, or that I could give. I will not allude to all the personalities, which are a question of taste, that have been indulged in with reference to the speculations as to who is or who is not to be the holder of the proposed Office—such language as "jobs," or such language as that of the personal invective and abuse which has been heaped by the hon. Member for Portsmouth (Sir H. Drummond Wolff) upon Lord Rosebery. These are things which it is better to treat with disdain. I shall not make any reply to them, because it is quite certain that the good taste of this House and the feeling of England and Scotland will give them the only answer that they deserve, and I pass them by with that remark. Well, now, with reference to the staff of this Office. I said yesterday that I do not believe that any considerable staff will be necessary. No Estimate has been made—[*Opposition cheers.*]—of the cost of that staff. [*Renewed Opposition cheers.*] I always think it is well that you should allow a person to finish a sentence before you cheer. The hon. Member for Bute (Mr. Dalrymple) cheers loudly the statement that no Estimate has been made, and I hope he will also applaud the reason which I am going to give for that, and which would have been given in the sentence I had commenced if I had been allowed to conclude it. We believe that in the organization already existing in Scotland will be found material for a sufficient staff; and therefore our expectation is that the staff of this Office shall not be an additional charge on the country. That may or may not be the case; but if it is not so, it is quite certain that Parliament will have the control over it, because no addition to the staff can be made without application to Parliament, which will have the power of pronouncing an opinion upon it. That is really the explanation I gave yesterday, and I have nothing more to add to it. It is not the least necessary, as some hon. Members said yesterday, that the existing institutions in Scotland should be ruined and destroyed in consequence of the present proposal. Nobody desires to ruin them; nobody desires to destroy them. I believe that most people who are acquainted with Scotland think that a more economical administration, by amalgamation or otherwise, of these Boards is quite feasible. At all events, that is a question which is well worthy of consideration. That really is the answer I have to give upon that matter; and I do not know that there is any other question on which it is necessary I should say anything further. The hon. and learned Member for Chatham (Mr. Gorst) said something as to how many Departments would be affected. Anybody can tell that by looking at the Schedule of the Bill. They will be affected in the way of being relieved of work which they at present perform. I am sure nobody objects to that. The Home Office certainly does not object. In a certain sense this Bill is an act of abdication on my part. I am not at all sorry that there should come relief to the Home Office of some of the labours imposed upon it.

Mr. GORST: Will the Office of the Local Government Board be affected?

Sir WILLIAM HARCOURT: I am surprised that the hon. and learned Member should ask that question, because anybody who knows anything on the subject knows that the Local Government Board have no authority in Scotland at all. By an unfortunate accident, with which my hon. Friend the Member for Falkirk (Mr. Ramsay) is quite familiar, the Board did, by his oversight, recently have the control of some money in which Scotland was interested; and anybody who had experience of that error would not be likely to commit it again—because he would have impressed upon his mind the Scotch motto, *Nemo me impune lacessit.* Familiar as I am with that fact, I am surprised at the question that has been put to me by the hon. Member. I am reminded by my hon. Friend (Mr. Hibbert) that the question of the Alkali Acts is an exception to the rule; and I apologize to the hon. and learned Member for Chatham for having overlooked the case of these Acts. Probably we shall hear something of these Acts when we come to Committee. However, whatever Office is affected by the Bill will be affected only in the way of relief by having another Department to take charge of local matters, which had hitherto been dealt with in those Departments.

SIR H. DRUMMOND WOLFF said, the right hon. and learned Gentleman had been good enough to allude to him, and to say that he had made use of invective towards Lord Rosebery. But it was very clear that the right hon. and learned Gentleman was not in his place when he spoke. [Sir WILLIAM HARCOURT: I was.] Well, all he said was that Lord Rosebery had assisted in the Mid Lothian Election, and would do so again, and that the intention of the Government in passing this Bill was to place in his hands the power of manipulating Scotch elections. That was not invective. The right hon. and learned Gentleman, in his lofty manner, had twitted the hon. and learned Member for Chatham with not knowing what was in the Bill, and said that there could be no reference in it to the English Local Government Board. If so, why did the right hon. and learned Gentleman introduce the English Local Government Board into the Bill? If this was an instance of the correctness of the answers of the Home Secretary, what were they to think when he talked about the low Estimates and the inexpensive manner in which this peculiar—he would not call it a job—this peculiar Office was to be administered? Why was the Bill introduced at this period of the Session, if the design was not to smuggle it through both Houses when many of the Members had gone away? It was not mentioned in the Queen's Speech, and was never hinted at till June; and no Estimates on the subject were contained in the Budget. Scotland had waited long enough, and was quite satisfied with the Lord Advocate, who had been hustled aside by this Bill, and had not been allowed to say one word about it. If there was a Division, he should vote against the Bill; and he should endeavour in Committee to give it a colouring which would take away many of its offensive features.

Question put, and *agreed to*.

Bill read a second time.

Motion made, and Question proposed, "That this House will, upon Monday next, resolve itself into the Committee on the Bill."—(*Secretary Sir William Harcourt.*)

SIR ALEXANDER GORDON moved that the Bill be referred to a Select Committee. He did so because the House had not been given the information which was necessary in view of so important a change. He reminded the Home Secretary that he asked him yesterday why he had introduced into the Bill the Education Act for Scotland as one of the measures which were to be administered by the new Board, while in the speech by which the Bill was introduced it was distinctly stated that the Education Act was not to come under the new arrangement. The Home Secretary had declined to tell him why that Act was to be transferred to the new Board. The same remark applied to the Contagious Diseases (Animals) Act. Having been refused any explanation, he wished the House to ascertain for itself whether the new arrangement would entail expenses.

MR. WARTON seconded the Motion.

Amendment proposed, to leave out all the words after the word "That," to the end of the Question, in order to add the words "the Bill be referred to a Select Committee."—(*Sir Alexander Gordon.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR JOHN HAY said, that the proposition of the hon. and gallant Member for East Aberdeenshire was a most satisfactory one. They had already had one Commission — Lord Camperdown's Commission—which had investigated the matter, and that Commission had pointed out that it was unnecessary. They were about to alter the management of the Business of Scotland, and they were about to do so without knowing exactly what the new arrangements were to be. The Office to be created had no staff, no office, and they did not know what arrangements were to be made. In view of the Motion he would take the liberty of reading a few words from a letter from a late Member of the House —Mr. Maxwell of Munches—who sat on the other side of the House. That Gentleman pointed very strongly to further investigation being required; and as he was a person well acquainted with Scotch Business his views might fairly be placed before the House. Mr. Maxwell wrote—

"I never could see the necessity of a special Minister for Scotland. In old times we got on very well with the Lord Advocate and a Scotch Lord of the Treasury. Why that latter Office was given up I know not; but if that Office was revived I would consider it was quite sufficient for anything that was needed. The Lord Advocate's position has of late years been quite changed—I should suppose with no advantage —and in spite of the 6th clause it will, if the Bill passes, be still further altered so as to make him solely a Law Officer. I will be curious to have an explanation of that clause. Another objection in my mind is that the Bill will tend still further to centralization. Everything will go to London, and the few remaining well-managed Offices in Edinburgh will be given up."

That was sent by the Gentleman who was Convener of the county with which he was connected, and in regard to that he said—

> "It seems to me a most important measure, and not one which I can look to with favour. There are difficulties in getting an attendance at a county meeting at this season, otherwise I should have liked to have had that carefully considered."

It was desirable that a measure of this kind should be submitted to the Commissioners of Supply in the different counties of Scotland, so that their view upon it might be taken. The suggestion now made was a reasonable one. It would cause a slight delay during the autumn; but the Government would come back with the force of the October meetings of the Commissioners of Supply, and the opinion of the House of Commons could then be taken in the matter. In the two counties with which he was connected—Wigton and Kirkcudbright — there was no opinion in favour of the Bill; and he therefore thought he was justified in the opposition which he had offered to the Bill, and in the support which he now gave to the Motion of the hon. and gallant Member for East Aberdeenshire.

SIR WILLIAM HARCOURT: I must congratulate the opponents of this Bill that, though a small band, they are a gallant one. Resistance is offered in every form, and repeated at every stage. We read in "Chevy Chase" that an English champion, "when his limbs were smitten off he fought them on his stumps." Certainly, the Scotch champions, though few in number, exhibit in their opposition to this Bill an equal gallantry. The right hon. and gallant Baronet opposite (Sir John Hay) is good enough to wish to strengthen the hands of the Government by the opinion of the Commissioners of Supply, who are to meet in October. I have the greatest respect for the Commissioners of Supply; but the Government do not think it necessary to wish for their support. They are quite satisfied with the support of the overwhelming majority of the Representatives of Scotch opinion that they have received. The right hon. and gallant Gentleman is good enough to say that in his part of Scotland there is no feeling in favour of the Bill. His county is not very far distant from Ayrshire, and we have had distinguished support to the Bill from Ayrshire on the Benches opposite. If the opinion in favour of this Bill is a contagious disease I hope it may pass the borders of Ayrshire, and even reach the remote quarters of Wigtonshire before very long. With regard to the proposal to refer the Bill to a Select Committee, I do not suppose that my hon. and gallant Friend (Sir Alexander Gordon) seriously thinks that we could accede to it. It is only a repetition of the proposition to reject the Bill. [SIR ALEXANDER GORDON: No!] Well, we regard it in that light, and I think the House will so regard it. My hon. and gallant Friend has not looked at the Schedule of the Bill, or he would not have fallen into the error of supposing that it transferred the Education Act to the new Board. It does nothing of the kind. It only refers to the powers and duties of the Secretary of State in reference to the Education Act. The Secretary of State has no power or duty under the Education Act, except as regards industrial schools and reformatories. That power it does transfer, and I think in Committee it may very well deserve consideration whether or not the parts referring to industrial and reformatory schools should not be struck out of the Schedule. I hope that, under these circumstances, and after the signal Division we have had, it will not be thought necessary to divide the House on this matter. We should have precisely the same Division over again. I do not know how many Scotch Members were in the minority in the Division we have had; but I think that hon. Members should be satisfied that the overwhelming majority in the House is in favour of this Bill going on, and going on now.

SIR ALEXANDER GORDON explained, that if the Home Secretary had given him that answer yesterday it would not have been necessary for him to move for a Select Committee. Having, however, now heard that explanation of the Home Secretary, he begged to withdraw his Amendment for the appointment of a Select Committee.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *committed* for *Monday* next.

AGRICULTURAL HOLDINGS (SCOTLAND) BILL.—[BILL 278.]

(*The Lord Advocate, Mr. Solicitor General for Scotland.*)

CONSIDERATION. THIRD READING.

Bill, as amended, *considered.*

SIR CHARLES W. DILKE (for The LORD ADVOCATE) moved the following new Clause to follow Clause 26 :—

(Tenants to be removed only at legal terms—(43 Vic. c. 12.)

"In any case in which the landlord's right of hypothec for the rent has ceased and determined, where six months' rent of the holding is due and unpaid, it shall be lawful to the landlord to raise an action of removing before the sheriff against the tenant, concluding for his removal from the holding at the term of Whitsunday or Martinmas next ensuing after the action is brought, and unless the rent is paid the sheriff may decree the tenant to remove, and eject him at said term in the same manner as if the lease were determined, and the tenant had been legally warned to remove.

"A tenant so removed shall have the rights of an outgoing tenant to which he would have been entitled if his lease had naturally expired at said term of Whitsunday or Martinmas.

"The second and third sections of 'The Hypothec Abolition (Scotland) Act, 1880,' are hereby repealed, and the provisions of the fifth section of the Act of Sederunt anent Removing of the fourteenth day of December one thousand seven hundred and fifty-six shall not apply in any case in which the procedure under this section is competent."

New Clause (*Sir Charles W. Dilke*) *brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read the second time."

MR. PRESTON BRUCE said, he hoped that the Lord Advocate would give some explanation of this clause, which modified very considerably the Hypothec Abolition Act of 1880.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, that this clause had been introduced in fulfilment of a pledge given in Committee. It was then explained by the Solicitor General that there had been a good deal of dissatisfaction in the agricultural community, arising out of the provisions of what was commonly called the Act of Sederunt of 1756, taken in combination with the Hypothec Abolition Act, 1880. Although the Act of Sederunt had not itself any relation to hypothec, when the Act of 1880 was passed, abolishing entirely hypothec for the future, but reserving it as to existing leases, provisions were introduced intended to give to the landlord certain rights as to the removal of the tenant in consideration of his being deprived of the security which he had previously held under the Law of Hypothec. It was pointed out by many of the farmers and those who represented their interests that, under the combined effect of the Act of Sederunt and the Act of 1880, it might be possible that the tenant should be removed from his holding between terms. He had not been able to ascertain that such a thing had, in point of fact, taken place. Still, it was strongly felt to be possible, and that it would be a considerable hardship to a tenant, without its being, as far as one could see, in the general case, any advantage to the landlord. This clause had been framed for the purpose of providing that any removing of a tenant in consequence of his failure to comply with the conditions of his tenancy should only be at one of the legal terms of Whitsunday and Martinmas. The clause also reserved to the tenant the power of finding security as an alternative to going out.

Question put, and *agreed to.*

Clause *added* to the Bill.

On the Motion of The LORD ADVOCATE, Amendments made in Clause 4, page 2, line 33, after "improvement," by inserting—

"Or not exceeding such annual sum, payable for a period of twenty-five years, as will repay such outlay, with interest at the rate of three per centum per annum in the said period;"

Clause 17, page 6, line 29, after "awarded," by inserting "and the several matters and things taken into account in reduction of such compensation;" page 6, line 32, after "act," by inserting "matter;" Clause 24, page 8, line 21, after "executing," by inserting "and registering in the register of sasines;

page 8, line 23, by leaving out "think fit," and inserting "determine;" page 8, line 24, by leaving out from "be," to "of a," and inserting "has only a leasehold interest in;" page 8, line 24, by leaving out "intimating," and inserting "and registering in the register of sasines;" page 8, line 27, by leaving out "think fit," and inserting "determine;" page 8, line 30, after "shall," by inserting "by such bond and disposition in security or assignation; page 8, line 34, after "the," by leaving out "opinion," and inserting "judgment;" page 8, line 36, after "exhausted," by inserting—

"And such bond and disposition in security or assignation shall specify the times at which the total amount charged and each instalment thereof shall be payable;"

Clause 26, page 9, line 11, by leaving out from "landlord," to "the," in line 12, and inserting "has only a leasehold interest in."

Amendment proposed,

In page 9, line 14, to leave out after the word "notwithstanding," to the word "Act," in line 22, inclusive, and insert the words "the expiration of the stipulated endurance of any lease, the tenancy shall not come to an end unless written notice has been given by either party to the other of his intention to bringing the tenancy to an end—

(a.) In the case of leases for three years and upwards, not less than two years, nor more than three years, before the termination of the lease;

(b.) In the case of leases from year to year, or for any other period less than three years, not less than six months before the termination of the lease.

"Failing such notice by either party the lease shall be held to be renewed by tacit relocation for another year, and thereafter from year to year.

(16 and 17 Vic. c. 80.)

"Notice by the landlord to the tenant under this section shall be given in the form and manner prescribed by "The Sheriff Courts (Scotland) Act, 1853," and shall come in place of the notice required by the said Act."—(*The Lord Advocate.*)

Question, "That the words proposed to be left out stand part of the Bill," put, and *agreed to.*

Question proposed, "That those words be there inserted."

Mr. MACFARLANE, who had given Notice to add to the clause the words—

"And where a forty days' notice, expiring with a year of a tenancy, is by Law necessary and sufficient for determination of a tenancy from year to year, a six months' notice so expiring shall, by virtue of this Act, be necessary,"

proceeded to refer to the evidence given before the Royal Commission by the local factor of the Duke of Sutherland.

Mr. SPEAKER: I do not understand that the hon. Member raises any objection to the Amendment of the right hon. and learned Lord Advocate.

Mr. MACFARLANE: Yes, Sir; I do raise an objection for the purpose of procuring an explanation; and I, therefore, move to substitute 12 for six months.

Amendment proposed, in line 8, to leave out the word "six," and insert the word "twelve."—(*Mr. Macfarlane.*)

Question proposed, "That the word 'six' stand part of the said proposed Amendment."

The LORD ADVOCATE (Mr. J. B. Balfour) said, he could not accept the Amendment, because he did not think it would be an improvement, but the reverse. If 12 months' notice were to be required, that must be before the commencement of the last 12 months, so that it would seem to involve this anomaly, speaking with all respect of those who had adopted it, that the new period or cycle of the lease was to begin after the notice. He submitted that six months was very ample notice, having regard to the yearly cycle, as all that could be claimed was such notice as would give the tenant an opportunity of getting his crop before leaving.

Dr. CAMERON said, he thought something ought to be done to assimilate the law of Scotland on this matter to the law of England. Formerly, the notice in England was six months; but it had been altered to 12 months by the Agricultural Holdings Act. He hoped some *tertium quid* might be found which would place yearly tenants in Scotland on a footing more equal to their English brethren.

Mr. MACFARLANE said, after the statement of the Lord Advocate he would not press his Amendment.

Amendment, by leave, *withdrawn.*

Amendment *amended.*

Words *inserted.*

On the Motion of The Lord Advocate, Amendments made, in Clause 27, page 9, at the end of the Clause, by adding—

"The provisions relative to notice herein contained shall not apply to any stipulation in a lease entitling the landlord to resume land for building, planting, or other purposes;"

Clause 29, page 11, line 10, after the first "of," by leaving out "the," and inserting "such;" page 11, line 10, after "notice," by leaving out "of removal;" page 11, line 13, after "notice," by inserting "given by the tenant as aforesaid;" page 11, line 13, by leaving out "of removal."

Motion made, and Question proposed, "That the Bill be now read the third time."—(*The Lord Advocate.*)

General Sir **GEORGE BALFOUR** said, that, in the absence of the hon. Member for Forfarshire (Mr. J. W. Barclay), he felt it his duty to express regret that this Bill fell short of the desires of the farmers of Scotland. At the same time, he was bound to admit that, with the strong expression of opinion on the part of many Members opposite, he did not know that the Government could have done better than they had done. At the same time, he admitted the obligation they were under to the Law Officers—the Lord Advocate and the Solicitor General for Scotland—for the way they had conducted the Bill, and for the Amendments they had accepted in the interest both of the landlords and the tenants. He still thought the Lord Advocate ought to consider whether, on Clause 2, some Amendment should not be made in "another place." At all events, now that the Bill was in a complete condition, the Government would be able to see what Amendment could be accepted. It would be wise for the landlords to give more consideration to the wishes of the tenants, as cultivation had fallen off very greatly, and there was a want of capital and means for carrying on farms. It was necessary that landlords and tenants should be on a footing of better relationship than at present existed.

Sir **GEORGE CAMPBELL** said, he thought, as regarded the normal condition of the greater part of Scotland, this was a good Bill. Taking the county of Fife, he thought the Bill met all the reasonable demands of the farmers. He did not coincide with the opinion that it would be possible to go much further than the Government had done in this Bill. They could not go materially further without introducing something like Irish tenant right; and he did not think that was at all desirable where the large farm contract system prevailed. But while he thought this Bill a very good one so far, there were, on the other hand, parts of Scotland—namely, the Highlands, inhabited by a Celtic population, where the tenure was of a totally different character to that in other parts—indeed, it was very analogous to that which prevailed in Ireland. The condition of affairs in the Highlands was now the subject of an inquiry by a Royal Commission; and this Bill ought to be passed without prejudice to the claims or rights of those small farmers which might arise on the Report of the Commission.

General Sir **GEORGE BALFOUR** said, he hoped his hon. Friend would not contest a Scotch county at the next Election, because, after that speech, he would stand a very poor chance of being returned.

Motion *agreed to.*

(Queen's *Consent* signified) Bill read the third time, and *passed.*

UNION OFFICERS' SUPERANNUATION (IRELAND) BILL.—[Bill 132.]

(*Mr. Herbert Gladstone, Mr. Trevelyan, Mr. Attorney General for Ireland.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Herbert Gladstone.*)

Mr. **BIGGAR** said, he thought it extraordinary that the second reading of this Bill should be moved without an explanation. The Bill proposed to set at defiance the principles which were laid down by the hon. Member for Leeds (Mr. Herbert Gladstone) in a speech he made not long ago. In that speech the hon. Gentleman laid down the principle that the system of Government in Ireland was so bad that it would be very difficult to make it worse, and that a great reform was needed in the way of giving the local authorities more power; yet in the face of that public declaration he now came down to the House and introduced a Bill which would have the effect of intensifying that system of centralization. Now, if he might presume to offer any advice to a young public man like the hon. Gentleman, it would be not to advocate one principle outside the House and another within its walls. That, he might say, was the besetting sin of the parent of the hon. Gentleman, and, indeed, of a very large proportion of hon. Members on the opposite side of the House. He (Mr. Biggar) objected to this Bill, on the ground that it took the power of granting or refusing pensions out of the hands of the Poor Law Guardians, and handed it over to the Local Government Board. That he regarded as a very unsatisfactory thing to do. Again, the Treasury, at the present moment, paid half the salaries of the schoolmasters and medical officers of the Unions; and yet, under this Bill, the ratepayers of the different districts would have to bear the whole burden of the pensions. He had reason to believe that the hon. Gentleman opposite (Mr. Herbert Gladstone) personally disapproved of the Bill, and that it had not the favour also of the present Chief Secretary for Ireland, and that the hon. Gentleman now merely moved the Bill because, on a former occasion, it was placed in his hands by the late Chief Secretary. Another right hon. Gentleman, who was Chief Secretary for Ireland (Sir Michael Hicks-Beach), had said that it was a perfectly preposterous measure; and, under all these circumstances, he begged to move that the Bill be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Biggar.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. MELDON said, that this Bill was before a Select Committee, of which the hon. Member for Cavan was a Member; and there he understood the hon. Gentleman expressed himself in favour of the principle of the Bill, though objecting to some of its details. [MR. BIGGAR: No, no!] At the present moment the granting of superannuations to Union officers in Ireland was altogether discretionary with the Board of Guardians; and these Boards, generally speaking, either gave too much, or they gave nothing at all. They dealt liberally with their own favourites, whether for political reasons or not he would not say, and they dealt unfairly with those officers with whom they disagreed. Some very strong evidence to that effect was given before the Select Committee. To an officer who was 70 years of age, and had served a certain Board for 25 years, no pension was given at all, and in other cases in which persons were 70 years of age with 22 years' service, 63 years of age with 16 years' service, 78 years of age with 28 years' service, 68 years with 38 years' service, and 68 with 25 years' service, no pensions whatever were given. On the other hand, it had been conclusively proved that a clerk with nine years' service and a salary of £90 a-year was given two-thirds of his salary; another with £75 a-year and 10 years' service was given £50 pension; another officer with £37 10*s.* and nine years' service was given £15; and so on through a long list of cases enumerated by Mr. Robinson before the Committee. He sincerely trusted, therefore, that in the interest of a respectable body of public servants this Bill would be passed. At the present time no officer could send in an application for a pension, nor could a Board of Guardians express any opinion as to whether an officer should receive a pension, until he had actually left the service. The result of that was that they would rather die in harness than leave the service on the chance of getting a pension. Those Boards of Guardians had shown conclusively, in cases in which they had been tried, that their discretion had not been properly exercised. It was suggested that as the Treasury paid half the salaries of the medical officers and schoolmasters, they should also pay half the pensions. He thought that would be a fair arrangement; but until that arrangement became law, he thought it would be a monstrous proposition that the pensions of so highly-respectable a body of public servants should be interfered with and confiscated.

MR. TOTTENHAM said, he hoped, in the interests of a very meritorious body of public servants, that the House would allow the Bill to be read a second time. These officers were absolutely dependent upon the Boards of Guardians as to whether they received a retiring pension or not; and as this Bill provided that that should no longer be so, he thought it a reasonable proposition. It had been a very long time before the House, and he thought there was an almost unanimous feeling in favour of that body of public servants being considered.

Mr. O'KELLY said, he opposed the Bill on two grounds. In the first place, it raised the question of whether pensions should be given to Civil servants at all. He, for one, did not see any reason why such pensions should be given. They were paid good salaries, and ought to be able to provide for themselves out of them for their old age. He opposed the Bill also on the ground that it took from the local authorities the power of managing their own affairs. Even since the Irish people had got some political power, a series of these Bills had been introduced from time to time to deprive the local authorities of all the rights which they enjoyed in the good old Tory times. If this Bill became law, the Boards of Guardians would have no power of controlling their own officers; and these officers would become as much part and parcel of the Government as the police or the immediate *employés* of Dublin Castle. It was a measure to increase the number of irresponsible officials in Ireland; if it passed, it would embitter the feelings of the mass of the Irish people, and would be a cause of constant conflict between the authorities and the people. Under these circumstances, he was determined to oppose in Committee the further progress of the measure that Session.

Mr. HERBERT GLADSTONE said, he made no explanation on introducing the Bill, because he was aware that hon. Members of the House had already had a full opportunity of knowing all it contained. The Bill was introduced early last Session; and after considerable delay, owing to the opposition of the hon. Member for Cavan (Mr. Biggar), it was read a second time without a Division, to be referred to a Select Committee. That Committee sat for three or four days taking evidence, and afterwards sent in a short special Report; but, the Session being far advanced, the Bill was proceeded with no further at that time. He need hardly say that the hon. Member for Cavan was quite wrong in supposing that either the Chief Secretary or himself were opposed to the Bill. He quite admitted that there was in the Bill a centralizing tendency; and, therefore, he was not altogether surprised that hon. Members from Ireland on the opposite side should be opposed to it. If, however, the Bill had a centralizing effect, its justification lay in the way in which Boards of Guardians had misused their powers as to pensions; and on that he would ask hon. Gentlemen opposite below the Gangway to pay very particular attention to the evidence taken before the Committee last year. It was true that by the Bill the powers of the Irish Local Government Board would be virtually increased, because it was proposed to maintain most of the existing powers of that body with respect to pensions, and it was also proposed to abolish the powers of the Boards of Guardians over the pensions of Union officers. At the same time the Local Government Board had the power, under the present law, not only to cancel pensions granted by the Guardians, but to reduce them. [Mr. O'Kelly: It cannot confer.] No, it could not confer pensions; but it could reduce or cancel, and the 4th clause of this Bill proposed to maintain that power. If it would facilitate the passage of the Bill, there would be no objection to the omission of the 4th clause; and the result would be to reduce the power of the Local Government Board, and leave it only power of sanctioning or else of entirely refusing pensions. That did not seem to be a power of very great magnitude. It would be a very strong measure for the Local Government Board entirely to cancel the pensions of Union officers, and hitherto it had acted with extreme generosity in regard to them. The hon. Member for Roscommon (Mr. O'Kelly) had attached undue importance to the supposed political result the Bill would have, and had also said that it would open up the whole question of whether these officers ought to have pensions at all. But that was not so, for even if this Bill did not pass the existing law would remain in force, and the principle of granting pensions would remain. What the Government wanted to do by this Bill was to obtain some uniform and regular system to give a feeling of certainty to officers that when they had performed their duties with efficiency and honesty, they might look to receiving a proper pension in their declining years. In the Report of the Committee there was an instance of a medical officer in Cavan, aged 79, of 50 years' service, suffering from varicose veins, brought on by great walking, also from bad sight, partial deafness, and bronchitis, who had to continue performing his duties, because he could not obtain a pension. Although this was as bad a case as could be found, it was not exceptional. Many old and feeble officers were compelled to hold on to their offices, because, if they retired without a pension, they would starve. This was an injury to the Public Service and the ratepayers. He thought that hon. Members opposite need anticipate no serious political results from the Bill. In his opinion, it would bring a very great boon to the Union officers of Ireland; and he hoped that after the second reading hon. Members would examine the Bill carefully, and go into Committee without any spirit of hostility. The Bill was, he thought, supported both by hon. Gentlemen on his side of the House, and by hon. Gentlemen opposite—[Mr. Biggar: Tories.]—and he had very good reason to know that many Gentlemen below the Gangway opposite were not hostile to the Bill, though they might feel called upon to take a Division on the second reading. Before the Bill went into Committee, he should be glad to communicate with hon. Gentlemen opposite with regard to any Amendments which they might put upon the Paper.

Mr. HEALY said, the hon. Member for Leeds (Mr. Herbert Gladstone) had displayed the hereditary ability that might have been expected of him in the statement he had made; but he had not accurately appreciated the position of Irish Members with regard to this measure, the genesis of which was sufficient in itself to excite their suspicions. He was himself not at all opposed to the principle of the Bill; but it would be right to explain why Amendments would probably be proposed in Committee. It was during the *régime* of the right hon. Member for Bradford (Mr. W. E. Forster) as Chief Secretary that a deputation waited upon the right hon. Gentleman at Dublin Castle, and asked his support to a measure of this character for reasons which deserved no sympathy from that House. The hon. Member for Kildare (Mr. Meldon) was unfortunate in referring to the Report of the Select Committee; because it appeared from that Report that Mr. Henry John Chapman, President of the Medical Council, urged that the Bill should be passed, because it would take power from those Board of Guardians which were composed of the advocates of Fenianism and Land Leagueism. That showed, at least, that the measure had a political complexion. Could the hon. Member for Leeds, who was animated by a liberal spirit and a desire to meet the just demands of hon. Members from Ireland, wonder at suspicion being aroused in Irish minds by this Bill? He agreed that the Boards of Guardians were not the proper persons to be intrusted with too much power over the pensions of these officers, especially when they came to consider that the whole body was as a general rule, liable to be appointed from persons drawn from a class not in sympathy with the people. He thought the Bill might very fairly be treated as one of a non-contentious character, and that they might be content to go into Committee with unbiassed minds; but, on the other hand, there were principles in the Bill which made it practically impossible that they should subscribe to it in the interests of the ratepayers. He thought the control given to the Local Government Board in the matter was extremely unfair. It was a Board of nominees, and Mr. Robinson exercised the chief control. Nobody imagined that Mr. George Morris, the other Member, for the £5,000 or £10,000 salary he drew, did 5,000 half-pennies worth of work; indeed, few people believed that Mr. George Morris ever did any work; and as for Mr. Robinson, his attitude before the Select Committee was that of the hard, unflinching, promoted Castle clerk, who meant to grasp all the power he could, and to use it to the advantage of his own class. He dismissed Dr. Kenny in the North Dublin Union, which was a most disgraceful proceeding, and admitted that his action had never been questioned by the right hon. Member for Bradford. He objected altogether to give Mr. Robinson more power. He would, however, appeal to the hon. Member for Cavan, considering that this was a measure on which there must be a divergence of opinion among Irish Members, whether it was worth while to go into the Lobby upon it, and he suggested that they should allow the second reading to be taken. He thought they would find the hon. Member for Leeds, who had no *arrière pensée*, and did not come to that House with many preconceived opinions, and who had displayed that spirit of tolerance which they might expect from a scion of the house to which he belonged, would be willing to treat fairly any Amendment which might be proposed in Committee.

Colonel KING-HARMAN said, he was glad to hear the tone of the remarks of the hon. Member for Monaghan (Mr. Healy). He quite agreed that there were points in the Bill which should be considered in Committee; but he thought the whole gist of the Bill was one which recommended itself to the common sense and humanity of the House. He should give the Bill his support on the second reading.

Mr. T. D. SULLIVAN said, he should feel bound to vote for the second reading, because if they rejected the Bill they threw overboard the claims of deserving officers, and left those officers to the chance of what Boards of Guardians might choose to do for them. He was very well aware that the majority of the Boards of Guardians throughout Ireland were perfectly willing to deal fairly with their officers who had done their duty; but it was also well known that there was a minority who would not give pensions under any circumstances. It was time, therefore, to effect a change. Let them deal with these bad Guardians as they had dealt with the bad landlords—compel them to do by force of law what others did from conscientious feeling. There were several points in which the Bill would require Amendment in Committee; but the principle that deserving officers should not, after many years of labour, be thrown on the roadside destitute was one which he felt bound to support.

Mr. DAWSON said, that it was the principle of the Bill that he entirely dissented from. He thought it would go to the root of all their local government, if, instead of looking to their employers for their reward, these officers should look to such a body as the Local Government Board. He was astonished to hear the hon. Member (Mr. T. D. Sullivan) give his adhesion to a measure which would cut the ground from all authority and discipline. Let hon. Members be consistent. A few days ago they were seeking to strengthen and extend the representative scope of those Boards. Were they now going to diminish that elective power? Were they to say that the bodies the people elected were so incompetent to discharge their duties that they should have to give the power to Mr. Robinson? Let them do away with popular representation altogether rather than stultify themselves. In conversations which he had had with the distinguished person who now acted as Lord Lieutenant, that Nobleman admitted that one of the puzzles of the administration was its centralization; that he wished for the growth of local government and the decrease of that centralization. And were they, with a Nobleman of those sentiments in the Office of Viceroy, going to hand over some of the powers of the Local Government Bodies to the Local Government Board? He certainly should vote against the Bill.

Mr. CORRY said, he had satisfied himself that this was a Bill that should be supported by the Irish Members, and he thought the principle of the Bill a good one. The Bill put into the hands of the Local Government Board such a power as would force the Boards of Guardians to do their duty.

Mr. O'SULLIVAN said, he regretted the division of opinion in the Irish Party on this Bill. They were considering whether they would give superannuation allowance to Irishmen. ["No, no!"] Well, they were Irishmen who had faithfully discharged their duties. He knew a case, in the workhouse to which he belonged, of a gatekeeper who, because he was paid weekly wages, could not get a pension. This Bill would take in that class of men. Another man, a workhouse porter, was refused a pension, and died as a pauper inmate. There were many Boards of Guardians who would hardly give a shilling retiring allowance to anyone. The fault of the Bill was that there was no provision for the relief of those Unions which had dealt liberally with their officers. He was quite in favour of the principle of the Bill.

Mr. O'BRIEN said, he thought his hon. Friend had misconceived the scope of the objections to the Bill. They desired to protect officers against unreasonable Boards of Guardians; and there were unreasonable Boards and cases of hardship such as the hon. Member for Leeds (Mr. Herbert Gladstone) had detailed, and he would support a Bill having that object to the fullest extent. But he did not see how anyone who had a respect for representative institutions in Ireland could consent to a proposition which removed the Union officers from the control of the Guardians who paid them. There ought to be a margin left within which the Guardians could exercise their discretion of giving either a large or a comparatively small allowance, as the merits of a case might require. If this Bill passed in its present form, the officers would not care a row of pins for the Guardians, so long as they retained the good opinion of the Local Government Board; and they all knew that the good opinion of the Local Government Board was to be obtained by putting themselves in opposition to the popular Guardians and the people.

MR. LALOR said, from his experience of Boards of Guardians, he should say that they were, as a rule, anxious to deal liberally with their old officers. He maintained that pensions should be at the disposal of those that were the employers. The Boards of Guardians would have no control over the officers if the Bill were passed. Then, some officers were more deserving of pensions, such as clerks to the Unions; while the medical officers, who got their experience and practice out of the poor patients in the workhouses, left their positions as soon as they had got together a sufficient private practice.

MR. PARNELL said, he would be glad to vote for any measure brought forward by the hon. Member for Leeds, who had always shown himself so kind and just in his views regarding Ireland. He felt, however, that the principle of this Bill was very defective; and while not desirous of challenging a Division himself, yet, if a Division were challenged, he should feel obliged to vote against the second reading. He entirely agreed with his right hon. Friend (Mr. Dawson), who, he thought, had hit the blot in the principle of the Bill, which removed from the Local Body the discretion of deciding whether an official should get any superannuation allowance or not. The hon. Member for Leeds proposed to make a change, and to transfer that power to the Local Government Board. He earnestly asked the hon. Member for Leeds to consider whether the suggestion thrown out by his hon. Friend the Member for Mallow (Mr. O'Brien) was not worthy of attention—namely, whether a minimum pension should be fixed which would be compulsory on those Local Bodies, and after that there should be a discretion given to the Boards of Guardians to increase the allowance as they thought proper? He would thereby recognize the principle of elective responsibility in Ireland—a principle which, he trusted, the hon. Gentleman would have an opportunity of supporting hereafter in the course of his career in that House, regarding both Ireland and England. By doing that he would be doing much to smooth the passage of his Bill through Committee. In offering this compromise they were offering all they could fairly offer as Members who were pledged to the principle of forwarding local self-government in Ireland. He had received communications from other Bodies in Ireland, asking that their *employés* should be included in the Bill, and that the Charter under which the Corporation of Dublin held its rights and privileges should be altered in order to put the question of granting retiring allowances in the hands of the Local Government Board. The departure was an enormous one, and he thought the compromise offered should be accepted.

MR. LEAMY said, he thought it was a most absurd thing to bring in a Bill to render it obligatory on Boards of Guardians to give pensions, and leave it afterwards to the Local Government Board to say whether they should be granted or not.

Question put.

The House *divided*:—Ayes 80; Noes 25: Majority 55.—(Div. List, No. 259.)

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

MOTION.

PARLIAMENT—BUSINESS OF THE HOUSE.

MOTION FOR ADJOURNMENT.

MR. CHAMBERLAIN said, that, in accordance with the pledge that had been given, he begged now to move the adjournment of the House?

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Chamberlain.*)

Mr. ANDERSON said, he should oppose the Motion. He thought the most selfish body of men in existence was a Government. Hon. Members were expected to make every kind of sacrifice of their time and convenience on any day of the week, in order to help the Government to carry their Bills; but the moment the Government got their Bills carried, they put their foot down, and would not allow any private Member to carry any Bill whatever. However good the Bill might be, however thoroughly Liberal it might be, however much it might have been approved by the House at former stages, however much desired by the country, still they would not be moved by any such considerations. As regarded the particular Bill in which he was most interested—the Cruelty to Animals Acts Amendment Bill—he got the second reading on the 7th of March by a majority of 195 against only 40. Out of those 40 opponents only two had persisted in opposing the Bill since, and through their persistent opposition it had been absolutely impossible to get any other stage. The Government kept up that absurd half-past 12 Rule in nearly its full intensity; and therefore there was no other way of getting a further stage of the Bill except at a Saturday Sitting. He hoped the President of the Board of Trade, having performed the duty in accordance with the foolish pledge given, would be content gracefully to retire, and not carry his Motion to the vote, but allow the House to go on with the measures before it. To deny them that opportunity was really very bad indeed, he thought. As regarded his measure, although he admitted that there were other measures as important, there were special horrors and cruelties going on under it. [*Cries of* "Order!"]

Mr. SPEAKER: The hon. Member is quite aware that he cannot refer to that on this Motion.

Mr. ANDERSON said, he had been only about to remark that those who voted for the Adjournment, those who supported the Government on this occasion, would be responsible in the future for those horrors and cruelties.

Mr. T. P. O'CONNOR said, he considered, in the first place, that this was an occasion on which independent Members had a right to show their independence of the Government; and, in the second place, he thought the Conservative Members should take the opportunity of inflicting a defeat on the Government. If they would only adopt an attitude of benevolent neutrality, they would be able to add another to the many defeats which the Government had already experienced. With regard to the Irish Conservative Members, he hoped they would not take upon themselves the responsibility of defeating a measure—the Labourers (Ireland) Bill—which did not contain any principle that they could object to, and which met the evils of a class in favour of whom these Gentlemen had themselves spoken.

Mr. DAWSON remarked, that if the Opposition supported the Government they would seriously injure their own prospects.

Mr. J. LOWTHER said, that the Government had entered into a distinct pledge that only Government Business would be taken; and, so far from the suggestion just made by the hon. Member that the Conservative Members should take the opportunity of defeating Her Majesty's Government, he conceived it would be their duty to give them their most cordial support.

Mr. O'CONNOR POWER said, that the Government were not under any obligation to vote for the Motion they had brought forward, the Prime Minister having himself said that the question of adjournment rested for decision with the House itself.

Mr. TOTTENHAM, as one of the Irish Conservative Members who had been appealed to, would say that he was so satisfied of the desirability and propriety of enabling Her Majesty's Government to keep their pledges sometimes, that he should certainly support the Motion for Adjournment.

Question put.

The House *divided*:—Ayes 52; Noes 66: Majority 14.—(Div. List, No. 260.)

ORDERS OF THE DAY.

REVENUE AND FRIENDLY SOCIETIES BILL.—[Bill 269.]

(*Mr. Courtney, Mr. Chancellor of the Exchequer.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That this House will, upon Monday next, resolve itself into the said Committee."—(*The Marquess of Hartington.*)

MR. J. LOWTHER inquired of Her Majesty's Government what course they intended to pursue with respect to the remainder of the Sitting? No doubt the House had a perfect right to sit as late as it liked; but Her Majesty's Government, having created the monster in the shape of a Saturday Sitting, ought, at least, to take measures to guard against depredations which it might commit. He wished to know whether the Government considered they had abandoned the control of the proceedings of the House until an indefinite period of the evening? The House, however, having been brought together at the instance of the Government, he thought that, as there were Government Orders remaining on the Paper, the House should, if it was to sit, proceed with the consideration of the Business which brought it together.

THE MARQUESS OF HARTINGTON said, that, as far as he was aware of the circumstances, no pledge had been given, except as to the course the Government would take up. The Prime Minister had distinctly indicated that the further proceedings of the House would be matter for the decision of the House. That decision had just been pronounced. With regard to the remaining Government measures on the Paper, they had disposed of all the measures which were announced as to be taken to-day; and the Government would, therefore, postpone the remaining Government Business, and how far they should proceed with the Private Business on the Paper was, of course, for the House to decide. He understood that the hon. Gentlemen in charge of the Labourers' (Ireland) and the Cruelty to Animals Bills only desired that so much progress should be made with those measures as that the Speaker should leave the Chair.

MR CAVENDISH BENTINCK said, that from the words uttered by the Prime Minister he understood that the Government not only intended to stop the proceedings of the House after the Bills were passed, but also to use their influence to prevent other measures being proceeded with. Under the circumstances, he was not surprised to see so scant an attendance of Members of the Government, although many of them were in town——

MR. SPEAKER: I must point out to the right hon. Member that the Question before the House is simply that the Committee on the Revenue and Friendly Societies Bill be taken on Monday next.

MR. CAVENDISH BENTINCK: I am simply referring to the pledge which has been given by the Government.

MR. SPEAKER: I must point out to the right hon. Gentleman that the absence of Members of the Government has nothing whatever to do with the subject.

MR CAVENDISH BENTINCK said, the manner in which the Government had failed to use their influence in favour of the adjournment did affect the question. He was certainly of opinion that they had been guilty of gross dereliction of duty, and he was sorry to say it was not the first time such a thing had happened. He was afraid it was done for a purpose which it would not be right to mention, but which the House would understand.

MR. WARTON: The noble Marquess told us——

MR. ILLINGWORTH: I rise to Order. ["Order!"] I rise to Order, Mr. Speaker. I want to know whether observations with regard to the noble Lord's statement are relevant?

MR. SPEAKER: The hon. and learned Member has not said anything out of Order.

MR. WARTON remarked that, as the hon. Gentleman (Mr. Illingworth) tried to caucus the electors, so he tried to caucus the House. The noble Marquess had said that it was only desired to go formally into Committee with the private Members' Bills now standing on the Paper; but he wished to point out that the effect of the New Rules was to prevent any opposition being offered to a measure when it had once been in Committee, so that the ingenuous remark of the noble Lord as to the intentions of the Movers of these Bills lost half its force. As he was strongly opposed to one of the Bills which was down on the Paper, he should move that the Revenue and Friendly Societies Bill be put down for Tuesday instead of Monday.

Amendment proposed, to leave out the word "Monday," and insert the word "Tuesday."—(*Mr. Warton.*)

Question proposed, "That the word 'Monday' stand part of the Question."

THE MARQUESS OF HARTINGTON said, he would appeal to the hon. and learned Member not to persist in his Motion, which would have the effect of detaining the House longer than would otherwise be the case.

Question put, and *agreed to.*

Main Question put, and *agreed to.*

Committee upon *Monday* next.

PAYMENT OF WAGES IN PUBLIC-HOUSES PROHIBITION BILL [*Lords*].

(*Mr. Samuel Morley.*)

[BILL 126.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. WARTON said, he should oppose the Motion. The mode in which Bills were introduced in the other House was most unsatisfactory, as nobody knew who laid them upon the Table, or was responsible for them.

MR. SPEAKER: The hon. and learned Member has not yet addressed himself to the Question before the House.

MR. WARTON said, as to the Bill itself, it was a piece of Puritanical legislation, and an unwarrantable interference with the liberty of the subject. It had been got up by persons affected by the temperance craze, and who wished to see how much they could annoy other people. It was, in reality, a blow struck at public-houses, because they were obnoxious to hon. Gentlemen opposite. Why should not a man spend money in drink if he chose? This was merely grandmotherly legislation.

MR. KNIGHT said, he also regarded the measure as most objectionable.

Question put.

The House *divided*:—Ayes 66; Noes 13: Majority 53.—(Div. List, No. 261.)

Bill *considered* in Committee; Committee report Progress; to sit again upon *Monday* next.

CRUELTY TO ANIMALS ACTS AMENDMENT (*re-committed*) BILL.—[BILL 118.]

(*Mr. Anderson, Sir Frederick Milbank, Mr. Samuel Morley, Mr. Jacob Bright, Mr. Passmore Edwards, Mr. Buchanan.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Anderson.*)

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee."—(*Mr. Tottenham.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. J. LOWTHER said, the Bill had been discussed on a previous occasion, and it was then generally admitted that the Bill, as drawn by its introducer, could not possibly become law. No doubt, it was conceived in a spirit of humanity; but it was a specimen of what the Home Secretary had called "grandmotherly legislation." He himself did not indulge in the pastime of pigeon-shooting; and, therefore, he could speak quite dispassionately about the Bill. Those who had no practical knowledge of sports such as that to which the Bill referred ought to hesitate before they embarked on a career of legislation which might have serious results. What difference was there, as far as the question of cruelty was concerned, between pigeon-shooting and other kinds of shooting? He held that the cruelty was less in the case of pigeon-shooting than in other kinds of sport. Every precaution was taken to capture wounded birds, and the cruelty was reduced to a minimum. If this legislation was sanctioned, how long would it be before fox-hunting and fishing were also prohibited? Perhaps he might be told that a fox enjoyed being hunted. That he fully believed to be the fact, though how far being torn to pieces and eaten added to such enjoyment he would not detain the House by pausing to inquire. Nor would he stop to contradict anyone who maintained that a fish thoroughly appreciated the pastime of being dragged for an hour, or any portion of time, with an iron hook through its mouth. However, it was manifest that no form of sport could long continue if the principles propounded in the Bill before the House were to receive the sanction of Parliament; and he put it to the hon. Member who introduced the Bill as to whether he really hoped to do any good by pressing it upon the House; and urged the House to consider the circumstances under which it was brought under their notice that evening. The House had been sitting for a good many hours discussing legislation initiated by Her Majesty's Government, on the distinct understanding that it should not be asked to consider other measures; and, under the circumstances, he trusted that the Bill would not be proceeded with.

SIR FREDERICK MILBANK said, he supposed the right hon. Gentleman had never been in a dove-cot a few days after a pigeon-shooting match. He himself had been, and had seen hundreds of young birds dying of starvation in consequence of the parent-birds being taken away for shooting. He could not imagine how anyone could regard pigeon-shooting as fair shooting. He had been a witness at Hurlingham of the most gross cruelty and immorality in connection with pigeon-shooting. He saw good birds and bad birds put into the trap according to the betting. He was himself a member of the Hurlingham Gun Club; but he had ceased to be a pigeon-shooting member owing to the gross cruelty that he saw practised there. He had seen birds struggling in heaps after they had been brought back by a man or by a dog. But even supposing that the pigeons got fair play at Hurlingham and the Gun Club, did anyone suppose that they got fair play in low pot-houses, where they were shot for bets of bottles of whisky and gin to be drunk on the premises?

MR. CAVENDISH BENTINCK said, that the Government ought to be ashamed of themselves for what had taken place that evening. At least, they might have left one responsible Minister to speak upon the subject before the House. If the same care were taken of young pigeons bereft of their parents as was taken in the case of young pheasants when the parent-birds were shot, the chief argument of the hon. Baronet who had just spoken would absolutely fall to the ground. The Bill was introduced in a spirit of mawwormism and cant. As to the hon. Member who had introduced the Bill (Mr. Anderson), he would ask what would become of Scotland if all cruelty to animals were done away with? What would become of that country which sent the hon. Member to that House if grouse and other kinds of shooting were prohibited? He was surprised that a Scotch Member had had the hardihood to bring such a Bill forward, when his compatriots lived upon the cruelty he condemned. Then, with regard to the hon. Baronet, he always thought he was created a Baronet owing to the faithful service he had rendered to his Party; but he had now discovered another reason why that honour had been conferred upon him. It was for his marvellous exploits in slaughtering grouse. As they all knew, the hon. Baronet was distinguished for his great feat of killing 1,000 grouse in 1,000 hours. ["No, no!"] Well, he had been informed that in one day the hon. Baronet had killed no fewer than 400 brace, being armed—like Robinson Crusoe—with half-a-dozen guns, and firing first one way and then another, slaughtering all the birds that were round about him. He should like to hear from the hon. Baronet whether he had inflicted no cruelty then? [Sir FREDERICK MILBANK: No.] Did the hon. Member kill them all outright? [Sir FREDERICK MILBANK: Yes.] He was rather inclined to doubt that that really was the case in every instance, for he thought it hardly possible that any man could absolutely kill so many birds. The fact was that if a suggestion were to be made to extend the principle upon which the Bill was based to the sports which the hon. Baronet affected he would at once say that the circumstances did not warrant its application. If the hon. Member for Glasgow objected to the infliction of cruelty upon all animals, why had he not extended the provisions of the Bill so as to put a stop to fishing, which was undoubtedly cruel? He had been told by fishermen that the greater the pain inflicted upon a fish the better was the sport. Why did the hon. Member stop short at pigeon-shooting? Why did he not attempt to prohibit fox-hunting and rabbit-coursing?

MR. ANDERSON said, that rabbit-coursing was included in the Bill originally, but was removed from it to please the right hon. Gentleman and other Members of his Party.

MR. CAVENDISH BENTINCK said, he objected to the Bill because it was a specimen of piecemeal legislation, and he also objected to the manner in which it had been brought before the House that afternoon. The House had been taken by surprise, as nobody understood that the Saturday Sitting was to be devoted to the consideration of measures introduced by private Members.

Lord BURGHLEY said, he also objected to the Bill. Pigeon-shooting in itself was not more cruel than other kinds of sport. If it was at times accompanied by malpractices, they could be remedied by better management. He did not take interest or pleasure in the sport himself; but it afforded an opportunity of enjoyment to people who could obtain no other form of sport. On that ground he would not interfere with it. He held that it was more cruel to shoot pheasants, which were so tame that they would feed out of a keeper's hand, than to shoot pigeons out of a trap.

Mr. WARTON thought it would be a great mistake to pass the Bill, and so take a step in the direction of the abolition of all sport. One of the advantages of sport was that it provided manly and healthy diversion for those who otherwise would be tempted into vicious courses. He would conclude by moving the adjournment of the debate, in order to appeal from Philip drunk to Philip sober. [*Cries of* " Order!" *and* " Withdraw!"]

Mr. SPEAKER: The hon. and learned Member must withdraw that expression.

Mr. WARTON said, he would withdraw it; he was simply referring to the jaded condition of the House—preferring to appeal from Philip drunk to Philip sober.

Mr. CAVENDISH BENTINCK, in seconding the Motion, said, it would be most unseemly to proceed with the Bill——

Mr. SPEAKER: The right hon. Gentleman must confine his remarks to the Question of Adjournment.

Mr. CAVENDISH BENTINCK said, that the House, having been taken by surprise, was not in a condition to consider the measure.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Warton.*)

Mr. Speaker stated that he thought the Noes had it; and, his decision being challenged, he directed the Ayes to stand up in their places, and Five Members only having stood up, Mr. Speaker declared the Noes had it.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 56; Noes 3: Majority 53.—(Div. List, No. 262.)

Main Question put, and *agreed to.*

Bill *considered* in Committee; Committee report Progress; to sit again upon *Tuesday* next.

PATENTS FOR INVENTIONS BILL.

(*Mr. Chamberlain, Mr. Solicitor General, Mr. John Holms.*)

[BILL 261.] CONSIDERATION.

Bill, as amended, *considered.*

Clause (Saving for power to provide for entry on register of common marks as additions to trade marks,)—(*Mr. Arthur Arnold*)—*brought up*, and read the first and second time, and *added.*

Clause (Transmission of certified printed copies of specifications, &c.,)—(*Mr. M'Lagan,*)—*brought up*, and read the first and second time, amended, and *added.*

Clause (Provision for Colonies and India,)—(*Sir Henry Holland,*)—*brought up*, and read the first and second time, and *added.*

Amendments made.

Amendment proposed, in page 13, line 9, after the word "for," to insert the words "printing and."—(*Mr. Tomlinson.*)

Question proposed, "That the words 'printing and' be there inserted.

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 13, line 10, after the word "all," to insert the words "Provisional or."

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Other Amendments made.

Bill read the third time, and *passed.*

House adjourned at a quarter before Eight o'clock till Monday next.

HOUSE OF LORDS,

Monday, 6th August, 1883.

MINUTES.]—Public Bills—*First Reading*—Patents for Inventions * (179); Agricultural Holdings (Scotland) * (178).

Second Reading—Trial of Lunatics * (184); Railway Passenger Duty, &c. (167).

Select Committee nominated—Petroleum * (154).

Committee—Irish Reproductive Loan Fund Act (1874) Amendment (156).

Committee—Report—Greenwich Hospital * (165).

Third Reading—Merchant Shipping (Fishing Boats) * (170), and *passed.*

Withdrawn — Merchandise Marks (Channel Islands and Isle of Man) (143).

MERCHANDISE MARKS (CHANNEL ISLANDS AND ISLE OF MAN) BILL.

(*The Lord Belper.*)

(NO. 143.) COMMITTEE.

Order of the Day for the House to be put into Committee, read.

The Earl of DALHOUSIE said, he would suggest the withdrawal of the Bill. Since the last stage of the Bill was reached communications in reference to it had been received from the States of Jersey and the Governor of the Isle of Man. The former pointed out that the Imperial Parliament had never exercised the right to legislate for the Channel Islands, and that the passing of this Bill by Parliament would establish a precedent which would be highly inconvenient to the States of Jersey. It was also urged that the object of the Bill would be much more easily obtained by an Act of the local Legislature than by one passed by the Imperial Legislature. As to the Isle of Man, the Governor stated that there was no objection entertained on the Island to this particular Bill; but that it would be more convenient and proper that it should be submitted to the Tynwald, and by them passed into law. On these grounds, he appealed to his noble Friend to consider whether it would be well to ask the House to proceed with the Bill; but if he did so, he (the Earl of Dalhousie) would, on the part of the Government, feel obliged to oppose it on the third reading.

Lord BELPER said, that the statement of the noble Earl had placed him in some difficulty. He had received a letter from the Lieutenant Governor of the Isle of Man, and he understood that there was no opposition to the Bill. He hoped that the Government would give some assurance that the necessary Orders in Council would be passed to enable the provisions of the Bill to be carried out.

The Earl of DALHOUSIE said, he believed that by this time next year, at least, there was some chance that there would be no further necessity for legislation.

Order *discharged,* and Bill (by leave of the House) *withdrawn.*

SUEZ CANAL—CONCESSION TO M. DE LESSEPS.

MOTION FOR AN ADDRESS.

Lord STRATHEDEN and CAMPBELL, in rising to call attention to the further correspondence upon Egypt; and to move for copies of the original concessions to M. de Lesseps on the Isthmus of Suez Canal, said: My Lords, I came down to address the House a week ago upon this Notice, when Her Majesty's Government referred to the absence of the noble Earl the Secretary of State for Foreign Affairs as an objection to proceeding. We are now in August, and the unavoidable satiety of the House at such a moment imposes on me more compression than might have otherwise been necessary. At the same time, the reasons for discussion upon Egypt, and the rather burning question it has recently forced on us, have accumulated in the interval. The world is full of novel contributions from well-known and independent writers on the subject. The opinions of M. Leon de Say have been communicated to our public. This very day some new despatches have appeared, if they have not been yet delivered to your Lordships. The daily Press of France and of Great Britain is still engrossed with the Canal. It is too late for Parliamentary Committees to discriminate and methodize the different propositions which are offered. The Government are engaged to the claim of M. de Lesseps, and cannot, of their own initiative, bring the matter under any scrutinizing process. Unless in this House some advance is made towards a practical conclusion, the Session would not close under the circumstances which the public are entitled to anticipate. The strongest ground of all for giving some consideration to the routes across the Isthmus at this moment is the great variety of schemes which may be rapidly enumerated. M. de Lesseps seems to favour a new and parallel Canal. A diagonal Canal from Alexandria, over the branches of the Nile, has been contemplated. A Canal from Syria through the Dead Sea, with a different termination from that of Suez, has been suggested. Another project is to widen the existing channel. There is a fifth suggestion that of Mr. Talbot, a Member of the House of Commons, which appeared in a morning journal, to prevent confusion which exists, by devoting alternate days to the traffic from the Red Sea and the traffic from the Mediterranean. These schemes are all in need of accurate comparison. My impression is that M. de Lesseps cannot form a new Canal without a new concession on many grounds, and partly upon this one. The old concession specified the different stages he was bound to traverse, and does not give authority to traverse any others. It hardly seems desirable, however, that a new concession should be granted to him, as it would do little to advance the end of those who are dissatisfied at present. The insufficiency of any scheme to widen the Canal is known to naval men, and has been explained in the Report of Admiral Ryder, which may be found in the work of Mr. Percy Fitzgerald, the glowing, but not on that account inaccurate, historian of M. de Lesseps and his enterprize. Whether a Canal can be formed independently of M. de Lesseps may be doubtful. Even if it can, Her Majesty's Government are not at liberty to sanction it. Committed as they are, they can only sanction a Canal which would defeat the aim of further enterprize and outlay. Before quitting the subject of the Canal, there is one reflection which late events might almost force upon us. It is that, were Lord Palmerston surviving, he might now easily demand indulgence or acquittal for the course he had pursued in first opposing the design of M. de Lesseps. He might insist that as to commerce, those immediately engaged in it proclaimed the inconvenience and inadequacy of the project; that, setting wealth aside, the Canal had not at all contributed to the safety of the Indian Empire, or any military object; that we had purchased largely to avert a risk which it involved; that we had gone to war in order to defend it from a mutiny; and been led by that war into an occupation of the country dangerous to prolong while cholera is menacing our troops, difficult to terminate when anarchy may follow our departure. As the authority of Lord Palmerston in foreign policy is valuable, the reflection may not be an useless one. But even those who are inclined to recognize his former prudence on this subject may concur with the aggrieved interests and labour for a scheme by which their object would be realized. When it is remembered to how prodigal an outlay, to how crude a scheme the shipowners were an obstacle, they seem to be entitled to more than unsubstantial gratitude from Parliament and from the country. No doubt the Correspondence shows that Her Majesty's Government were assailed by an extraordinary pressure ; that a well-known Member of this House we do not often see among us (Lord Napier and Ettrick) was its organ ; andt hat the project of a new Canal could hardly be avoided. But it shows also that the secret of that pressure was the desire of the shipowners to be released from the ascendancy M. de Lesseps had established. In what manner Her Majesty's Government were led to think that they would satisfy the movement by a plan to double the ascendancy complained of, and to restore in Egypt the specific influence which the war had recently diminished, is a mystery the Correspondence leaves for other sources to dispose of. My Lords, no one who engages to call attention to the further Correspondence upon Egypt can entirely pass over the despatch of February 6 from the noble Lord the Ambassador at Constantinople. The labour it involves would be a title to our notice. Of all his varied and exhaustive details as to the improvement of the country, what has fallen from the noble Lord on irrigation may now appear to have the greatest practical importance. According to the noble Lord, immeasurable wealth may be reclaimed by such a fertilizing process. He uses language which, were it not in a despatch—to guarantee its accuracy and exactness—might seem to border on the realm of poetry and fancy. The Nile he thinks in its effects has more than equalled the Pactolus. Were irrigation organized more thoroughly, he teaches us that deserts might be transformed into gardens, and wealth derive an impulse which would bring down the actual debt to utter insignificance. As irrigation turns a good deal on the system of canals adopted, the opinion of the noble Lord may tend to guide the country as to the new mode of joining the two seas which it is most desirable to favour. With regard to the organic projects of the noble Lord, his local Councils, General Assembly, Governments restricted to eight Members, there may be little to object to them. They are marked by an aversion to sudden, violent, exotic innovations in an Oriental country. They are marked by much consideration for the welfare of the masses and the remedy of evils which had before been noted by such travellers as Baron Malortie, Mr. de Leon, Mr. Nassau Senior. Whether such projects could be realized without a lasting occupation is a question to be seriously canvassed. Indeed, my Lords, the most important passage of the Correspondence, if I am not deceived, relates to occupation of the country. The noble Lord was gravely urged, so far as he was able, to extend it. He was urged in that sense by a body of merchants and by a body of missionaries whose opinions he reported. It appears that his instructions were prohibitory of all hope upon the subject. It appears, likewise, that his own mode of thinking was opposed to that of his petitioners. I admit now having contended before Easter that there are many grounds on which a lasting occupation ought to be avoided. On this point, or rather on the question of permanently holding Egypt, the judgment of Lord Palmerston was a most decisive one. Although no one was less inclined to acquiesce in the supremacy of other Powers in that region, although no one laboured more assiduously against movements to detach it from the Ottoman Empire over a long and agitated period, which closed in 1841, Lord Palmerston, as his private correspondence has revealed to us, was thoroughly opposed to British tenure of that country. He regarded Egypt only as a means of transit for Great Britain, and held that we had no more reason to be proprietors within it than a traveller from Edinburgh to London would have for buying the hotels which might be useful on his journey. But even if Lord Palmerston was silent, the inconveniences of lasting occupation would not be less manifest. As the noble Lord the Ambassador at Constantinople has justly pointed out, it would be a burden to the Treasury of Egypt. It is felt as a blow to the dignity of the Ottoman Empire, and thus renders it still more averse to any counsel we may offer. It must beget in Russia endless aspiration to some dominion on the Bosphorus, of which, according to her view, the price has been surrendered when Egypt falls under Great Britain. By withdrawing so large a force it does not lessen the anxiety which Ireland habitually occasions. It prolongs the animosity of France which the decision to avoid the terms of M. de Lesseps must in some degree have kindled. It renders it more difficult to address to France the least remonstrance on the Tunisian Protectorate, or any other subject which arises. But there is something else to be considered. We learn, if not from the Blue Books, from many other sources, that the Vice-regal power has been a good deal undermined; that movements may spring up as grave as that which drew us into Egypt; that the actual Khedive, although irreproachable to us, has not sufficient power to defend himself against intrigues which may occur. It does not seem to be a groundless calculation that when the British garrison withdraws, the Sultan will retain a kind of balance in the country between the forces which divide it. It is now historically clear that he might have done much more to control the movement of Arabi. But we cannot possibly depend on the co-operation of the Sultan—it is in no spirit of invective I allude to such a circumstance—until the British Government has ceased to be identified with the actual First Lord of the Treasury. Whether the Sultan looks back to his language before the General Election, or to his conduct since that period, he must regard the First Lord of the Treasury as an implacable opponent. It is well known to your Lordships, and it is well known to me, that the Sultan does regard him as an implacable opponent. The conclusion is that either the garrison must stay in spite of many risks and disadvantages connected with it, or that the First Lord of the Treasury must soon withdraw from the position which he occupies. Which of these two alternatives is most to be desired would hardly be a question to enlarge upon on such a Notice as the present, since it embraces points of foreign and domestic policy which lie beyond the Correspondence upon Egypt. The Motion before the House is one Her Majesty's Government can scarcely hesitate in granting. The original concessions, in the form of a Return, have been presented to the other House of Parliament. They are essential to a just opinion on a controversy so very far from being exhausted. They may be seen in the volumes of Mr. Percy Fitzgerald; but these are not accessible to everyone. They are the only means of ascertaining how far M. de Lesseps is entitled to form a new Canal, or how far the Khedive is at liberty to do so.

Moved, "That an humble Address be presented to Her Majesty for copies of the original concessions to M. de Lesseps with regard to the Isthmus of Suez Canal."—(*The Lord Stratheden and Campbell.*)

EARL GRANVILLE: My Lords, I have listened very attentively to the speech of the noble Lord; and although I do not personally agree with him that the resignation of Mr. Gladstone would put an end to the political evils of the world at home and abroad, yet in general I do not think that I have anything to complain of in the tone or purport of his speech, in which he has gone over many of the most important subjects connected with Egypt, and has shown great study of the past and the present Papers on the subject. I did not get up immediately after the noble Lord concluded, because I wished to see whether your Lordships desired on this occasion to enter into a serious discussion on this question. The speech of my noble Friend has been rather of an academic character; and as there are several Bills of an important character awaiting your Lordships' consideration, I have merely to point out, with regard to the Motion, that the Papers which the noble Lord asks for have been already presented to your Lordships' House.

THE MARQUESS OF SALISBURY: Is it the intention of the noble Earl the Secretary of State for Foreign Affairs to take any opportunity of making any statement with respect to the policy of Her Majesty's Government in regard to some of the matters touched upon by the noble Lord, analogous to that which it is understood is about to be made in the other House?

EARL GRANVILLE: It is not my intention; but if the noble Marquess wishes to raise a discussion, I am perfectly prepared to meet him.

LORD STRATHEDEN AND CAMPBELL, in reply, said, that perhaps the noble Earl the Secretary of State would inform the House where the original concessions had been brought before their Lordships. [Earl GRANVILLE was understood to say No. 6.] If that was the case, he (Lord Stratheden and Campbell) would withdraw the Motion. He must remark, however, that he had by no means held out the disappearance of the First Minister from his actual post as an universal panacea. He had only pointed out that until it happened it would not be possible to take away the garrison from Egypt, while to retain it led to evils of a grave and serious description.

Motion (by leave of the House) *withdrawn.*

IRISH REPRODUCTIVE LOAN FUND ACT (1874) AMENDMENT BILL.

(*The Lord Greville.*)

(NO. 156.) COMMITTEE.

House in Committee (according to order).

Clauses 1 and 2 *agreed to.*

Clause 3 (Loans to Town Commissioners from Irish Reproductive Loan Fund).

LORD VENTRY moved, in page 3, line 20, to substitute "Boards of Guardians" as administrators of the Fund for the "Town Commissioners." He did not see why they should trust the management of this Fund to bodies who had had no connection with it in the past. It appeared to him that Boards of Guardians would be more suitable bodies for the management of the Fund than any Town Commissioners; because this Fund was intended, not specially for the development of any parts of the particular counties dealt with in the Bill—Tipperary and Roscommon—but for the benefit of the counties at large; and if they entrusted the Funds to be administered by Boards of Guardians the whole community would, both directly and indirectly, obtain the benefit of the expenditure, whereas if the expenditure of the money was placed in the hands of the Town Commissioners it would be limited to a few small towns.

Amendment *moved*, in page 3, line 20, to leave out ("Town Commissioners") and insert ("Boards of Guardians.")—(*The Lord Ventry.*)

LORD GREVILLE said, the object with which the management of the Fund was proposed to be put into the hands of the Town Commissioners was to enable the two counties of Roscommon and Tipperary to carry out certain works for which this money had for the last 40 years been denied them.

LORD VENTRY contended that, under existing legislation, the Town Commissioners could obtain loans for effecting improvements independently of the Fund in question. Their Lordships ought not to forget that this money was originally subscribed for charitable objects, and that the balance after those particular objects were attained was devoted to casual charitable purposes. He should persevere with his Amendment.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, the effect of the noble Lord's Amendment, if carried, would be that the money would be applied to no use whatever. The fact was, it had lain absolutely idle for the last 50 or 60 years; and it would, if the noble Lord had his way, remain idle probably for 60 years more. The object of the Bill was simply to find some useful purposes for employing this Fund strictly by way of loan, and not by way of grant. He had heard nothing from the noble Lord or anyone else to induce him to think that Boards of Guardians were better bodies for using the Fund in the two counties in question than those bodies which were proposed by the promoters of the Bill. Why Boards of Guardians were considered the more suitable bodies he was not able to understand. He knew that the suggestion of the noble Lord was made by a single Gentleman in "another place;" but it received no support. He had heard nothing as to what use Boards of Guardians would make of these loans. The loans could not be applied for the relief of the poor, for emigration, or for any of the other purposes with which Boards of Guardians had to deal. Boards of Guardians, for purposes beyond the relief of the poor, such as emigration or sanitary matters, had powers to borrow money already; and if this Fund were put at their disposal he saw no other prospect than that it would be "frittered" away and wasted. Under those circumstances, he conceived that it would be better to leave it in its present useless condition. If the Fund was put within the reach of the Town Commissioners of the small towns in the two counties he could very well conceive that loans could be applied by them to very useful public purposes. The benefits of such loans would not be confined to the towns themselves, but would, as a matter of course, extend into the neighbouring country. As between the two public bodies, which was the only question raised by the noble Lord, he could not doubt that the Town Commissioners had far better means of making use of such loans for useful public purposes than Boards of Guardians, to whom the noble Lord wished to have them transferred.

LORD EMLY said, the only change which was made by the Bill was that the Town Commissioners had the power of levying rates for the purpose of paying the instalments of these loans as they became due. What would be the result of that? Of course, they could not ask people to contribute towards objects which were outside their own town; and, therefore, the real object of the Bill was to take the money from the counties of Tipperary and Roscommon and give it to the small towns in which these Commissioners had jurisdiction. The Bill gave these small towns the power of appropriating to their own objects this money, instead of allowing it to be applied to objects which were to benefit the whole counties. He did not like very much Boards of Guardians, if some other more suitable body could be found. He was not sure the Fund should not be handed over to Grand Juries, who had control over the whole of the counties. Still, he thought, on the whole, that the Boards of Guardians had a very much larger and more extensive jurisdiction than the Town Commissioners; and, therefore, if the noble Lord went to a Division, he should vote with him.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL) said, he would remind the noble Lord that Boards of Guardians had no power whatever of using these loans. With regard to making the loans available to the whole of the counties that was scarcely possible. In all other counties, with the exception of the two inland counties named, these loans were applied solely for the purposes of the fisheries.

Amendment *negatived.*

Clause *agreed to,* and *added* to the Bill.

Clause 5 (Conditions of loans).

Lord VENTRY moved the addition of the following provision:—

"No money shall be expended under this Act for any institution having for its object the reclamation of criminals."

Lord GREVILLE said, he would agree to the Amendment.

Amendment *agreed to.*

Clause, as amended, *agreed to,* and *added* to the Bill.

Remaining clauses *agreed to,* with Amendments: The Report thereof to be received *To-morrow.*

RAILWAY PASSENGER DUTY, &c. BILL.

(*The Lord Thurlow.*)

(NO. 167.) SECOND READING.

Order of the Day for the Second Reading read.

Lord THURLOW, in moving that the Bill be now read the second time, said, the Bill was intended to consolidate the law with reference to the conveyance of the Queen's Forces by railway. It was also the purpose of the framers of the Bill to carry out the promise made by the Chancellor of the Exchequer in his Budget speech. That promise was that he would make some reduction in the Railway Passenger Duty if the Companies would make certain concessions. The sum which the right hon. Gentleman stated would be remitted amounted to £400,000. The chief benefits that would be conferred on the Railway Companies by the Bill were—first, that all fares not exceeding 1*d.* per mile would be exempted from duty in the future; and, secondly, that duty would only be payable at the rate of 2 per cent, instead of at 5 per cent, on fares exceeding 1*d.* per mile between stations on urban lines. Certain reductions would be made in the rates charged for the conveyance of troops. The present scale of charges was fixed in 1844 at 2*d.* per mile for first-class passengers, and 1*d.* per mile for third-class passengers. Since 1844 ordinary passenger rates had been greatly reduced; and the Bill aimed at making such a reduction in the rates charged for troops as should be in accord with the original proportion between the rates charged for the public and the rates charged for troops. This was a Revenue Bill; and it was based on arrangements come to with the representatives of the principal lines of railways in the Kingdom, and on mutual concessions made to and by them. The Bill gave the Board of Trade power to regulate workmen's trains. There had been no opposition to the Bill in the House of Commons; and he trusted their Lordships would give it a second reading.

Moved, "That the Bill be now read 2ª."—(*The Lord Thurlow.*)

Lord BRABOURNE said, that since he had been connected with the railway management of the country he had—for reasons which their Lordships would understand—forborne from taking part in discussions in that House upon railway matters. This Bill, however, was of such an exceptional character, and involved such serious consequences, that he must humbly crave their Lordships' attention for a brief space of time. Of course, their Lordships could simply accept or reject a Money Bill, but could not alter it; and if this Bill dealt simply with the abolition of a tax, he should be the last to raise any question as to it, more especially as he had himself brought the subject of the Passenger Duty before the other House of Parliament, had served upon the Committee which had inquired into it, and had a full share of responsibility in the Report of that Committee condemnatory of the duty. Incidentally he might observe that this duty had been imposed because there were duties leviable upon other public conveyances; and these latter duties having all been removed, it was claimed, and recommended by the Committee, that this duty should share the same fate, without any question of a *quid pro quo.* The 3rd clause in this Bill, however, gave power to the Board of Trade to interfere with private enterprize by regulating the time and manner of running workmen's trains, and regulating the fares already authorized in each case by special Act of Parliament; and if the Railway Companies did not agree to what the Board of Trade proposed, they were not to have the benefits conferred by the Bill. The House of Commons endeavoured to interfere with private enterprize; and their Lordships were told that they had no power to interfere, because an allusion to a tax was tacked on to the end of the clause. Again, the arrangements for the conveyance of troops had nothing to do with Imperial taxation; and yet their Lordships were told that they could not interfere with it; whereas this clause had relation to railway rates and fares, which might be a very proper question for arrangement between the Department of Government and Railway Companies, but had no place, by right, in a Revenue Bill. The novel powers which were given to the Board of Trade in this Bill, and the powers to lower the rates of conveyance of troops, were powers which the House of Commons had no right to give alone, but which, if right to be given, should be given by the concurrent legislation of both Houses of Parliament.

THE LORD CHANCELLOR said, the question of principle seemed to him quite plain. Any noble Lord might move the rejection of the Bill. On the other hand, a Bill for the conditional remission of taxation must be dealt with on the same principle as a Bill for the unconditional remission of taxation. They must either accept it as it stood, or reject it.

THE MARQUESS OF SALISBURY said, there could be no doubt, according to the practice of the House and the precedents which guided their Lordships, remissions of taxation were not matters with which they dealt. It might also be fairly said that if the remission was conditional, and if the House of Commons proposed to receive certain work done in the place of a tax, their Lordships should not interfere so far as concerned the remission or condition. But the precedent brought forward in the celebrated speech of Lord Lyndhurst on the question of the Paper Duty 20 years ago bore him out in saying that if the conditional remission of taxation was directed towards the attainment of any object of public policy, and that public policy was one in which their Lordships' House could not concur, it was entirely open to them to give effect to their view by their votes. Were it otherwise, the House of Commons would be enabled, by its management of the public purse, to affect the legislative rights of that House. He did not, however, take an attitude hostile to the Bill, because he believed there was a good deal of foundation in the remarks made by the noble Earl, and the object it had in view was a very good one, and dealt with a grievance which the House would be anxious to remove. At the same time he thought a good deal might be said as to the inequality of the Bill in its bearing upon the Railway Companies.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, that the great question of Privilege relating to the tacking on of Money Bills might be so managed as to exclude the House of Lords from the whole legislative Business of the country. On that principle they were bound to object to such a course, which would curtail the Privileges of the House in a most objectionable manner.

THE LORD CHANCELLOR said, he had only referred to *bonâ fide* Money Bills.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

METROPOLIS—DRAINAGE.

OBSERVATIONS.

LORD FORBES, in calling attention to the drainage of London, said, he certainly believed that in Cavendish Square, where he lived, the drainage system was very objectionable. He was perfectly convinced that the system adopted in the Metropolis must be unsatisfactory. The drainage was conveyed to the sea, and at a certain time of the tide there was no exit for it, and all the gases were forced to escape through openings in the drains themselves. His attention had recently been called to a system of drainage, which appeared absolutely faultless in its working. Exhibits of it might be seen at the Fisheries Exhibition, and the Company were at that moment draining Aylesbury. He had no connection with the Company in question; but a relative of his was its Chairman, and had explained the system to him. Immediately the drainage was received, it was conveyed into tanks, where it was treated with blood, carbon, and clay, and also with a certain compound of alum. After going through three tanks it flowed into the River Thames in the shape of water, pure and perfectly innocuous. The refuse also provided a useful manure. The Company were quite ready to drain any other towns; and he did not see why the sewage of London should be conveyed away to poison the sea at Margate or elsewhere, when it could be satisfactorily disposed of in the manner he had described.

LORD THURLOW said, he concurred in the importance of the question raised by the noble Lord. As, however, he had not received Notice of the matters to which he had referred, and had no previous knowledge of the system he had alluded to, he would not attempt to follow his remarks. He would, however, take care that the noble Lord's observations were brought to the knowledge of the proper authorities.

PETROLEUM BILL [H.L.]

Select Committee on: The Lords following were named of the Committee:

D. Somerset. L. Ramsay.
E. Milltown. L. Norton.
L. Monson

The Committee to meet *this day*, at One o'clock, and to appoint their own Chairman.

House adjourned at Six o'clock, till To-morrow, a quarter past Four o'clock

HOUSE OF COMMONS,

Monday, 6th *August*, 1883.

The House met at Twelve of the clock.

MINUTES.]—NEW WRIT ISSUED—*For* the County of Sligo, *v.* Denis Maurice O'Conor, esquire, deceased.

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES—Class V.—FOREIGN AND COLONIAL SERVICES, Vote 7; Class III.—LAW AND JUSTICE, Votes 9 to 12.

PRIVATE BILL (*by Order*)—*Second Reading*—Ennis and West Clare Railway (Abandonment) *.

PUBLIC BILLS—*Ordered*—*First Reading*—Corrupt Practices (Suspension of Elections) * [281]; Cholera Hospitals (Ireland) * [282]; Expiring Laws Continuance * [283].

First Reading—Public Health (Dairies, &c.) * [280].

Second Reading—Education (Scotland) [226].

Select Committee nominated—Isle of Wight (Highways) * [268].

Committee—Revenue and Friendly Societies * [269]—R.P.

Committee—*Report*—Diseases Prevention (Metropolis) * [279]; Labourers (Ireland) (*re-comm.*) [240].

Committee—*Report*—*Third Reading*—Payment of Wages in Public - houses Prohibition [126], and *passed.*

Withdrawn—Constabulary and Police (Administration) (Ireland) * [274]; Pawnbrokers * [271]; Land Improvement and Arterial Drainage (Ireland) * [189]; Sale of Liquors on Sunday (Ireland) * [130].

SOUTH AFRICA — AFFAIRS IN THE TRANSVAAL—POLICY OF HER MAJESTY'S GOVERNMENT.

Order for resuming Adjourned Debate on Amendment proposed to Question [13th March] read, and *discharged.*

QUESTIONS.

POST OFFICE (IRELAND)—BELCARRA (COUNTY MAYO) POST OFFICE.

MR. HEALY asked the Postmaster General, If his attention has been called to the want of a Money Order Office at Belcarra (near Castlebar, county Mayo); if it is the fact that, although a sub-office has been established there some years, the people have to go five miles to the nearest money office to get their orders cashed; and, whether he can see his way to remedy this grievance?

MR. FAWCETT: My attention was not called to the difficulty of obtaining money orders in the district referred to by the hon. Member until I read his Question on the Paper. I immediately gave instructions that an inquiry should be made into the case, and I hope in the course of a few days to have a Report.

NATIONAL EDUCATION (IRELAND)—MODEL FARMS — THE MUNGRET AGRICULTURAL SCHOOL AND MODEL FARM, CO. LIMERICK.

MR. SYNAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he has made inquiries into the circumstances connected with the letting of the Mungret Agricultural School and Model Farm, in the county of Limerick, and the shutting up of the National School connected therewith; whether said School has been shut up by order of the Lord Lieutenant and consent of the Lords of the Treasury, or by the Trustees of the Local Act of 42 and 43 Vic. c. 220; whether the shutting up of said School is warranted by the said Act; and, whether the Government will direct the Commissioners of National Education to erect another school for the parish of Mungret, or order the said Trustees to pay the one-third of the Grant required by the said Commissioners out of the rents and profits of said Buildings and Model Farm, or to restore the said schoolhouse to the parish?

Mr. TREVELYAN: This is the same Question which the hon. Member put to me a week ago. I have nothing to add to the reply then given. I have not yet obtained the further advice which I have asked for in the case.

EDUCATION—ENDOWED SCHOOLS.

Mr. BERESFORD HOPE (for Mr. J. G. Talbot) asked the Vice President of the Council, Whether his attention has been called to that part of the last Report of the Charity Commissioners, in which they express a fear that endowed schools which "have been, or, it is to be hoped, shortly will be, established for nearly 6,000 children," may be "practically emptied and rendered useless" by the competition of higher elementary schools; and, whether he proposes to take any steps to prevent such a contingency?

Mr. MUNDELLA: I have been unable to obtain any communication from the Chief Charity Commissioner on the subject of the last Report; but I may state that that part of it to which the hon. Member refers appears to be founded on a misapprehension. The establishment of higher elementary schools within the limit of the Statute and the Code for children above the Fourth Standard cannot conflict with the schemes of the Endowed Schools Commissioners. Their third-grade schools are designed for children of the lower middle class, who can pay fees of £4 and upwards; whereas the higher elementary schools are designed for children of the elementary class, at fees not exceeding £1 10*s.* per annum. The 6,000 places in higher-grade schools to which the Commissioners refer are all within the Metropolitan area. There is no higher elementary school in London, and the proposal to establish them has been negatived by the Board. But even if such proposals were carried, inasmuch as the schemes of the Charity Commissioners and those of the School Board both require the sanction of the Education Department, we should take care that there should be no conflict between the two.

UNIVERSITIES (SCOTLAND) BILL — DEANERY OF THE CHAPEL ROYAL IN SCOTLAND.

Mr. WEBSTER asked the Financial Secretary to the Treasury, If he will explain what is meant by the official statement in page 6 of the recent Return (167) of "Public Moneys applied for the use of the Scotch Universities," that "These payments" (those to Theological Professors from the funds of the Deanery of the Chapel Royal in Scotland) "will not be affected by the Universities (Scotland) Bill;" whether the funds of that deanery are public funds under the control of Parliament, and subject to its check and power of revision as regards their appropriation; on what authority the present application of the whole large income to theological professors was made, and whether it has ever received the sanction of Parliament; if it is binding except for the lifetimes of the present incumbents; and, in what public accounts laid before Parliament is a statement of the property and income of the deanery and of the expenditure to be found?

Mr. COURTNEY: Sir, the funds affected by the Scottish Universities Bill were limited, by its 1st clause, to sums voted by this House or charged on the Consolidated Fund. The deanery revenue falls into neither of these categories. It was, in fact, the endowment of the Chapel Royal; and since the disendowment of Prelacy in Scotland this income has always been treated as part of the patronage of the Crown. The present application was made by a Royal Warrant, dated February 9, 1863, under which the sum is apportioned among five Professors and their successors in office. It will be seen that these funds have not been under the control of Parliament; but I have learnt semi-officially that the income is about £2,000 a-year.

METROPOLITAN (DUBLIN) POLICE—ALLEGED MISCONDUCT.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has seen a report of the proceedings before Mr. Curran, R.M. in the "Freeman's Journal" of the 25th and 26th ultimo, in which a cabowner named Mekins charged Police Constables 70 B and 128 B with tippling whilst on duty in Harcourt Street on the 24th July; whether Mekins complained that, to shield themselves, they arrested him for drunkenness and abusive language; whether the Constables admitted, on oath, having spoken to Mekins a short time previously, and saying nothing about drink; if he is aware Constable 128 B swore he was on special duty for Mr. Curran on the day in question, and admitted drinking whisky in Mekins' presence; if it is the fact that four respectable witnesses swore Mekins was perfectly sober when arrested; whether, notwithstanding, Mr. Curran convicted Mekins, marking his licence for being drunk, and fining him 10*s.* for abusive language, and refused to grant him the right of appeal, though pressed by counsel to do so; if it is the case that Mekins was imprisoned in the cells underneath the Court, by orders of the Police, until fine was paid, although no imprisonment was imposed as an alternative of non-payment; and, whether any inquiry into the conduct of the Police has been held or will be granted?

Mr. TREVELYAN: The case was brought by the police against a cab-driver named Mekins, who was charged with being drunk and using abusive language. The use of abusive language was not denied, and the magistrate believed on the evidence that the drunkenness was proved, and that the suggestion made for the defence, that the constables arrested Mekins to screen themselves from a charge of tippling, was not well founded. The accused was cautioned for the drunkenness, and fined 10*s.* for the abusive language. An increase of the penalty would not have given him a right of appeal. After the conviction the defendant was removed to the cells for about two minutes until the fine was paid. The suggestion that one of the constables was on special duty for Mr. Curran is not correct. He had been sent on the most ordinary and commonplace duty—namely, to notice a witness for a Police Court case the next day. It is the fact that the two constables had gone to a refreshment bar before the arrest was made, and had taken a glass of whisky each. Their case has already been before the Commissioner, who fined them for this breach of discipline. I see no ground for further inquiry.

BRAZIL—CLAIMS OF BRITISH SUBJECTS.

Mr. ANDERSON asked the Under Secretary of State for Foreign Affairs, Whether the British claims against Brazil, after being investigated by Mr. Clare Ford, were sent out to Brazil and urgently pressed on the attention of the Brazilian Government, and with what result; and, whether he has reason to expect that the recent change of Ministry at Rio will in any way affect the prospects of settlement?

Lord EDMOND FITZMAURICE: Before addressing any further instructions to Her Majesty's Minister at Rio Janeiro, it was found necessary to arrive at a decision on certain legal points which had arisen upon Mr. Ford's Report. This has caused some unavoidable delay; but I trust that the question will very shortly be in a position to be submitted to the Brazilian Government. My hon. Friend will understand that it is not in my power to predict the effect which the recent Ministerial changes in Brazil may have upon the settlement of the claims.

ARMY—PENSIONS—CASE OF PATRICK GORMAN.

Mr. O'BRIEN asked the Secretary of State for War, Whether his attention has been called to the case of Patrick Gorman, of Mallow, a pensioner of the 19th Foot, 74 years of age, who was lamed and lost the use of his sight in the British service; whether Gorman served in the Army with two honourable distinctions for 19 years and 141 days, and was discharged in 1847 in consequence of injuries received by the bite of a scorpion in Demerara; whether he was drafted into the local Reserve Force in 1848, and was called up for drill yearly until 1870, when he fell ill during training and lost his sight; whether, notwithstanding this additional service of 22 years in the Reserve, and his disablement while so serving, together with the breaking-out afresh of his old wound, he received no addition to the ten-pence a-day therefore granted to him; and, whether anything can be done, in consideration of his 41 years' service, to relieve him from penury in his helpless old age?

THE MARQUESS OF HARTINGTON: There is a pensioner from the 19th Foot, named John Gorman, who is apparently the man to whom the Question of the hon. Member refers. His pension was raised to 10*d.* a-day in the year 1853. After his discharge from the Army he served in the Force of Enrolled Pensioners. Service in that Force does not carry increase of pension, except in cases of injury received on duty. Gorman has hitherto failed to produce satisfactory evidence of any such injury.

CRIMINAL LAW—ASSAULTS ON IRISH HARVESTMEN.

MR. O'BRIEN asked the Secretary of State for the Home Department, Whether the following account in the "Daily Telegraph" of August 1st was true—

> "Attacks on Irish harvestmen, such as disgraced Cheshire last year, have recommenced. This afternoon three English farm labourers, named Dodd, Littler, and Richardson, were charged at Eddisbury with assaults on Patrick Philips, an Irish harvestman, at Durham. Prosecutor said he was going home when defendants threw stones at him in regular showers, and Dodd and Littler struck him violently with their fists, knocking him down. He gave defendants no provocation. He had left his situation because he lived in fear of further outrages. A police officer who witnessed the attack said prisoners got the Irishman against a stile, and beat him most unmercifully, causing blood to flow freely. The magistrates fined the defendants each £1 and costs, and stated that they would send other offenders to gaol."

and, whether, considering the light character of the punishment, he can take steps in the matter?

MR. HIBBERT (for Sir WILLIAM HARCOURT): I am sorry to say that the facts stated by the hon. Member are not exaggerated; on the contrary, so far from being fined £1, as stated, the men were only fined 10*s.*, with 9*s.* 6*d.* costs, which made up nearly £1. At the same time, I am happy to be able to inform the hon. Member that the Chairman stated that if any more cases of assaults on Irish harvestmen in the neighbourhood occurred, they would deal more seriously with them. With regard to the second part of the Question, the Secretary of State has no power to increase the sentences imposed by magistrates.

MR. O'BRIEN: Would it not be in the power of the Secretary of State to admonish the magistrates for inflicting such a small penalty on men who brutally waylaid an unfortunate Irish harvestman, or else brutally waylaying Irish harvestmen will become a very popular amusement in England?

MR. HIBBERT: I quite agree that the fine was small for so serious an offence; but I do not think the Secretary of State should depart from the usual course.

NAVY—THE "BRITANNIA"—HEALTH OF CADETS.

SIR H. DRUMMOND WOLFF asked the Secretary to the Admiralty, Whether any illness has recently been prevalent among the cadets on board the "Britannia;" whether such illness has been attributed to the inferior quality of the food supplied them; and, whether he can state what system was pursued to inspect the provisions supplied to the cadets on that vessel?

MR. CAMPBELL - BANNERMAN: Sir, during the six months ending on the 30th of June, the cases of illness among the cadets on board the *Britannia* were none of them of a serious character, more than half being common colds and sore throats. No case of illness was attributable to the food supplied to the cadets, which is of the best quality. As to the method pursued for the inspection of provisions, the food is inspected daily by a lieutenant, who is the "officer of the day," and it is tasted by him frequently. He inspects the meat each day as it arrives on board, and he is present during the dinner time and at the beginning of breakfast and tea, and is always ready to receive any complaints.

INDIA—THE SECRETARY OF STATE FOR INDIA IN COUNCIL.

GENERAL SIR GEORGE BALFOUR asked the Under Secretary of State for India, If he will lay upon the Table of the House a statement in detail of the establishment of the Secretary of State for India in Council, as formed under the first Order in Council, and as now formed with the alterations as made in the last Order in Council of 19th July 1883, the comparison to show ranks, classes, numbers, rates of salary, and total salaries, with explanations as to increases and decreases?

MR. J. K. CROSS: The India Office, under the first Order in Council of 1859, was constituted on a totally different basis to that on which it now stands; but in 1860 it was re-organized on a footing more nearly resembling the present establishment. If my hon. and gallant Friend will move for a Return comparing the India Office as it now is with what it was in 1860, I shall be happy to present it.

METROPOLIS—WATER SUPPLY.

MR. BROADHURST asked the President of the Local Government Board, If he has noticed in Lieutenant Colonel Bolton's last Report, that the number of services on the constant supply, in the New River Company's district, is only 19,464, out of a total of upwards of 200,000; whether that constant supply is practically limited to the City of London and the parish of Shoreditch; and, whether he has any power to compel the Metropolitan Board to exercise the powers they possess, and to require a constant supply throughout the whole of the New River Company's district?

SIR CHARLES W. DILKE: The last Report of Colonel Bolton shows that the number of services of the New River Company on the constant supply system is 19,464, out of a total of 138,650. The constant supply by that Company is practically limited to Shoreditch, and parts of the City. All new houses in this district are, however, required by the Company to be provided with water fittings adapted for the constant supply system. The Board are not empowered to compel the Metropolitan Board of Works to exercise the powers they possess in this matter. It may be mentioned that the total number of supplies to houses, &c., by the London Water Companies is 653,000, and that the houses served on the constant supply system are about one-third of that number—namely, 213,000.

MR. BROADHURST asked the honourable Member for Truro, If it is correct that the Metropolitan Board of Works (of which he is Chairman), being the authority which by "The Waterworks Act, 1871" has the power to require the various Metropolitan Water Companies to give a constant supply, has never exercised that power; whether, when the Board was requested by a Metropolitan Vestry to make such requisition, it refused to do so; if so, will he state the reason for such refusal; and, whether he is aware that the Vestry alluded to (that of Shoreditch) obtained the good offices of Lieutenant Colonel Bolton, and, by those means, obtained a constant supply from the New River Company?

SIR JAMES M'GAREL-HOGG: The hon. Member is correct in his suggestion that the Metropolitan Board has not exercised its power under the Water Act of 1871 in regard to constant supply. The reason why the Board has refrained from calling on any of the Companies to give a constant supply is, that such a supply can only be given subject to regulations which the Board has always considered to be unnecessarily expensive and harassing to the owners of houses. At the same time, the Board has never offered the least obstacle or objection to a Water Company introducing the constant system into its district, whenever the circumstances of the district appeared to render it desirable. As regards the last part of the Question, I believe the Vestry of Shoreditch did obtain a constant supply without the intervention of the Board.

MR. FIRTH asked the President of the Local Government Board, Whether his attention has been called to the fact, recently restated by the analyst to the Local Government Board, that the water supplied to the Metropolis by five of the London Water Companies consists of Thames water mixed with the sewage of more than half-a-million of human beings; whether his attention has been drawn to the evidence showing that the extent of the cholera epidemics of 1849, 1854, and 1866 in London was largely due to the presence in the water of organic matter of sewage origin, which propagated this disease; whether he is aware that Dr. Frankland, the analyst to the Local Government Board, states the opinion that minute organisms, calculated to propagate zymotic disease, are to be found in the water supplied by the London Water Companies, and that, in order to avert another epidemic of cholera, "the rivers Thames and Lea must be wholly abandoned as sources of water supply;" whether he will take means to apprise the inhabitants of London of the danger of the present water supply; and, what he proposes to do in the matter? The hon. Member added that a further Question must be asked on the subject—namely, whether the Local Government Board accepted the necessary conclusions that, in the event of a cholera outbreak amongst those 500,000 people, choleraic germs would be distributed by this water?

SIR CHARLES W. DILKE: Sir, the Local Government Board are not aware that Professor Edward Frankland, the analyst of the Board, has recently re-stated that the water supplied by five of the London Water Companies consists of Thames water, mixed with the sewage of more than 500,000 human beings; but a statement to this effect appears in an article in *The Nineteenth Century*, which bears the name of "Percy Faraday Frankland," not of Professor Edward Frankland. As regards the facts, I would draw attention to the following statements in the Report of the Conservators of the River Thames for the past year:—

> "The Thames and its tributaries within 10 miles of the river are placed under constant supervision, in order that any effluent, consisting of sewage or of offensive and injurious matter, may at once be detected and stopped. The towns on the Thames above the intakes of the Water Companies which supply the Metropolis with drinking water, having spent large sums of money in diverting their sewage, that part of the river is now practically free from sewage pollution."

The Board are aware of the evidence upon which the intensity of cholera epidemics in particular localities in London in 1849, 1854, and 1866 has been associated with impurity of water supplies delivered to those localities. Defects in the purifying processes of one or other Company were then in question. The Board have referred to the annual Reports made to them by Dr. Frankland for several years past; but they do not find in any of those Reports that he has stated that—

> "Minute organisms, calculated to propagate zymotic disease, are to be found in the water supplied by the London Water Companies, and that, in order to avert another epidemic of cholera, 'the Rivers Thames' and Lea must be wholly abandoned as sources of water supply."

He has, no doubt, on several occasions expressed an opinion in favour of a water supply for the Metropolis other than that from the Thames and Lea. The Board find, however, that in 1882 on two occasions only were living organisms found by him in the water examined; and he states that—

> "This indicated that the Companies drawing their supplies from rivers have of late years exercised increased care in the treatment and filtration of water."

As regards the question of organic pollution, the following extract from Professor Frankland's Reports may be quoted:—

> "Monthly Report for June, 1883.—The Thames water sent out by the Chelsea, West Middlesex, Southwark, Grand Junction, and Lambeth Companies was again unusually free from organic matter. With the exception of that supplied by the Grand Junction Company, which was very slightly turbid, all the water was efficiently filtered before delivery. The water drawn from the Lea and distributed by the New River and East London Companies was also exceptionally free from organic impurity, the New River Company's supply being chemically but slightly inferior to the best of the deep well waters."

The danger which, at the present time, is most to be feared is that resulting from want of proper care on the part of householders with regard to the state of the cisterns or butts in which the water is stored; and it will be satisfactory to the House to learn that the Water Companies, on the suggestion of Colonel Bolton, the Water Examiner, have arranged to give notice to every householder as to the importance of the cisterns, &c., being properly cleansed; 650,000 notices are now being printed for this purpose.

MR. J. R. YORKE: Does the right hon. Gentleman know that the Mr. Frankland, who wrote the article in *The Nineteenth Century*, is a near relation of Dr. Frankland, and assists him in his laboratory?

SIR CHARLES W. DILKE: I asked whether that was so or not this afternoon, but was not informed. I thought he was some near relation. In any case, the statement that the sewage of 500,000 people comes into the Thames above the intake is one which I cannot in any way accept.

NAVY—THE DOCKYARDS—CHATHAM DOCKYARD

MR. BROADHURST asked the Secretary to the Admiralty, If he is aware that nine apprentice fitters in

Chatham Dockyard will be, on Monday morning next, forced to exchange their own branch of trade, to which they were bound, for that of shipwrights, in which they have no desire to serve; if such compulsion on the part of the Dockyard officials is legal; and, whether he has received any communication from Chatham on the subject? The hon. Member also asked, whether it is true that a fitter named "Munro" has recently been discharged from his employment at Chatham Dockyard for assisting the "fitter apprentices" in drawing up a statement of their grievances?

Mr. CAMPBELL - BANNERMAN: Sir, the facts of the case at Chatham referred to by my hon. Friend are these. Shipfitter apprentices, like shipwright apprentices, are apprenticed to the chief shipwright officer. He has been directed to employ both classes partly in the shops and partly in the ships, the object being to widen their experience at once for the benefit of the Service and for the benefit of the apprentices themselves; and this has become more necessary now that by a recent arrangement shipfitters are allowed to compete with shipwrights for promotion to the position of foremen of the yard and constructors. Some of these shipfitter apprentices did at first submit a protest against being put to work under shipwrights; but this matter was explained to them; and on it being found that their parents and guardians, who are parties to the indenture, did not concur in the action they had taken, the apprentices were allowed to withdraw their Petition, and have expressed their regret for what they had done. I may add that if any fitter apprentice had, with the consent of his parent or guardians, objected in a proper manner to the order which has been issued, subsequently to the date of apprenticeship, the objection would have been allowed, although it would have been much against his own interest. With regard to the man Munro, I understand that the Admiral Superintendent has, on the advice of the Chief Constructor, discharged him from the Service. He was a hired man, who had been employed about two years. According to a most salutary practice, which has prevailed for some time past, the Admiralty do not interfere in such cases, but leave both the engagement and the discharge of hired men to the authorities on the spot, who are responsible for the efficiency and good discipline of the Dockyard workmen.

Mr. BROADHURST inquired whether it was a fact that the officials in discharging these men used somewhat violent language, which was altogether unfit for repetition; and, whether the officials were justified in using language of that kind?

Mr. CAMPBELL-BANNERMAN: I answered the Question as it stood upon the Paper, and I was not aware that the hon. Member had given Notice of that further Question. No Report has come to me from the Dockyard confirming the idea that any such language was used.

TAXATION—PROPERTY HELD IN MORTMAIN.

Mr. FIRTH asked Mr. Chancellor of the Exchequer, Whether, in view of the probability of an attempt being made next year to tax property held in mortmain, he will use his influence with the Treasury in order to have the Return of all real property held in mortmain, which was made last year, printed in extension for reference and information?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): I only saw my hon. Friend's Notice this morning, and I fear that I could not answer it conclusively without more inquiry than I have had time to give it. But the Return would, I am told, cost several hundred pounds; and I cannot undertake to say that this expense would be warranted by any immediate legislative proposals. I will, however, consider the matter during the Recess.

IRELAND—STATE-AIDED EMIGRATION.

Mr. JUSTIN M'CARTHY (for Mr. T. P. O'Connor) asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the Report of an interview between Mr. Hayden, the correspondent of the "Baltimore Herald," and the "Philadelphia Press," and the Guardians of the Loughrea Union, reported in the "Western Morning News" of 28th July, as follows:—

"Mr. Hayden: Now I want to know, in the first place, is it the custom of your Board to send a woman, not married, having illegitimate children, to America;

"Clerk: No;

"Mr. Hayden: A woman appeared before this Board on Saturday last, and was refused because she had illegitimate children;

"Clerk: The Local Government Board refused to sanction such persons;

"Mr. Hayden: Is it a fact that a woman having illegitimate children went in the last batch of your emigrants;

"Clerk: I think not. I don't know;

"Mr. Hayden: What about Teresa Redington;

"Clerk: She was a widow, and had one child;"

whether, within a few minutes of this disclaimer on the part of the Clerk of the Union, application was made for the admission into the workhouse of an illegitimate child whom the woman Redington had left behind; and, whether the Local Government Board issued any instructions to the Boards of Guardians against including in their emigrants to the United States women with illegitimate children?

MR. TREVELYAN: The woman referred to, whose name is Edington, not Redington, is a widow with one legitimate child, whom she has taken with her to America. She was not in receipt of relief or a workhouse inmate. Her uncle had written from America as follows:—

> "I will get her good employment, and I shall keep her till such time as she will be well engaged."

When the Guardians had this woman's application before them, they were not aware that since she became a widow she had had an illegitimate child; and the Emigration Committee were not informed of the child's existence. The Local Government Board declined to consent to the emigration of women with illegitimate children, except under very particular and very exceptional circumstances, and when they ascertained that the woman is a person of reformed character; but no general instructions have been issued on the point.

EGYPT—THE CHOLERA—HOSPITAL SHIPS.

MR. GOURLEY asked the Secretary of State for War, If it is his intention to have hospital ships placed at the disposal of the Commanders of the Troops in Egypt for the purpose of receiving cholera patients at Alexandria and Ismailia, and also as depôts for medical comforts?

THE MARQUESS OF HARTINGTON: Even supposing there were hospital ships available at a day's notice—which there are not—I am informed by the medical advisers of the War Office that they would be inappropriate for cholera patients who could not be moved long distances to the ships. Troops attacked by cholera would be kept moving; and it is necessary that the proper medical comforts should accompany them, so as to be instantly available.

BARON HENRY DE WORMS asked, Whether the despatch relating to quarantine, published in one of the morning papers, was authentic; and, if so, whether it was the habit of Her Majesty's Government to write apologetic despatches to Foreign Governments?

LORD EDMOND FITZMAURICE: I will lay the despatch on the Table today.

MR. GOURLEY asked the Secretary to the Admiralty, If he is aware that the German Admiralty have attached to the Baltic Squadron during its evolutionary cruise a complete hospital ship, fitted with cots, requisites for the sick and wounded, instruments, and operating tables, and that it is intended in any future war that the vessels shall accompany the fleet into action, carrying the Geneva flag; and, whether it is intended to attach similar hospital ships to British Squadrons at home and abroad?

MR. CAMPBELL-BANNERMAN: Sir, we have no official information on the subject of the first Question of my hon. Friend; but I believe the fact is as he says. It is not the intention of the Admiralty to attach hospital ships to our cruising squadrons in time of peace. During war we should prepare hospital ships for service according to the circumstances and requirements of the war. For example, during the Egyptian Campaign the *Carthage*, *Tamar*, and other vessels were completely fitted for such a duty at very short notice, and our troopships are all suitable for use as hospital ships without any addition to their fittings.

PREVENTION OF CRIME (IRELAND) ACT, 1882—EXTRA POLICE AT KILMALLOCK.

MR. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has seen in the Cork papers of the 21st of July a report of the Kilmallock Petty Sessions, where Mr. Weldon, a local magistrate, protested against the injustice of keeping extra police in Kilmallock, which was free from crime and outrage, and further stated from his place on the bench that the only cause he heard at first for sending extra police to that town was because some glass was broken in Dr. O'Connell's windows some time previous; if so, whether this is sufficient ground for using the Prevention of Crime Act to retain a hut there, and to place an extra tax on the people of that district?

Mr. TREVELYAN: I have seen the newspaper reports of the case. I find that Mr. Weldon made some observations from the Bench in explanation of his withdrawing from the hearing of a case for the recovery of the extra police tax. It is true that he objected to the presence of the extra police; but he admitted himself to be an interested party in the case. The breaking of Dr. O'Connell's windows is not the only ground upon which the presence of the police is considered necessary. Boycotting and intimidation still exists; and inhabitants of the town of Kilmallock are responsible for this. The Special Resident Magistrate of the district is going back to his duties pretty soon, and I will get a Report from him when he arrives.

Mr. O'SULLIVAN: May I ask the right hon. Gentleman whether he is aware that not later than Friday last 55 farmers from this district allowed themselves to be brought into Court rather than submit to this injustice?

[No reply was given.]

POST OFFICE—THE PARCEL POST.

Sir EARDLEY WILMOT asked the Postmaster General, How he proposes to accommodate with the parcel post those villages and rural districts where there is no regular Post Office, but only a box let into or fastened to a wall, and opened by the postman when he calls for letters?

Mr. FAWCETT: In answer to the hon. Member, I may state that, in villages and rural districts where there is no regular Post Office, it will be necessary for the senders of parcels to deposit them at the nearest Post Office. It is considered that difficulties would arise in the working of the Parcel Post if the collection of parcels from other places than Post Offices were authorized.

EGYPT (RE-ORGANIZATION)—APPOINTMENT OF MR. CLIFFORD LLOYD.

Sir WILFRID LAWSON asked the Under Secretary of State for Foreign Affairs, Whether he can give the House any information as to Mr. Clifford Lloyd's appointment to a post in Egypt?

Lord EDMOND FITZMAURICE: I am informed that certain communications have recently passed between Lord Dufferin and Mr. Clifford Lloyd as to the employment in Egypt of the latter gentleman; but there has been some misunderstanding as to the nature of the duties to be performed, and no appointment has been made.

Mr. HEALY: Was it in connection with the cholera outbreak that this appointment referred?

Lord EDMOND FITZMAURICE: No; I do not understand that it had anything to do with it.

Sir WILFRID LAWSON said, he wished to ask, in reference to the statement of the noble Lord the Under Secretary of State for Foreign Affairs that Lord Dufferin had something to do with the appointment or non-appointment of Mr. Clifford Lloyd, whether Lord Dufferin was now held responsible for the appointments made by the Egyptian Government?

Lord EDMOND FITZMAURICE said, he had already stated that the communications were of an informal nature. A communication was made by Lord Dufferin to Mr. Clifford Lloyd, then further communications took place, and the misunderstanding to which he had alluded arose. There was a misunderstanding as to the place Mr. Clifford Lloyd could have.

Mr. JOSEPH COWEN asked if it was not a fact that the Khedive wanted an assistant, or Secretary of State, and that Lord Dufferin recommended Mr. Clifford Lloyd?

Lord EDMOND FITZMAURICE said, that what he understood took place was that a communication was made by Lord Dufferin to Mr. Clifford Lloyd that employment was open to him under the Egyptian Government; but when communications took place as to the nature of the post, Mr. Clifford Lloyd found that he had misunderstood what the character of the situation was. Thereupon negotiations were suspended.

Mr. HEALY asked whether the noble Lord the Under Secretary of State for Foreign Affairs could state whether Lord Dufferin was personally acquainted with Mr. Clifford Lloyd; or whether it was in consequence of what Lord Dufferin heard that Mr. Clifford Lloyd had done in Ireland that he recommended him to the Khedive for employment?

Lord EDMOND FITZMAURICE: I am totally unaware whether Lord Dufferin was acquainted or unacquainted with Mr. Clifford Lloyd.

Mr. HEALY asked whether, if he put down a Notice on the subject, the noble Lord would give an answer?

Lord EDMOND FITZMAURICE: I do not think that I have anything to do with it.

TURKEY (ASIATIC PROVINCES)—NAVIGATION OF THE TIGRIS.

Mr. ARTHUR ARNOLD asked the Under Secretary of State for Foreign Affairs, Whether the protest by Her Majesty's Government, in consequence of the "Khalifeh" and "Medjidieh" not being permitted by the Turkish Government to land their upward cargo and parcel mails at Bagdad, has produced any result; and, if not, whether it is the intention of Her Majesty's Government to take other steps for the protection of British and Asiatic trade by way of the Tigris and Euphrates?

Lord EDMOND FITZMAURICE: Her Majesty's Government have been informed by the Turkish Ambassador of the intention of the Porte to put an end to the violent proceedings which have recently taken place on the Tigris, and the Vali has now allowed the mails to be landed. No agreement has yet been come to as to the terms of the arrangement, and the question is still under discussion.

EDUCATION DEPARTMENT—HOME LESSONS, BRAIN DISEASES, &c.

Mr. STANLEY LEIGHTON asked the Vice President of the Council, Whether it is true that the Education Department have sanctioned the action of school managers in refusing children admission to school because their parents refuse to allow them to do home lessons; and, if so, whether he will state under what authority the Education Department or school managers are entitled to enforce a system of home lessons, in addition to their school attendance, during the hours fixed by Act of Parliament?

Mr. MUNDELLA: Where school managers have required that reasonable home lessons shall be learnt by children in a good state of health, the Education Department has always supported them in maintaining their Rules, and preserving the discipline of their schools. We do not think it necessary, or desirable, that the Department should lay down hard-and-fast Rules controlling the discretion of managers in the conduct of their schools. Under Article 89 of the Code, no child can be refused admission on other than reasonable grounds.

Mr. STANLEY LEIGHTON: Against the will of the parents? Are these lessons insisted on against the will of the parents?

Mr. MUNDELLA: If the parent is not satisfied with the school he would send his child to some other, where there are no home lessons. We do not find that parents object. It is other persons who object to education, not the parents.

Mr. STANLEY LEIGHTON: In consequence of the answer I have received, I will ask to-morrow whether the letter written to this effect by Mr. F. E. Palgrave to the parents of the boy—

> "My Lords consider that the refusal to admit the boy Shackelton is justifiable, until his parents undertake that he shall do home lessons."

was written with the right hon. Gentleman's knowledge and consent?

Mr. MUNDELLA: Yes, Sir; that letter was written by the Assistant Secretary to the Department with my knowledge and consent.

Mr. STANLEY LEIGHTON asked the Vice President of the Council, If he can state on the authority of the Commissioners in Lunacy, whether it is a fact that while there has not been any material increase of brain disease and lunacy in proportion to the population generally during the last ten years, there has been a material increase of such diseases among the children of school age and the teachers in schools?

Mr. MUNDELLA: I inquired of the Lunacy Commissioners whether they could throw any light on the Questions of the hon. Gentleman. They reply that children sent to asylums are usually idiots, and that it is only occasionally an insane child is met with. The number of children under 15 admitted, so far from increasing of late years, has fallen from 306 in 1876 to 286 in 1882, notwithstanding an increase of about 2,500,000 to the population in the interval. So far as the teachers are concerned, the Commissioners refer me to the Report of last year, which states that of the group described as teachers, schoolmasters, schoolmistresses, governesses, professors, and lecturers—out of 127,140 persons classed under this head in 1871, 154 only were committed to asylums in 1881. This is a lower proportion than in almost any other Profession. The Clergy, the Legal and Medical Professions, the Army and Navy, Civil Engineers, and others, all show a much higher average. Out of 746 teachers applying to the Education Department for pensions since 1875, incapacitated from continuing their Profession, 24 only are returned as suffering from brain affections in any form. I may be allowed to correct a mis-report of a statement I made on the authority of the Registrar General — namely, that the death-rate of children between five and 15 years of age had fallen fully 19 per cent since 1870, and that the deaths from brain diseases was 0·5 per 1,000, and not 5 per 1,000, as reported.

Mr. STANLEY LEIGHTON asked whether the Chairman of the Lunacy Commissioners, the Earl of Shaftesbury, agreed with that statement?

Mr. MUNDELLA said, he was quoting from the Secretary of the Commissioners. The hon. Member would find the Report from which he quoted in the Library.

Mr. DONALDSON-HUDSON asked the Vice President of the Council, Whether he will consider the expediency of making such modification in the New Code as will admit of a percentage of the children in any school being excused examination, without diminishing the grant to the whole class, in cases where some of the children are naturally incapable, and where it is injurious to their health to be pressed forward for examination?

Mr. MUNDELLA: The Code, as it stands, is more fair and more liberal than the proposal of the hon. Member, as it allows managers to withhold from examination any number of scholars for whom a reasonable excuse can be established. If a fixed percentage were laid down it would imply equal conditions in all schools, and might in some schools prove too high; while in others, where the circumstances were specially unfavourable, it would fall short of what might legitimately be claimed. If the hon. Member will refer to our Circular of August 9, 1882, and to one which I have to-day laid upon the Table, he will, I think, find that the instructions to Her Majesty's Inspectors, as to the scholars who may be withheld from examination, provide all that is reasonable and just both to teachers and children.

COMMISSIONERS OF IRISH LIGHTS—LIGHTHOUSE ILLUMINANTS.

Colonel KING-HARMAN asked the President of the Board of Trade, in reference to Parliamentary Paper, No. 263, the second on the subject of lighthouse illuminants, Whether the Illuminants Committee, the Trinity House, the Commissioners of Irish Lights, Mr. Vernon Harcourt, Mr. Wigham, or Dr. Hopkinson replied to the Letter of the Board of Trade of the 10th of July; and, if so, whether he will state what was the general purport of their replies; and, if he will have their replies, and also the proceedings of the Illuminants Committee, in full?

Mr. CHAMBERLAIN stated that, in reply to their Letter of the 10th July, the Board of Trade had received a communication from Trinity House which covered an account of the proceedings of the Committee, which had since been dissolved, as far as it went, and also a preliminary account of the expenses which had been incurred. They had also received a letter from Mr. Wigham regretting the dissolution of the Committee. He did not think any of these documents possessed any public interest, and he did not propose to publish them.

Mr. GRAY asked, were the Board of Trade about to take any steps now to test whether gas or oil was the best lighthouse illuminant?

Mr. CHAMBERLAIN replied, that, on a previous occasion, when answering a similar Question, he pointed out that the Correspondence would show that they had communicated the dissolution of the Committee to all the Bodies concerned; that they also informed them that they were left to their own initiative; and that the Board of Trade would be prepared to pay the greatest possible attention to their recommendation. They further informed Trinity House and the Northern Lights Commission that if they thought it desirable to make any further experiments in the matter, the Board of Trade would be prepared to assist them.

Mr. GRAY asked, would the Irish Lights Board be free to exercise its discretion in the matter?

Mr. CHAMBERLAIN said, all the Boards would be equally free to exercise their discretion subject only to the general control of the Board of Trade, which had to see that the considerations of economy and efficiency were duly observed.

COMMISSIONERS OF IRISH LIGHTS—TORY ISLAND LIGHTHOUSE.

Colonel KING-HARMAN asked the President of the Board of Trade, Whether the works connected with the lighthouse on Tory Island are being proceeded with; and, if they are not, if he can state the reason for the delay?

Mr. CHAMBERLAIN, in reply, said, the hon. and gallant Member asked precisely the same Question on the 23rd of last month; and he then told him that they had asked the Irish Lights Commissioners for a Report in connection with Tory Island Lighthouse, and that until they received a reply they could not give the sanction of the Board to the expenditure.

Colonel KING-HARMAN: Will the right hon. Gentleman press for a reply?

Mr. DAWSON: Is the right hon. Gentleman not aware that the delay on the part of the Irish Lights Commissioners in forwarding this Report was due to their anxiety respecting the abandonment of the experiments which were to have been made by the Committee?

Mr. CHAMBERLAIN said, the Irish Lights Commissioners delayed their reply owing to the proceedings of the Committee; and now that it had been dissolved there was no reason why they should not forward it.

LAW AND POLICE—THE DYNAMITE CONSPIRACIES—REWARDS TO THE POLICE.

Mr. TOTTENHAM asked the Secretary of State for the Home Department, Whether it is intended to confer any distinctions or rewards on the superior and other officers of the Metropolitan and Provincial Police of England, whose services have been specially utilized in connection with the dynamite conspiracy, and recent prosecutions for participation therein?

Mr. HIBBERT (for Sir William Harcourt), in reply, said, it was the intention of the Home Secretary to call for a Supplementary Vote to enable him to confer certain money rewards on members of the Metropolitan and Birmingham Police, and some other persons not connected with either of those Forces. An Estimate would be laid on the Table in the course of a few days.

PREVENTION OF CRIME (IRELAND) ACT, 1882—PROCLAMATION OF COUNTY WICKLOW.

Mr. M'COAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, having regard to the continued peacefulness of the county, as attested by the police reports and the charges of the judges at the recent assizes, the Irish Government will now revoke the proclamation of County Wicklow; and, if not, if he could state the reason why?

Mr. TREVELYAN: The licensing officer for the county of Wicklow has instructions, on which he states he has acted to a considerable extent, to be as liberal as possible with respect to the granting of licences for arms, so that I do not think it likely that the proclamation causes any serious inconvenience to peaceable and well-disposed persons. I will, however, ask Lord Spencer to take the matter again into consideration on his return to Ireland this week.

ARMY—FIELD MARSHALS.

Mr. ARTHUR ARNOLD asked the Secretary of State for War, Whether, having regard to the fact that of the four Officers holding the rank of Field Marshal, two are of advanced age, and two are members of the Royal Family, who from relation to the Throne or from other circumstances may probably not be available for belligerent command, he will recommend that in the proposed appointment to the rank of Field Marshal an effective officer should be selected?

THE MARQUESS OF HARTINGTON: The Question of my hon. Friend seems to be based on the assumption that it is desirable that an officer holding a command in the field should have the rank of Field Marshal. On the contrary, I should be disposed to say that circumstances might easily arise in which we should be deterred from selecting an officer for command in war by the fact of his holding Field Marshal's rank; but if it became desirable to give the rank the officer in command could always have it bestowed on him. The distinction has always been given as a reward for long and distinguished service, and I see no reason for changing the practice.

NEW SOUTH WALES—REMOVAL OF MAGISTRATES.

MR. HEALY asked the Under Secretary of State for the Colonies, If his attention has been drawn to the following letter addressed to three magistrates, Messrs. Dalton, Casey, and Burke, by the Colonial Secretary at Sydney:—

> "Colonial Secretary's Office, Sydney,
> March 8, 1883.
>
> "Sir,—My attention having been attracted by a statement in the newspapers, that you, while holding Her Majesty's Commission of the Peace, did sign and present to Mr. Redmond, on the occasion of his recent visit to Orange, an Address, in which you characterised Her Majesty's High Court of Parliament of the United Kingdom as a 'Foreign Senate,' and express your 'admiration of resolute resistance' to what you designate as 'its oppressive proceedings,' I desire to invite you to make any explanation you may have to offer of expressions which otherwise appear inconsistent with the commission you hold.
>
> I have, &c.,
> ALEX. STUART."

Whether, on the irreplies being deemed unsatisfactory, the Governor ordered their removal from the Commission of the Peace; whether the Government approve of the Governor's action; whether the Correspondence can be presented to the House; and, whether the Governor's salary is paid out of Imperial taxation, and if it has yet been voted?

MR. EVELYN ASHLEY: The facts stated in the first part of the hon. Member's Question are quite accurate, with the exception of the impression conveyed in the second part, that the Governor ordered their removal from the Commission of the Peace. It is true that the Governor, as head of the Executive, acted in the usual way, but on the responsibility and initiative of the loyal Government of Sydney, which recommended to him the course which he should adopt. As to the third Question, whether the Government approved of the Governor's action, I hardly think that it is a question for the Home Government to express either approval or disapproval of an act done by the Government of Australia with regard to their internal affairs. But the Secretary of State, I may inform the hon. Member, in acknowledging the receipt of the despatch forwarding these statements, while expressing regret at the circumstances which occurred, expressed, also, his satisfaction that the Government of New South Wales had not hesitated to require that the magistrates should set an example of proper respect for lawful authority. The whole Correspondence has been laid before the Legislative Assembly of New South Wales, and there will be no objection to lay it on the Table of this House. The Governor's salary is not paid out of Imperial taxation, but out of Colonial funds.

MR. SEXTON: May I ask the hon. Gentleman what he means by "the loyal Government of Sydney?" Is there one Government loyal and another disloyal?

MR. EVELYN ASHLEY: I mean what I said.

MR. PARNELL: I wish to ask the hon. Gentleman whether the "loyal Government" which he describes is the Government nominated by the Crown; and whether he wishes to draw any distinction between the Government of the Colony in question nominated by the Crown and the elected Representatives of the people?

MR. EVELYN ASHLEY: No, Sir. New South Wales is self-governed, and the Government depends upon the majority in the Legislative Assembly.

MR. O'BRIEN: I wish to ask the hon. Gentleman whether he means by "the loyal Government" the Government that is refusing to accept the consignment of Irish informers?

MR. HEALY: I beg to give Notice that I shall ask the hon. Gentleman how many convicts are in the Legislature of Sydney; and whether any convicts—pickpockets and so forth—exported from this country have found their way into the Government of New South Wales?

PUBLIC HEALTH (IRELAND) ACT, 1878—SANITARY AUTHORITIES.

MR. GRAY asked the Chief Secretary to the Lord Lieutenant of Ireland, as President of the Local Government Board, Ireland, Whether he can state the number of sanitary authorities in Ireland, and the number of such authorities who have adopted bye-laws under the Public Health (Ireland) Act of 1878; and, whether the Local Government Board of Ireland has issued to the Irish sanitary authorities sets of model bye-laws, such as have been issued to the English sanitary authorities by the English Local Government Board?

MR. TREVELYAN: The number of such authorities is 223. The number who have adopted bye-laws under the Public Health Act is 33—namely, 25 urban and eight rural. The Local Government Board has not issued sets of model bye-laws; but facilities are readily afforded to any sanitary authorities finding any difficulty on the subject.

MR. GRAY: Will bye-laws be issued by the Local Government Board to the Irish sanitary authorities similar to those issued by the English Local Government Board?

MR. TREVELYAN: I will inquire.

MR. GRAY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that it is almost impossible for sanitary authorities in urban sanitary districts in Ireland to make preparations for special hospital accommodation, or to take other precautions against outbreaks of such diseases as cholera, owing to the provisions of the Public Health Act, under which, in the event of an outbreak, the duty of taking special measures to cope with it would be transferred from the present urban sanitary authorities — the Corporations and Town Commissioners—to the Boards of Guardians?

MR. TREVELYAN: The Government are not prepared to admit that the present state of the law renders it almost impossible for sanitary authorities in urban districts in Ireland to take the necessary precautions against outbreaks of such diseases as cholera. Boards of Guardians have full power to make preparation for special hospital accommodation; but there appears to be no doubt that it would be better and more convenient in some of the large towns in Ireland if the urban sanitary authorities, who have charge of the execution of the Public Health Act in ordinary times, should also be intrusted with the special arrangements necessary to prevent the spread of infectious disease when an epidemic prevails or is threatened.

CENTRAL ASIA—RUSSIA AND AFGHANISTAN.

MR. ASHMEAD-BARTLETT asked the Under Secretary of State for India, Whether the Government have received any information regarding the movements of an alleged Russian Agent in Afghanistan, who is described in the "Standard" of Saturday as

> "having credentials from the Russian Government, and as having been very kindly received by the present Governor of Kabul, and as having informed the Governor that 'Russia has for the last four years been contemplating an advance on Hindustan,' and that he himself believes a regular move in that direction will be made within the next two years;"

and also that

> "Russia has sent a number of spies to investigate the best routes and seasons for such an advance;"

whether he will lay before Parliament the Reports of the Agents of the Indian Government in Afghanistan for the past ten years; and, whether he can state the present position of the advanced guard of the Russian forces north-west of Herat?

MR. J. K. CROSS: The India Office has no information which enables me to confirm the statements in *The Standard* referred to in the first Question of the hon. Member for Eye. As to the second Question, I must very respectfully decline to present to Parliament the confidential Reports of our Agents in Afghanistan. I cannot state the present position of the Russian Forces northwest of Herat; but I have no reason to believe that there are any Russian troops stationed beyond the line of the Frontier fixed by the Russo-Persian Treaty of December, 1881.

VACCINATION ACTS—VACCINE LYMPH.

Mr. ARTHUR O'CONNOR asked the President of the Local Government Board, Whether there are three sorts of vaccine lymph in use by medical men, viz.: (1) Humanised lymph passing through the systems of the million since the time of Jenner; (2) Small-pox virus taken from the human patient and put into a cow, as propagated for Government use by Dr. Badcock, of Brighton, and Dr. Ceely, of Aylesbury; (3) Animal vaccine or calf-lymph, prepared by Dr. Renner; whether any lymph allowed by Government is guaranteed to be free from humanised or animal diseases, or all alike, or all productive of exactly the same results; and, whether, under the system of compulsory vaccination, parents have to submit to the vaccination of their children with anything the vaccinating officer supplies, even though he be incapable of saying what its origin is, and without guarantee that it is free from hereditary taint, tubercular disease, or scrofula, or any of its cognates?

Mr. GEORGE RUSSELL: Government has nothing to do with any lymph but that which it supplies from its own establishment. This is of two kinds—the one collected from children's arms by approved vaccinators in various parts of the country and examined at the Board offices; the other cultivated from calf to calf at the Board's station at Lamb's Conduit Street. These are known as the humanised lymph and the animal lymph (of the establishment) respectively. Government is always on the watch for every indication of the quality of the lymph which is supplied. No reason appears for supposing that any variety of it can cause any disease except vaccinia, or any other result than to protect from small-pox. Public vaccinators are required to keep a record of the source from which they obtain their lymph, and a failure to comply with this requirement would render them liable to penalties.

Mr. ARTHUR O'CONNOR asked whether the Government declined to guarantee any kind of lymph used by its officers; and whether parents had a right to be informed as to the origin of the particular lymph used?

Mr. GEORGE RUSSELL said, he thought he had made it clear that the Government did its best to secure that that which it supplied should be free from suspicion. [Mr. Arthur O'Connor: It does not guarantee it.] He did not see that there could be any more positive guarantee. The Notice of the Question only appeared on the Paper that morning; but if the hon. Member desired further particulars, he would do his best to supply them.

SOUTH AFRICA—BECHUANALAND—THE CHIEF MANKOROANE.

Mr. W. E. FORSTER asked the Under Secretary of State for the Colonies, Whether any answer, and, if so, what answer, has been given by the Cape Government to the Petition by the Chief Mankoroane to be taken under their rule?

Mr. EVELYN ASHLEY: We have not yet heard whether any answer has been sent by the Cape Government. I imagine none has been sent yet, or we should have heard of it.

THE COPYRIGHT ACTS—PHOTOGRAPHS.

Mr. MACFARLANE asked Mr. Attorney General, If his attention has been called to a case decided in the Court of Appeal, and reported in the "Times" of the 3rd, where it has been held that under the Acts 25 and 26 Vic. the operator or person who "placed the people in position" is the only one entitled to copyright in a photograph; and, if, as the effect of this decision will be to permit wholesale piracy of valuable property, and render it impossible, without forfeiture of the copyright, for proprietors of photographic establishments to employ paid servants to carry on their business, he proposes to amend the Law?

The ATTORNEY GENERAL (Sir Henry James), in reply, said, that his attention was only called to this subject by the Question. He believed there was a case decided; but he was not capable of judging, at the present moment, whether any inconvenience or injustice would arise. But even if legislation should be necessary, nothing could be effected this Session.

Mr. MACFARLANE asked whether the effect of the decision would not be to invalidate the copyright in every photograph taken up to the present?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he had only seen a newspaper report, and had not had time to form any judgment.

BANKRUPTCY BILL—EXTENSION TO IRELAND.

MR. GRAY asked the President of the Board of Trade, Whether, if he perseveres in his intention of seeking to extend the Bankruptcy Bill to Ireland, he will frame the Irish portion of the Bill upon the same principle as the English portion—that is to say, make it a code of Bankruptcy Law as is proposed by the Bill for England, by repealing the English Acts, and re-enacting such portions as are to be retained, instead of, as is proposed by the Attorney General for Ireland, retaining the Irish Acts and amending them?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER), in reply, said, that the clauses put down in his name embodied the views of the Government in reference to the extension of the Bill to Ireland. It was not intended to abolish the Irish Court of Bankruptcy; and, therefore, it would be improper to repeal the Acts upon which it was founded, as it was perpetuated in more than one Act. It was hoped, if the Bill passed in its present form, that, so far as law was concerned, there would be a complete Code; and, so far as procedure was concerned, a complete guide.

MR. GRAY: I do not think the right hon. and learned Gentleman quite understands my Question. I understand that the procedure with regard to the portion of the Bill applying to England is that all the Acts relating to Bankruptcy are to be repealed, and to be embodied in one Bill, now to be passed. I want to know whether the new procedure will be adopted with regard to Ireland; and if the Government will not adopt that course whether they will raise any objection to its being adopted by Irish Members who may wish to make the Bankruptcy Law in Ireland simple instead of confused, as the proposal of the right hon. and learned Gentleman would make it?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) replied, that it would not be convenient or in Order for him to discuss the subject with the hon. Member now. He had already answered the Question by stating that the clauses proposed by him represent the ideas of the Government.

MR. GIBSON: Have the Government finally decided to apply the Bill to Ireland?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER): Yes, Sir.

MR. HEALY: I wish to ask the President of the Board of Trade, if the Government have finally made up their minds to force this Bill through the House without passing it through Committee, so far as the Irish clauses are concerned?

MR. CHAMBERLAIN: I think I should state, in answer to the hon. Gentleman, that these clauses were proposed in the Grand Committee. [Mr. HEALY: Not discussed.] These clauses were submitted—["No, no!"]—and, at the instance of the hon. Member for Carlow, they were temporarily withdrawn—[Mr. GRAY: No, no!]—in order that public opinion in Ireland might be more accurately obtained. ["No, no!"] The hon. Member desired more time should be given in order that public opinion should manifest itself. [Mr. GRAY: No, no!] That time has since elapsed. Public opinion has manifested itself; and, under these circumstances, I think we are justified in asking the House and Irish Members, the great majority of whom are in favour of our proposal, to consider the clauses as placed on the Paper.

MR. GRAY: The right hon. Gentleman has, quite unintentionally no doubt, totally misrepresented the position I took on the Grand Committee. I never asked the clauses to be withdrawn. These clauses were not submitted in Committee. Different clauses were submitted, and they were not discussed at all.

MR. CHAMBERLAIN: I am sorry there should be a difference of opinion between us. All I can say is that I appeal to the Members of the Grand Committee when the hon. Member came to our deliberations for the first time—["No, no!" *from* Mr. GRAY, *and laughter*]—as to whether what I have stated is not accurate? Although not virtually the same, these clauses are in the principal proposals the same as the clauses submitted to the Grand Committee.

MR. GRAY: I am sorry to occupy the attention of the House again, but that was not the first time I attended the Committee, and I never asked that these clauses should be adjourned, or that they should be considered. I opposed them from the beginning.

RECENT HONOURS—THE MEDICAL PROFESSION.

Colonel KING-HARMAN asked the First Lord of the Treasury, If he has any objection to state whether it is true that he has advised Her Majesty graciously to confer the honour of Baronetcy upon two distinguished English gentlemen of great medical and surgical skill; and, whether he has also advised Her Majesty to reward the services of an Irish gentleman, who has also attained to great and deserved eminence in the surgical profession, with the simple honour of a Knighthood?

Mr. GLADSTONE: I understand that this Question is not intended to elicit matters of fact, which the hon. and gallant Member knows as well as I do, but rather to elicit a short explanation. Well, I am informed that as the matter stands at present there is a Medical Profession in the three countries—one in England, one in Ireland, and one in Scotland. Viewed in that light, there has been recently conferred in England upon two distinguished gentlemen the honour of a Baronetcy, and upon one distinguished physician the honour of a Knighthood; in Ireland on one distinguished gentleman the honour of a Knighthood; and in Scotland there has been conferred no honour at all. That is the state of things, the Medical Profession being viewed as threefold in the three countries; but I own that state of things is not very satisfactory, and very great efforts are being made, and are in progress, in a Bill now before the House, to make the Profession in the three countries one—one in standard and one in authority. We attach great importance to the views embodied in that Bill; and, acting on that principle, we regard the Medical Profession as one. Questions of honours conferred on persons, whether in one country or the other, we regard as only secondary questions; and, therefore, we cannot give them more than a secondary importance. Of course, I am very well aware that in advising the Crown with respect to honours of this kind I am liable to err; but I need not tell the hon. and gallant Gentleman and the House that I do not proceed upon my own authority alone, but that I endeavour to inform myself by very full consultation with those who are regarded as the heads of the Medical and Surgical branches of the Profession, and not in any formal sense, but as probably the most leading persons in both the Medical and Surgical branches of the Profession. It was after full consultation with them that I advised the Crown on a recent occasion; and I am quite sure the hon. and gallant Gentleman has no intention of disparaging the honour of Knighthood, which I deem to be a considerable honour, and cannot think meanly of a title which is borne by the Judges of the land and by the Law Officers of the Crown.

Colonel KING-HARMAN: I wish to ask the right hon. Gentleman, if he is aware that a very strong feeling has been exhibited by the Medical Profession in Ireland owing to the conferring on their Profession of the lower honour of Knighthood, which, I admit, is no doubt a very great honour, while the higher honour of Baronetcy is bestowed on the English Medical Profession?

Mr. GLADSTONE: What I have endeavoured to convey is that upon ascertaining, as well as I could, the relative merits and degrees of these distinctions, my advice has been given to the Crown; and as the hon. and gallant Gentleman has referred to this subject, I must say that two gentlemen of very high position in the Irish Medical Profession have written to me stating that they regret very much that any notice indicative apparently of discontent should have been brought under my notice.

Sir TREVOR LAWRENCE: As this question is before the House, I wish to ask the right hon. Gentleman whether it is intended to proceed with the Medical Act Amendment Bill?

Mr. GLADSTONE: Yes, Sir; it is the intention to proceed with it; and the reason for the delay in doing so is that the Bill having come down from the House of Lords, it was thought right to give precedence to other Bills which require to go before that House.

LAND LAW (IRELAND) ACT, 1881—SECTION 21.

Mr. HEALY asked the First Lord of the Treasury, Whether it is the fact that a considerable number of applications by tenants, under the Lease Breaking Clause of the Land Act, were dismissed by the Land Commission (though otherwise admittedly within the terms of the Act) on the ground that the landlord had bought the property since the date when the lease had been forced on the tenant, and was therefore a purchaser for valuable consideration without notice; whether, on a case of this kind being ultimately brought before the Court of Appeal in Ireland, that tribunal decided that the Land Commission were wrong in their construction of the Act, and that the fact in question was not a ground for dismissing the tenant's application; whether, owing to the fact that the lease breaking provision was only in force for six months, and that the decision of the Court of Appeal was made after the expiration of this period, all the tenants whose cases had been dismissed by the Land Commission on the ground referred to, lost the benefit of the Act; whether, if the facts stated are as alleged, a Return will be granted of the number of lease breaking applications dismissed on the ground stated, or withdrawn in consequence of the decision of the Land Commission; and, whether the Government propose taking any steps to enable tenants deprived of their legal rights, through the default of the Land Commission and the temporary duration of the Lease Breaking Clause, to renew their applications?

MR. TREVELYAN: Perhaps the hon. Gentleman will allow me to answer this Question. It is the fact that the Court of Appeal reversed the decision of the Land Commissioners in this matter, and held that the plea of purchase for valuable consideration without notice was not a bar to the tenant's right to have the lease set aside; but, so far as the Commissioners are aware, the cases in which the question arose are few in number. The Commissioners are unable to give a Return of the cases dismissed or withdrawn on this ground. It is not conceived that the tenants in these cases have necessarily lost the benefit of the Act. Their applications to the Commission were made within the proper time; and, presumably, leave to appeal will be given if asked for. At any rate, no reason is shown for any interference by Government.

In reply to a further Question,

MR. TREVELYAN said, the tenant would still have the right of appeal if given by the Commissioners.

EGYPT—POLICY OF THE GOVERNMENT.

MR. JOHN MORLEY asked the First Lord of the Treasury, having regard to his declaration on August 10, 1882, in respect of an imputed design of occupying Egypt for an indefinite time, that

> "undoubtedly of all things in the world that is a thing we are not going to do,"

and, considering the expectation of the Secretary of State for War, expressed this spring, that six months

> "represented with probable accuracy the length of time that it may be necessary to keep our troops in Egypt,"

Whether the intentions thus expressed have been communicated to the other Powers of Europe; and, whether any circumstances have occurred to lead Her Majesty's Government to change these intentions; and, if not, whether he will now, or before the Recess, inform the House of the steps that the Government propose to take in order to give effect to their various pledges to Parliament and Foreign Powers in this matter?

MR. BOURKE: Sir, perhaps I may be permitted, at the same time, to ask a Question of which I have given the right hon. Gentleman private Notice. I have called his attention to two paragraphs in the despatch of Lord Dufferin of February 6, which, perhaps, I had better read for the information of the House. The first paragraph is—

> "A succession of unexpected events, over which we have had no control, and which we had done our best to avert, has compelled us to enter Egypt single handed, to occupy its capital and principal towns with an English force, and to undertake the restoration of a settled Government. As a consequence, responsibilities have been imposed upon us. Europe and the Egyptian people, whom we have undertaken to rescue from anarchy, have a alike right to require that our intervention should be beneficent and its results enduring; that it should obviate all danger of future perturbations, and that it should have established on sure foundations the principles of justice, liberty, and public happiness."

The second paragraph is—

> "Unless the Egyptian people are convinced that we intend to shield and foster the system we have established, it will be in vain to expect the timid politicians of the East to identify themselves with its exissence. But even this

will not be enough. We must also provide that the tasks intrusted to the new political apparatus do not overtax its untried strength. The situation of the country is too critical. The problems immediately pressing on the attention of its Rulers are too vital to be tampered with, even in the interests of political philosophy. Various circumstances have combined to render the actual condition of the Egyptian fellah extremely precarious. His relations with his European creditors are becoming dangerously strained. The agriculture of the country is rapidly deteriorating, the soil having become exhausted from overcropping and other causes. The labour of the *corvée* is no longer equal to the cleansing of the Canal. As a consequence, the desert is encroaching on the cultivated land, and unless some remedy be quickly found the finances of the country will be compromised. With such an accumulation of difficulties, Native statesmanship, even though supplemented by the new-born institutions, will hardly be able to cope, unless assisted for a time by our sympathy and guidance. Under these circumstances, I would venture to submit that we can hardly consider the work of re-organization complete, or the responsibilities imposed on us by circumstances adequately discharged, until we have seen Egypt shake herself free from the initial embarrassments which I have enumerated. Even then the stability of our handiwork will not be assured, unless it is clearly understood by all concerned that no subversive influence will intervene between England and the Egypt she has re-created."

I wish to ask the right hon. Gentleman whether it is the determination of Her Majesty's Government, that our intervention in Egypt shall be "beneficent," and its results "enduring;" that it shall obviate all danger of "future perturbations;" and, whether it is clearly understood by Foreign Powers that "no subversive influence will intervene between England and the Egypt she has re-created?"

Sir WILFRID LAWSON: One word. I only wish to ask the Prime Minister whether it is not the case that, in a despatch, dated April 29, Lord Dufferin declares that the material tranquillity of the country is absolute from one end to the other?

Mr. GLADSTONE: I think there is considerable variety of intention in the Questions which have been put to me; but I do not feel that there is any difficulty in replying to them. With regard to the last Question, my memory is not quite fresh; but I believe my hon. Friend is accurate in his reference. So far as relates to the re-establishment of tranquillity, nothing could be more satisfactory than the effects produced in Egypt, not merely by the presence of a British Force, but through the re-organizing operations steadily in progress. With respect to the original Question of my hon. Friend the Member for Newcastle (Mr. J. Morley), I think I can answer him very briefly by saying there is no change whatever in the views of Her Majesty's Government, as they have been expressed on a variety of occasions; and although expressed by several Members of the Government, yet, so far as I have been able to review the various statements, they were characterized by great unity of purpose and even, perhaps, of expression. With regard to the second paragraph of the Question of my hon. Friend the Member for Newcastle, which mentions six months as representing with tolerable accuracy the length of time that might be necessary for keeping the British troops in Egypt, my noble Friend (the Marquess of Hartington) was, I think, careful, when he mentioned that period, to state that he gave that estimate by way of conjecture and approximation only, and gave nothing at all approaching the character of an engagement or a pledge. Then my hon. Friend asks whether the intention thus expressed was communicated to the other Powers of Europe. No intention was communicated to the other Powers of Europe, having reference to a particular term—either of months or of years; but the other Powers of Europe, I think, are well aware of the general intentions entertained by the British Government—intentions which may be subject, of course, to due consideration of the state of circumstances, but conceived and held to be in the nature not only of information, but of a pledge or engagement. With regard to the Question of the right hon. Gentleman opposite (Mr. Bourke) he has read two paragraphs which, though of considerable length—probably greater than are usually embodied in Questions before the House—yet form only an infinitesimal part of a very long and very able despatch of Lord Dufferin's, in which he has summed up the result of his assiduous exertions, and I am not aware upon what principle two or three expressions have been picked and culled from that despatch. I see nothing to object to in the idea conveyed by those expressions; and regarding, in common with my Colleagues, the despatch as a whole, we are of opinion that it affords a very worthy and very remarkable record of labours, pursued with great assiduity and with great ability, and attended, I think, with results by no means insignificant in proportion to the time occupied. But I will refer more particularly to the Question of the right hon. Gentleman, thanking him for giving me Notice in reference to those words on which he dwelt. I cannot say that it is the

"Determination of the Government that our intervention shall be beneficent, and its results enduring;"

but, undoubtedly, it is the desire of the Government, the hope and view of the Government, and their intention, so far as it is in their power, to command the circumstances in conjunction with which they work, and that these enduring results shall, humanly speaking, aim at not merely securing the tranquillity of the moment, but likewise at obviating further perturbations. When I am asked as to the withdrawal of the British Forces from Egypt, I would ask the House to bear in mind that while Egyptian institutions have been in process of re-organization, that deplorable event, the arrival of the cholera, has very seriously disturbed and delayed operations in that country. It has, to some extent, interfered with the collection of the Revenue, and has introduced the necessity of considering some questions in reference to that Revenue. It has, therefore, tended rather to slacken the progress of the work in which we have been engaged; and it prevents me, at this moment—though it is quite true that the time conjectured by my noble Friend the Secretary of State for War is on the eve of expiration—it prevents me being able to anticipate any very early withdrawal of the troops. It is our desire, unquestionably, that when we leave Egypt we should leave behind us something more firm and stable than the fabric which was lately overthrown. We cannot, in such a case, command the future; all that we can do is to take means which are rational and equitable with reference to the future; and, so estimating the matter, I think that would be a fair description of our intention as it has been repeatedly stated in Parliament, and as I would state it in these few and slight words now. Of course, I am aware, and the House will be aware, that no full or comprehensive view can well be comprised within the few sentences I can use on this occasion. One word I must add as to the latter part of the Question of the right hon. Gentleman. He asks, if it is clearly understood by Foreign Powers that no subversive influences will intervene between England and Egypt? It would be rather presumptuous in me to undertake to say what is clearly understood by Foreign Powers. It is enough, I think, to answer for our own understanding and information. I believe, however, that Foreign Powers are substantially well informed respecting the views and intentions of the British Government in Egypt; and I may say, likewise, that we have no ground whatever to anticipate any unfair, unfriendly, or unreasonable opposition on their part to any of the proceedings which we are taking with a view, not to any selfish aim, but for the benefit of Egypt itself.

MR. BOURKE: Will the right hon. Gentleman state whether any Papers will be laid on the Table shortly with respect to the communications which have passed on this subject between Her Majesty's Government and Foreign Powers?

MR. GLADSTONE: Will the right hon. Gentleman kindly give Notice of that Question, because I am not aware how far there has been very recent communications.

MR. LABOUCHERE: I would like to know whether we are to understand that the assurances of the noble Marquess the Secretary of State for War, of the right hon. Gentleman the President of the Board of Trade, and of Lord Granville, will hold good—namely, that the aim and object of Her Majesty's Government is the withdrawal from Egypt, and not, as has been suggested in some organs of the Press, to convert a temporary occupancy into a permanent Protectorate, direct or indirect, or to acquire any rights that will not be possessed by any other of the Great Powers?

MR. GLADSTONE: I have, I think, already used the expressions by which, in the mass, the declarations of the views of Her Majesty's Government have been made on various occasions. I am not aware that in any part of those declarations there is anything inconsistent with what I have said; but to select any particular expression might tend to disarrange what may be called the balance of expression.

Sir STAFFORD NORTHCOTE: Bearing in mind that we have no information from Egypt of a later date, I think, than the middle of May, I wish to put a Question to the right hon. Gentleman. We understand Her Majesty's Government have been endeavouring to organize in Egypt a considerable number of institutions, and to introduce various improvements in the administration of that country, and that they are at present retaining our Forces there for the support of the work they are doing. What I think the House and the country wish to know is, whether the operations for the re-organization of Egyptian institutions are proceeding satisfactorily, and are nearly completed; and whether it is the intention of Her Majesty's Government to retain our Forces there—I do not say for any definite time, but until such time as the new institutions shall have been placed upon a secure footing and seem likely to be able to stand by themselves?

Mr. GLADSTONE: I have no difficulty in referring to the previous declarations which we have made—that we went to Egypt to accomplish certain work, and that the accomplishment of that work must necessarily lead to the measure of our continuance there. Unquestionably, the attainment of a stage of progress with the new institutions which, all things considered, would afford reasonable hope in the future for their working in a manner satisfactory to the people and Government of that country, is the essential, the very basis, in fact, of the whole of our policy in the matter. I may say that when I saw my hon. Friend's Question put down I made a communication to Lord Dufferin, to which I have only just received an answer. I have not been able to read it; but if I find in it any explanation of detail which I think will be of interest I will take care, probably to-morrow, to make it known to the House.

Mr. M'COAN asked the Under Secretary of State for Foreign Affairs, whether there was any truth in the statement that Sir Rivers Wilson had been appointed to succeed Sir Auckland Colvin as Financial Adviser to the Khedive?

Lord EDMOND FITZMAURICE: I have not seen that statement anywhere.

SUPREME COURT OF JUDICATURE—THE NEW RULES.

Sir HARDINGE GIFFARD asked the First Lord of the Treasury, What day he will give for the discussion of the New Rules of Procedure?

Mr. GLADSTONE said, the 40 days would not expire until the 20th of August. He believed it would be possible to take the consideration of the Rules on Saturday next.

Sir HARDINGE GIFFARD asked if they would be taken as the first Business?

Mr. GLADSTONE said, they would, unless there was some Bill for third reading.

WESTERN ISLANDS OF THE PACIFIC—ANNEXATION OF NEW GUINEA—PUBLIC OPINION IN THE AUSTRALIAN COLONIES.

Mr. ASHMEAD-BARTLETT asked the First Lord of the Treasury, Whether, in view of the important Memorandum presented to Her Majesty's Government by the Governments of Victoria, New South Wales, Queensland, and New Zealand, in favour of the establishment of a British Protectorate over New Guinea and the adjacent islands, Her Majesty's Government will reconsider their decision upon this question?

Mr. GLADSTONE, in reply, said, the Government had seen no cause to add to or to alter their decision upon the question.

PARLIAMENT—BUSINESS OF THE HOUSE—CONTEMPTS OF COURT BILL.

Mr. EDWARD CLARKE asked the First Lord of the Treasury, Whether it is the intention of the Government to proceed with the Contempts of Court Bill which was brought down from the House of Lords on the 2nd of May last?

Mr. GLADSTONE, in reply, said, he was afraid he must ask his hon. and learned Friend to wait still a short time before expecting him (Mr. Gladstone) to say positively whether the Government would proceed with the Bill or not. Of course, the feeling of the House must weigh with them in the decision they arrived at.

PAWNBROKER'S BILL.

In reply to Mr. Sclater-Booth,

Mr. HIBBERT said, that his right hon. Friend saw no prospect of being able to pass the Pawnbroker's Bill this Session.

SUPPLY—CIVIL SERVICE ESTIMATES —THE IRISH VOTES.

Mr. W. H. SMITH asked, When the Irish Estimates, which had been postponed, would be taken up?

Mr. GLADSTONE said, that after the discussion on the South African Vote and the Vote for Major Baring, the Votes would be taken in their order.

Mr. W. H. SMITH said, the Irish Votes had been already passed over, and would not, therefore, come on until the end, unless a special day was fixed for them.

Mr. GLADSTONE: In that view we would clearly take them at the end.

TRAMWAYS AND PUBLIC COMPANIES (IRELAND) BILL.

Mr. FINDLATER asked whether the Tramways Bill would be taken that night?

Mr. PARNELL: Before the right hon. Gentleman answers that Question, I would ask him whether, in view of the fact that there are 33 Orders on the Paper for discussion to-night, he would think it advisable to ask for leave at a late hour to introduce this Emigration and Tramways Bill, in which the Irish Members are so deeply interested?

Mr. TREVELYAN said, he thought he would have a better opportunity to introduce it to-morrow, and accordingly he did not propose to make his Motion that night.

LAND IMPROVEMENT AND ARTERIAL DRAINAGE (IRELAND) AND BOARD OF WORKS (IRELAND) BILLS.

Mr. ARTHUR O'CONNOR asked the Secretary to the Treasury, Whether he proposed to proceed with the Land Improvement and Arterial Drainage (Ireland) Bill, and the Board of Works (Ireland) Bill, neither of which had been yet read a second time?

Mr. COURTNEY said, he proposed to move for the discharge of the Land Improvement and Arterial Drainage (Ireland) Bill; but he did not intend to make that Motion regarding the other Bill at present.

EGYPT—THE ARMY OF OCCUPATION —THE CHOLERA.

Sir WALTER B. BARTTELOT asked, Whether the statement was correct, which appeared in *The Times* to-day, that in the Army of Occupation the total number of deaths up to yesterday's date was three officers and 107 men?

The Marquess of HARTINGTON: All I can do is to read two of the latest telegrams received. The telegram received yesterday is to this effect—

> "The general accounts this morning of cholera satisfactory; but a second case is reported at Ramleh."

The telegram received to-day from the General Officer commanding in Egypt is as follows:—

> "6th of August.—A third case of cholera, fatal, in Ramleh Hospital. Deaths continue at Helouan Hospital Camp, which is being moved to Mokattam. At Suez three fresh cases. All camps there changing ground. At all other stations disease much abated. Number of deaths—Officers, 0; non-commissioned officers and men, 8; total 8."

I am unable at this moment to state accurately the entire number of deaths.

PARLIAMENT—SITTINGS OF THE HOUSE—SATURDAY SITTINGS.

Sir STAFFORD NORTHCOTE asked, Whether there was to be a Sitting next Saturday; and, if so, what Business would be taken? He hoped, when the time came for fixing the day, they might have an opportunity of fixing the Orders.

Mr. GLADSTONE said, that the time had already come for Saturday Sittings. The Business next Saturday would give the hon. and learned Member for Launceston (Sir Hardinge Giffard) an opportunity of discussing the New Rules of Procedure.

EDUCATION (SCOTLAND) BILL.

Mr. DICK-PEDDIE asked the Vice President of the Council, After what hour he would not take the Education (Scotland) Bill?

Mr. MUNDELLA said, he hoped he would be allowed to bring it on at any hour, as any points of detail could be arranged in Committee.

RAILWAYS (INDIA).

Mr. CARBUTT asked the Under Secretary of State for India, Whether the important annual Report by Mr. J. Dumas on railways in India was to be discontinued; whether the Government intended giving in its stead the Report by Colonel F. S. Stanton for the year 1882-3; whether it was a fact that Indian railways continue to earn increasing dividends every year; whether the average dividend on all railways in India was, in 1882-3, 5·37 per cent per annum; 1881-2, 5·15 per cent per annum; and 1879-80, 4·75 per cent per annum?

Mr. J. K. CROSS: Yes, to all the Questions.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Class V.—Foreign and Colonial Services.

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £9,425 (including a Supplementary sum of £3,808), be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for certain Charges connected which the Orange River Territory, the Transvaal, Zululand, and the Island of St. Helena."

Mr. GORST: I rise to propose the reduction of this Vote by the amount necessary for the salary of the Resident in the Transvaal; and I am sorry that it is necessary for the Committee to express its sense of the results of the Government policy in the Transvaal by a Motion of this character. That, however, is not my fault. At an early period of the Session an opportunity was given to the House of Commons to debate upon a formal decision as to the fulfilment of the Transvaal Convention by the Transvaal Government; and although the Prime Minister thought it right to put on record a Motion on that subject, yet from that day down to the present the subject has been adjourned from time to time by Her Majesty's Government, and it has stood until this very day on the Notice Paper, the House of Commons never having been allowed to come to a decision upon the matter. My reasons for objecting to this Vote, and which I shall state at this period of the Session as concisely as I can, are that the maintenance of a Resident in the Transvaal is perfectly useless for any purpose whatever. When the Convention was signed by the Transvaal Government, and when a Resident was appointed, it was supposed that he would be useful to three classes of persons—first, the British subjects who happened to be in the Transvaal; secondly, to the Natives, who were, certainly, subjects of Her Majesty, who might need protection on remaining in the Transvaal; and, thirdly, the Native races outside the Transvaal Borders who, I may say, would be specially under his personal protection. The Papers laid before the House recently by Her Majesty's Government give specimens and examples of the extent to which the Resident in the Transvaal has been useful to these three classes of persons; and, as briefly as I can, I propose to call the attention of the Committee to the extent and degree to which he has been useful to them, and I shall then ask the Committee if it is worth while to continue to spend money on this functionary at all. In the first place, in regard to British subjects, such as the case of the unhappy man M'Gillivray, who was murdered in Transvaal territory. The attention of Her Majesty's Government was called to this case almost simultaneously, at the beginning of the year, by the Government in Cape Town, and by my right hon. Friend the Member for the City of London (Mr. Hubbard) here. They brought under the notice of the Government certain facts which are very well known. This man M'Gillivray was accompanied by a man named Smith, and both were taken prisoners in 1882 by the filibustering Boers who were attacking one of the Native Chiefs. The men were put in irons and brought to a laager, and on the 8th of September they succeeded in effecting their escape. One of them was followed, shot, and buried, or half-buried, outside the Transvaal territory. With regard to the other man, a corpse was discovered in the Transvaal territory, having shackles on the legs, and having beside him a stick, on which was cut the words "J. C. M'Gillivray, Beaufort, Cape Colony, September 12, 1882," being four days later than the date the unfortunate man was found to have escaped. Moreover, it was asserted, not only by the Press, but by the brother of the murdered man, that the body had been found close by the boundary of a farm called Kanye in the Transvaal, to which he was known to be going; and it was discovered by a Boer who lives there, named Peet Van Zyl. These facts are well known, and they are all to be found in the evidence of a man called Campbell Johnson, a traveller in Bechuanaland, who came to a knowledge of the facts through his own investigations. The matter having been brought under the notice of the Government, Lord Derby and Sir Hercules Robinson both thought it necessary to order the Transvaal President to make a rigid inquiry into these facts, with a view of discovering by whom M'Gillivray had been murdered. The result was that, in the first place, the only notice taken of the matter by the Transvaal Government was an impudent assertion that the man M'Gillivray was still alive, and in support of that assertion they told a trumped up tale. The next thing, after asserting that the man was still alive, was an assertion that the Chief Montsioa had murdered him. In the next place, a despatch was sent by the Transvaal Government to Montsioa, quite contrary to the terms of the Convention; because, under the Convention, the Transvaal Government had no right to communicate with Montsioa, except through the Transvaal Resident. But the Secretary to the Transvaal Government wrote direct to Montsioa, telling him that they were going to send a Commission to inquire into the reported atrocities which had occurred at Montsioa's place—the alleged atrocities being that human remains had been found there with chains on the legs, for which it would seem that a man had been first caught and put in fetters, and afterwards done to death. This letter was addressed to Captain Montsioa, Land Goshen. After threatening Montsioa, finally, an investigation was made by a Commission of the Transvaal Government, outside its own boundaries, and an expedition was made into Bechuanaland, and the result of that inquiry was a deposition that they knew nothing about it. A great number of depositions were forwarded to Her Majesty's Government, and are contained in the Blue Book; but the gist of them is that the persons examined knew nothing at all about it. There was, however, one remarkable omission. There never seemed to have been any inquiry made by the Transvaal Government concerning Peet Van Zyl, at whose farm the body of the man was discovered, and who had been charged over and over again with having committed the murder. Peet Van Zyl was a Transvaal subject, and his farm was in Transvaal territory. So much for the investigation of this unhappy murder of the man M'Gillivray; and I think the Committee, and everybody else, will disagree with Lord Derby's final conclusion on page 102—

> "I fail to see that any useful result is likely to follow from a further inquiry into this case on behalf of Her Majesty's Government. There is no evidence that a murder has been committed; and looking at the length of time since the supposed death of M'Gillivray, and to the circumstances of the country, I do not consider it at all probable that any fresh evidence would be forthcoming which would clear up the uncertainty as to M'Gillivray's fate. Nor can I take upon myself the responsibility of suggesting to M'Gillivray's relations that they should hold an inquiry themselves; but I think that the Papers in the case should be communicated to them."

Lord Derby says that there is no evidence that a murder has been committed. I think Lord Derby, in expressing that opinion, stands almost alone in the civilized world. The noble Lord goes on to say that, looking at the length of time since the supposed death of M'Gillivray, and to the circumstances of the country, he did not consider it at all probable that any evidence would be forthcoming which would clear up the uncertainty as to M'Gillivray's death. As Lord Derby thinks there is no necessity for making further inquiries into the death of a British subject in Transvaal territory, I would ask the Committee to agree with me in rejecting this part of the Vote. The next case is that of a British subject named F. J. Wells, who was most grossly assaulted, by being shot at and severely wounded, on the 19th of February last at a place in the Transvaal territory, in the immediate neighbourhood of the Border of Bechuanaland. Mr. Wells made his complaint on the 12th of February to the Resident, and gave the whole circumstances of the case, together with the name of the man who shot him, Adrian de la Rey, a man who was well known in these parts. So that on the 12th of February there was a statement made by a British subject that he had been shot at, and very nearly killed. The name of the man who shot him was given; and yet, from that day to the present, nothing has been done in the matter. What is the use of a British Resident in the Transvaal who cannot get justice done, even when a man complains, and gives the name of the man by whom he had been shot and injured? But, although the Transvaal Government did nothing, this man Adrian de la Rey, who is one of the founders of what Sir Hercules Robinson calls the Republic of Stellaland, declined to let the matter rest where it was, and issued a Proclamation on the 12th of February—page 42 of the Papers—signed by G. J. Van Niekirk, Administrator; A. J. G. de la Rey, Member of the Committee of Management; Theodore Doms, Member of the Committee of Management and Secretary to David Massouw, which is published in *De Volkstem*, and in which it is stated that—

> "Whereas the said James W. Honey, being on his way as aforesaid, under escort, was followed by certain mounted and armed persons, named James Streak, *alias* Campbell; Frank Wells, *alias* Captain Wells; Horwitz, a certain Basuto, by name Cetchwayo, son of August Rapport, with the intention of delivering the prisoner from his guard, and out of the hands of the law, and with that object the above-mentioned persons attacked the escort."

In other words, that Captain Wells and these persons had made an assault upon officers of the Stellaland Republic, the assault consisting of the fact that Captain Wells had been fired at, shot, and wounded—

> "The Proclamation, therefore, declares all the above-named persons to be outlaws in this territory:—That is to say, that the said persons, for the safety of their lives, will never be allowed in this territory."

Thus you have this unfortunate British subject complaining to the British Resident, and the Administrator of the Stellaland Republic coolly pronounces him an outlaw, on the sole ground, as far as I can ascertain, that he has been shot and assaulted by Adrian de la Rey. I myself received a letter, in February last, giving the evidence of an eye-witness as to the nature of the assault committed; but I was obliged to ask the Government under no circumstances to betray the author of that communication, because British subjects in the Transvaal already found their position extremely precarious, and any knowledge coming to the Boers of a person having made a complaint to a Member of this House would certainly bring upon him the vengeance of the Boers. I come now to the case of the Natives who were till lately the subjects of our Queen. May I call the recollection of the Committee to the fact that at the beginning of the Session I brought forward an authentic account, furnished by an eye-witness, of certain women and children having been smoked to death in a place called "Hell," and promises were made to me that the matter should be inquired into. A despatch was sent from here to the Transvaal, asking for a Report on the subject; but, unfortunately, at the time the statement was made in the House a noble Lord who represented the Government in "another place" was good enough to take an opportunity of entering into a defence of the use of dynamite against the Natives, than which, he said, nothing could be more humane. Now, it seems to me that the Government mixed up two things, and that they were far more anxious to defend the noble Lord in regard to the use of dynamite against Mapoch than to investigate what took place at this stronghold called "Hell." The case I had referred to was not that of Mapoch at all, but it occurred elsewhere; and it was not a case of the use of dynamite, but of smoking a number of women and children out of a cave, most of whom died in the course of the operation. An inquiry was made of the Transvaal Government, and the answer of the Transvaal Government will be found at page 43. The British Resident, in his Report to the High Commissioner, seems extremely anxious to make out a case for the defence of his official Chief, the noble Lord who had said in "another place" that nothing could be more humane than the use of dynamite. Mr. Hudson says that ample opportunity was given to the people to go out of the cave before it was blown up; and there was no reason whatever to suppose that the use of dynamite deserved the reprobation of Parliament or of the civilized world. This statement of the Resident is supplemented by an indignant protest on the part of the Transvaal authorities themselves, who got Mr. A. H. Nelmapius to make an affidavit that he never saw a single woman or child killed by dynamite except in the Army under Sir Garnet Wolseley, who, in the storming of Sikukuni's stronghold, were known to have murdered women and children by wholesale. I will leave these people to fight out the matter as they like. There is neither a despatch from the Transvaal Government nor from the Resident himself which touches the point whether there were women and children stifled by smoke or not. Thus we have an opportunity of seeing how far the British Resident succeeded in obtaining protection for Natives in the Transvaal who were British subjects. In the month of November, 1882, the Transvaal Government made use of the British Resident, sending a telegram to him asking him for two field pieces; and it seems that on the 24th of November the Governor laid before his Executive Council a Minute of this subject, which is not found in the Papers. Now, I should like to know what a gentleman like Sir Hercules Robinson said in answer to the telegram asking for these two guns. I do not know why the statement is omitted from the Blue Book, and I have no doubt that every hon. Member in this House would like to know what it was. I will give the reference which is to be found on page 27. Mr. Scanlen, Premier of the Cape, says, in a letter from the Colonial Secretary's Office, Cape Town—

> "I acknowledge the receipt of His Excellency's Minute of the 24th instant, covering copy of a telegram from the British Resident, Pretoria, preferring a request on behalf of the Transvaal Government for the loan of two seige guns, with ammunition, to operate against the Chief Mapoch. Ministers have to state that there are at King William's Town three 6-inch howitzers and three 8-inch mortars, and that one of each class will be readily placed at the disposal of the Transvaal State with 300 rounds of ammunition per piece. The Transvaal Government will have the option of returning guns in good order, or of purchasing them at cost price, at which rate also the ammunition will be charged. The weight of the howitzer, carriage, and limber is 81 cwt., and of 300 rounds of ammunition, 29,000 lbs.; the weight of the mortar, carriage, and limber, 28 cwt., and of 300 rounds, 14,000 lbs."

I do not know what the Governor said; but I am curious to know, and if the Secretary for the Colonies would give us the substance of the Minute by Sir Hercules Robinson, I think it would be exceedingly interesting. It seems that the siege guns were promised to the Transvaal Government; but that they were not immediately sent, and the Transvaal Government, therefore, got impatient, and on the 12th February they telegraphed again to know why these field pieces were not coming. They seem to have had notice that it was part of the business of the British Resident to procure these field guns that were to be used against Mapoch, and in that telegram the British Resident says—

> "That the latest intelligence of Mapoch's commands was not satisfactory; that certain Boers have been killed without securing any compensating advantage."

And he also mentions that as yet no communication had been received from the Transvaal Government in reply to the latest representation as to payments due for interest on the British advances. I do not know how it was, but at this time the conscience of the noble Lord the Secretary of State for the Colonies seems to have been alarmed, and on the 19th February he telegraphed to the Cape Government to ask for information about these guns. The Under Secretary of State for the Colonies told us that these telegrams are not printed in the Blue Book, but that the substance was given in subsequent despatches. I must confess that this is a very inconvenient mode of dealing with the matter, and that when the government of a Colony is carried on by telegraph, it is most desirable for this House to have the actual text of the telegrams which were sent by Lord Derby placed before it. I shall show presently how inconvenient the course actually pursued was, because the account of the telegrams given in the despatches are not always consistent. On the 19th of February, Lord Derby appears to have telegraphed to ask about these siege guns, and he got an answer on the 20th from the Governor, in which he was informed that the guns had been lent to the Transvaal Government for use in the operations against Mapoch. Well, then, on the 15th of March, the noble Lord the Secretary of State for the Colonies wrote a despatch on the subject of lending the siege guns for the operations against Mapoch, which I think is one of the most degrading documents which ever proceeded from the pen of a British Minister, because, after clearly expressing his disapprobation at the course pursued, the noble Lord goes on to say—

> "I am not in a position to raise any objection against this transaction, though there is unquestionably a strong feeling in this country

> that, having regard to the terms and object of the Convention with the Transvaal State, Her Majesty's subjects should not assist in operations against the Natives whether within or beyond its boundaries."

That despatch was written on the 15th of March, and on the 13th there had been a strong speech delivered in this country by the right hon. Gentleman the Member for Bradford (Mr. Forster). I am not at all sure that the despatch is not accounted for by the effect which that speech produced on the conscience of the country. The noble Lord is content with saying—

> "I should, however, be glad to receive from you a Report on the subject stating to what extent arms and ammunition have been furnished from the Cape Colony to be used either by the Transvaal Government, or by persons acting independently of it, against Natives during the past year, and showing whether and how far the Cape Government has been concerned either in providing or permitting the provision of such supplies."

Lord Derby's conscience was alarmed, and he wished to have some Report from the High Commissioner at Cape Town which he might produce to Parliament in case the right hon. Gentleman the Member for Bradford (Mr. Forster) should press the criticism a little further, and make inconvenient inquiries about the use of arms and ammunition by the Cape Government against our subjects in the Transvaal. Then comes the phrase which I call degrading—

> "I shall also be obliged by your informing me whether, in your opinion, it would now be possible to prevent the continuance of such supplies, and whether a representation from Her Majesty's Government would be favourably received and attended to."

So that a Minister of this great country, feeling and knowing that these supplies are improper, and wishing to put a stop to them, dare not address a remonstrance to the Government of Cape Colony until he had first found out from the Government of Cape Colony whether his representations would be favourably received. He says, in effect—"If you think the Cape Government will not be very angry I will send a remonstrance. If you think the Cape Government will be angry, then I must chance the right hon. Gentleman the Member for Bradford (Mr. Forster), and hold the matter up." Such an instance of feeblenesss and vacillation I say—and I use the word advisedly—is degrading. The subsequent story of the operations against Mapoch is, that Mapoch, by the means of these two guns, has been defeated; his stronghold has been reduced; and we are told by Her Majesty's Government that the Volksraad have passed a Resolution that his people shall be apprenticed out for five years to servitude, or what we call in this country by the shorter name of being sent into slavery. Yet Her Majesty's Government do not know whether this is true or not. Their Resident apparently does not keep them so well informed as the Correspondent of *The Standard* keeps his employers informed. The British Resident has not told them whether this is true or not, and he has not been able to tell the Government what measures are going to be taken, or whether they are going to appeal to the Convention, or to the still older Sand River Convention, against this kind of treatment. It is under such circumstances as these that I invite the Committee to say that the establishment of a British Resident is quite useless. I now come to the last part of the case—namely, Bechuanaland—and we know from the Papers recently placed on the Table a great deal more of Bechuanaland than we did when the subject was debated in March last. The Government have managed to keep their counsel well. When Notices were put upon the Paper about Bechuanaland the conscience of Lord Derby became alarmed again, and he sent a telegram on the 21st of February to the High Commissioner at the Cape suggesting the formation of a police force to act against British subjects and deserters in the Bechuana country. On the 22nd he is informed by the High Commissioner at Cape Town that the Ministers of the Cape Government would give the desired facilities; but that they agreed with Lord Derby in thinking that the proposal would effect no appreciable good, as nine-tenths of the freebooters of Bechuanaland were neither British subjects nor deserters. It appears that the opinion of Lord Derby is not recapitulated in the telegram. The original telegram sent is not recorded in the despatches at all. It appears from Lord Derby's despatch that—

> "You (Sir Hercules Robinson) were of opinion that the only effectual course would be for Her Majesty's Government to clear the terri-

tory from all marauders, and to retain in it for a small time a small force to prevent their return. Five hundred mounted police would, you thought, be sufficient to clear the country; if 100 remained on for 12 months, matters would probably settle down. You estimated the expenditure at £100,000. You added that time was of great importance, as further delay would increase the difficulty and cost of intervention."

Lord Derby goes on to say—

> "I replied to you also by telegraph on the 27th, that as you thought the only effectual course would be to clear the country with a large force and afterwards occupy it, I feared that no present action was possible, as Her Majesty's Government could not undertake large military operations and the protection of the territory where only one-tenth of the marauders were British."

All we know of the original telegram is contained in the first despatch of Lord Derby's letter—

> "On the 27th ultimo I inquired of you by telegraph whether, if Her Majesty's Government should decide to organize a force of British police to act against British subjects and deserters in the Bechuana country, the Cape Government would afford all the necessary facilities?"

That is all; and it is only from the reply on the 22nd that we learn that there is something more in the telegram than what is there recorded—namely, an expression of opinion on the part of the Colonial Government that the proposal of Her Majesty's Government would effect no appreciable good. I certainly think the Committee would like to have seen what the telegrams themselves were; but it appears that, in the opinion of the Governor, the only effectual course was for Her Majesty's Government to clear the territory of the marauders, and to keep on a small force for a short time to prevent their return. The amount of the force and the amount of money which it would cost seemed to have been stated, although in this House, when the debate took place a fortnight later, we heard much more extravagant estimates made by the speakers on behalf of Her Majesty's Government. What Sir Hercules Robinson thought necessary was 500 mounted police to clear the country, and if 100 remained on for 12 months he was of opinion that matters would probably settle down; and he estimated the expenditure roughly at £100,000. Sir Hercules Robinson also appears to have added that time was of great importance, as further delay would increase the difficulties of the situation and the cost of intervention. On the 27th of March, Lord Derby replied, also by telegram, that, as the Governor thought the only effectual course would be to clear the country with a large force and afterwards occupy it, he feared that no present action was possible, as Her Majesty's Government could not undertake military operations where only one-tenth of the marauders were British, notwithstanding the fact that the people attacked were Allies of Her Majesty's Government, and that they were attacked by Boers of the Transvaal in defiance of the Convention made between the Transvaal Government and Her Majesty's Government. I think I am right in saying that the despatches did not disclose the whole of the telegram, because if hon. Members will refer to page 31 of the Papers they will see there are two despatches from Sir Hercules Robinson to the Colonial Secretary, and it will be seen that there are two stars with a notification that the telegrams to which they refer have not been printed. At the end of the second despatch, Sir Hercules Robinson inquires whether—

> "He was to inform Mankoroane and Montsioa that, in the sense of his Lordship's message of the 27th ultimo, no action on the part of Her Majesty's Government was possible, and they had better make the best terms they could with their enemies?"

Now, I should like to know whether Sir Hercules Robinson is either misrepresenting Lord Derby, or whether Lord Derby did telegraph to Cape Town to tell Montsioa and Mankoroane that they were to make the best terms they could for themselves? As I see that the Under Secretary of State for the Colonies has left his place, I presume he has gone to make that inquiry. After Lord Derby had sent that telegram, he got a long telegram in reply from Sir Hercules Robinson. It is dated the 1st of March. On the 1st of March Lord Derby is informed that Mankoroane had lately visited Sir Henry Barkly, and had written a letter—

> "Which was forwarded to you on 12th February, stating that the whole of his country is being appropriated by freebooters, and asking for a definite reply as to whether he can look for any help from Her Majesty's Government, or must submit to his enemies. I pointed out that our obligations are not limited to responsibility for the acts of marauding British subjects. Shortly before the Transvaal troubles, Sir Bartle Frere, as High Commissioner, wrote

to Mankoroane assuring him that if he behaved loyally to the British Government he might rely on receiving every reasonable support. This Chief and Montsioa are now on the point of being exterminated in consequence of their fidelity to the British Government, and because of the assistance they gave to British subjects in the Transvaal War."

I remember over and over again that Members of this House, I myself among the number, were taken to task by the authorities at the Colonial Office for reiterating again and again that this was a war made upon Montsioa and Mankoroane because of their fidelity to the British Government in the Transvaal War. I recollect distinctly, on one occasion, that the present Financial Secretary to the Treasury (Mr. Courtney) was extremely severe upon hon. Members for making that statement. In another despatch from Sir Hercules Robinson, on the same date—the 1st of March—The High Commissioner says—

"In continuance of my telegram of to-day, I thought it well to explain in a further message that, in stating that action was hazardous, I meant that there were the risks of the force sustaining a check, and of the freebooters receiving support from their friends in the Transvaal State. But I thought that if the matter were taken in hand at once, with a thoroughly efficient force, before the difficulties with Mapoch were disposed of, these dangers would not be realized. If, however, action were delayed till after the freebooters had entered upon the occupation of their farms, and until the hands of their kinsmen in the Transvaal were free, the attempt to dispossess them would then probably give rise to a struggle which might assume large and wide dimensions."

The High Commissioner observes—

"I observed that I saw clearly all the serious risks entailed by armed intervention, and that I, in consequence, hesitated to press such a course upon Her Majesty's Government; but I was anxious that they should have fully before them both sides of the case, and realize that, if our Native Allies were now abandoned, the Convention might as well be dropped. I pointed out that no stronger claim for forcible intervention could well arise under the Convention, or one less difficult to deal with, as our nominal opponents in this case would be the freebooters, and not the Transvaal Government."

Sir Hercules Robinson adds that—

"If these Chiefs are now abandoned, all the others to the West, including Boreki, the Chief of the Battoros, would soon share the same fate."

Therefore, on the 1st of March, Lord Derby had in his possession the most full information and the most urgent representations on the part of the High Commissioner. Well, he did not immediately answer the telegrams of the High Commissioner, but he waited until he got a letter from Mankoroane, which was upon its way to this country at that time; and a few days after the telegram of the 1st of March, Lord Derby got this letter, and it constituted one of the materials on which the ultimate decision of Her Majesty's Government is based. It is, therefore, well worthy of the attention of the Committee, and it will be found at page 16 of the Blue Book. It sets out the facts which have over and over again been stated in this House, and which now, it appears, have received the confirmation of the High Commissioner, as to the loyalty of Mankoroane, and as to his conduct in the Transvaal War in protecting the English, having been the main cause of the war waged against that Chief. That letter contains the names of leading men and owners of property in the Transvaal State, who have taken part with the fillibusters; and amongst them will be found Adrian De La Rey, whom I spoke about just now, and other men, whose names are also given. He also informs Her Majesty's Government that some of the Colonial Boers, who were British subjects from Griqualand West, were taking part in the fillibustering expedition; and he gives the names and addresses of several of our own subjects who were in arms against us. He also gives an extract from *The Diamond Fields Advertiser*, of the 30th of January, containing a Proclamation from the so-called Stellaland Government, with a list of licences and various regulations which people who ventured into Mankoroane's country were to pay, showing that a *de facto* Government had been established in that territory by these marauders. Still, Lord Derby appears to have hesitated, and on the 13th of March, the very day on which the debate took place in this House, he sent a further telegram to the High Commissioner at the Cape. His Lordship seems to have felt what it may be supposed most people felt when they heard the speech of the right hon. Member for Bradford (Mr. Forster)—namely, that it might be called infamous to desert Allies who had been promised our support; and he wanted to know again, whether it was really true that any pledges had been made by Her Majesty's Government to these two Chiefs? He sent a telegram asking for that information, and he got the information from the High Commissioner, who gave him references to the various despatches in which the pledges of the Government to the Chief Mankoroane were to be found, and asked whether a further Paper, which was dated 14th of September, 1880, had been received? That despatch will be found referred to in a letter from the High Commissioner at page 32, in which Sir Hercules Robinson says—

> "In reply to your telegraphic despatch of yesterday, inquiring whether Sir Bartle Frere's promise to Mankoroane was reported, authorized previously, or ratified, I have this day informed you by telegraph that Sir Bartle Frere's letter of the 14th of September, 1880, to the Administrator of Griqualand West, sending a message to Mankoroane, does not appear to have been reported home, or specially authorized; but in this connection I called your attention to Sir Henry Barkly's speech of the 16th of January, 1877, and Lord Carnarvon's reply of the 20th of February, 1877. I also requested reference to Sir Bartle Frere's despatch of the 14th of January, 1879, reporting Mankoroane's capture, under pressure from us, of Gasibone, Mankoroane's present enemy, who is now employing the freebooters against him."

Sir Hercules Robinson promptly replied to the telegram from Lord Derby, and I should like very much to have seen the identical despatch; but I suppose it is inconvenient to produce it. [Mr. EVELYN ASHLEY: What despatch?] It is a telegram despatched on March 3rd, and described by Sir Hercules Robinson as a telegraphic despatch inquiring whether Sir Bartle Frere's promise to Mankoroane was reported, authorized, or ratified. Sir Henry Barkly's despatch of 1877 to Lord Carnarvon was one in which he expressly asked whether any assurance was to be given to Mankoroane, and there was a reply to that despatch by Lord Carnarvon. Lord Derby further referred to another despatch of Sir Bartle Frere, and an inquiry was made by the High Commissioner whether the text of the material part of Sir Bartle Frere's letter of the 14th of September, 1880, should be sent to Lord Derby. So much for the attempt of the Government to get out of their obligations. Then, about the time the debate came on in this House, the Government appear to have formed the idea embodied in the Resolution which has stood on the Papers of this House during the whole of the Session, that they should make provision for these Chiefs in the Cape Territory; and in the telegram sent out on the 13th of March, asking the High Commissioner if that proposal was acceptable to the Cape Government, the Cape Colony replied that they had no means of providing either for the Chiefs or their Tribes. It was quite evident that Sir Hercules Robinson looked for provision for the Tribes as well as for the Chiefs, and Sir Hercules Robinson pointed out that the Cape Government had no power to provide land for so large a number of persons; and, finally, finding no other outlet, this disgraceful Resolution of the Government was at last announced in a telegram, which was to be communicated to these two loyal Chiefs. These are the words in which the Resolution of the Government was announced—

> "Tell Mankoroane Her Majesty's Government cannot intervene by force for his protection; but will consider, in the event of either he or Montsioa being driven out of their country, what assistance can be given them."

The Government of Great Britain, in fact, confesses its impotence to interfere by force for the protection of its Allies whom it had pledged itself to assist; but if they got worsted, and driven out of their country, then this heroic Government would consider what assistance could be given to them. Now, I consider that a most disgraceful Resolution. It was ultimately communicated to these Chiefs on the 11th of April. Let me now ask the Government to consider what has been done in Bechuanaland under the Transvaal Convention and under the administration of this Officer for whom they now ask us to vote a salary. They have allowed the Boers of the Transvaal State to establish what the High Commissioner himself calls "two robber Republics;" and there is ample information that the officials of the Government have been taking part in these operations. There is the evidence of Colonel Ferreria, who was sent down as a Boundary Commissioner in league with the Administrator of Stellaland; and there is information that the supplies furnished to these marauders came from the Transvaal Government. Part of the ammunition appears to have belonged to the Gatling guns at Potchefstroom. The Transvaal Government entered into an engagement to restore the ammunition and guns, and this very ammunition found its way into the hands of the marauders, and was used against Montsioa. The names of persons belonging to the Transvaal State were over and over again supplied to the Transvaal Government, and documents sent by Mankoroane were submitted by the British Resident to the Transvaal Government which contained the names of a number of Transvaal officials who had been engaged in these depredations. Let me give an example. At page 69 of the Blue Book there is a sworn declaration made by a person whose name is, of course, omitted, because it would be only to subject the writer to the vengeance of the Transvaal Government if the name were given. At page 69 there is a sworn declaration, in which a distinct account is given of the mode in which the ammunition was supplied to these volunteers, together with a list of the Transvaal burghers with landed property who were David Mason's "Volunteers;" and the writer says he knows the whole of them personally. He gives the names and districts, and amongst them will be found the name of—

"Jacobus De Beer, Commandant of the Bloemhof district, joined while holding the above appointment, which he still holds. He has three substitutes."

Which means that he has three other persons in his pay. Then we have the name of

"Piet de la Rey, a Member of the Volksraad, and two substitutes."

And there were actually persons from Pretoria—

"Hendrick Grobelar, four substitutes; Jacobus Smit, one substitute; Hendrick Smit; Colonel Ferreira, C.M., Special Commissioner at present by appointment of the Transvaal Government for its South-Western Border, nine substitutes."

Thus, you have a Commander of one of your own Orders, and a Special Commissioner by appointment of the Transvaal Government, whose name is included in this sworn declaration as having been engaged with nine substitutes against the Native Tribes under our protection. The Transvaal Government, no doubt, deny these charges. Ultimately, after a considerable lapse of time, the British Resident called the attention of the Transvaal Government to the matter, and asked them to remove Colonel Ferreira. The Transvaal Government did not venture to deny the particulars of the accusations made to them; but they expressed extreme astonishment at what they heard, and proposed to make further inquiries. Finally, when all these things have been going on for a considerable time, Her Majesty's Government yield to the suggestion of the Transvaal Government that the only course in the present state of things is to let them have their own way, and allow them to annex these territories to the Transvaal, because the matter is almost beyond the control of the Government now. The Transvaal Government have never ceased to write letters to the Resident asking for the annexation of these territories; and on the 1st of May they finally ask the Resident to cablegram to the Home Government their desire to have them. The Resident declined to incur the expense of a cablegram, thinking that would not do at all in a matter of this kind; but, although he does not like to incur the expense of a cablegram, Mr. Hudson says—

"Have long representations from the Transvaal Government urging again sanction of Her Majesty's Government to their direct intervention at once beyond the South-Western Borders; they also urge me to send their representations by cablegram to England. Have replied that I did not feel at liberty to incur such great expense, and think it less necessary, in view of late announcement by Lord Derby, as telegraphed, that Her Majesty's Government is prepared to consider subject of modification of Convention. That I would, however, inquire by wire whether your Excellency has yet received any intimation of the nature of any proposed modification, especially in regard to the South-Western Border."

The statement made by the Resident almost amounted to a promise that the application of the Transvaal Government should be favourably considered. When that came to the knowledge of Lord Derby, Lord Derby wrote to approve of his action; so that Mr. Hudson, having virtually promised that the Boundaries of the Transvaal State should be extended over Bechuanaland, Lord Derby approved of it, although he refused subsequently to ratify that promise. I think that I have now made out my case, and that I have said enough to prove that this Office of Resident, and the expenses of the Office, are absolutely useless for the protection of British subjects, or for the protection of the Natives outside the Transvaal State, whom we are bound to protect. It does seem to me, that when the honour and credit of the country are involved in such a matter, it is something like bathos to say the question is one of mere finance; and I confess that I should not like to make a Motion for the reduction of the Vote by so paltry a sum as this officer's salary, if, unfortunately, the Government had not acted in such a manner as to prevent me from taking any other course. But, as the action of the Government has prevented the sense of the House from being taken in any other way upon this Transvaal Convention, I invite the Members of the Committee to follow me into the Lobby for the purpose of protesting against so useless and so ignominious an Office as that of British Resident in the Transvaal State.

Motion made, and Question proposed,

"That a sum, not exceeding £7,105 (including a Supplementary sum of £3,808), be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for certain Charges connected with the Orange River Territory, the Transvaal, Zululand, and the Island of St. Helena."—(*Mr. Gorst.*)

Mr. W. E. FORSTER: The statement which the hon. and learned Member has made is so clear, that it will not be my duty to detain the Committee long. I do not see how we can avoid this discussion, although, no doubt, it would have been more convenient if we could have had a debate on a definite subject. It was absolutely necessary that the House should have an opportunity of expressing its opinion, and that we should know the present opinion of the Government before Parliament separates, especially in view of the fact that a deputation is coming from the Transvaal Government, at the invitation of Her Majesty's Government, asking the Government to reconsider the Convention, or to make inquiry into its working. These are the terms used in the telegram which has been given to us. Probably any attempt that is made to settle the question must be made before Parliament meets again. Now, I am unable to vote for the Motion of the hon. and learned Member for Chatham, and I do not know whether he intends to go to a Division upon it. The reason I cannot vote for it is that, although I think it is most abundantly proved that the Resident is not of much use in the present circumstances, nevertheless, the Convention was established by the Government as the sole mode in which they thought the interests of the Natives could be protected, and our obligations to them fulfilled; and I am not disposed to support the cancelling of it without knowing what is to be put in its place. What I wish to do—and I hope to speak with as much moderation as it is possible for me to speak with when I feel so strongly in the matter—what I wish to do is to press most earnestly on the Government, and especially on my right hon. Friend, that the cancelling of this Convention will not cancel our obligations to the Natives, either in the Transvaal or out of it. I have just one word to say with regard to the Natives of the Transvaal. After the facts which have been given by the hon. and learned Member for Chatham, I need not dwell upon that matter at any length; but I must make allusion to one remark of my hon. Friend the Under Secretary of State for the Colonies, who has called Mapoch and other Chiefs, "Native rebels." Upon the most purely technical definition of the term "rebel," perhaps this man Mapoch may be called a rebel; but it seems to me to be a straining of the term beyond anything that is necessary. What is the position of this man? He has never paid taxes to the British Government. He has never accepted our Sovereignty, and he has never been conquered by the Transvaal until now. He has never accepted the Transvaal form of government or rule. He is willing to accept our rule; but he has never accepted the Transvaal rule, and I think that he has declared himself unwilling to accept their rule. I did not expect to find that the Cape Government lent the cannon at the instigation of our Representative in the Transvaal; I think certainly that that was a matter in which the Resident ought not to have engaged; but it appears that he did so, and I have reason to believe that the Cape Government had no hesitation about lending the cannon, because they supposed that the request of our Resident was approved by the Government at home. However, thanks to the cannon and the dynamite, the Chief is now conquered; and, perhaps, if he attempts any forcible resistance hereafter, he may be called a rebel. But I think, whether the Convention be cancelled or not, it is our bounden duty to see what becomes of that man and his people, and to find out how far it is or is not true that this Tribe is being broken up—which means that the people are driven from their land without their cattle; that they are not merely beaten in battle, but that their means of subsistence is taken away from them. We should find out the truth of this matter, and ascertain whether there is any chance of their preservation in the future. With regard to the Bechuana Tribes, perhaps the Committee will recollect the position in which this matter was left when the question was debated in April last. I think it was admitted on that occasion that the Tribes were despoiled; that they were unjustly deprived—in other words, robbed—of their means of subsistence. There was some question as to how far the Transvaal Government were responsible at the time; but I do not wish to deal with that, because our business is with the present and the future of this people, and, having regard to the honour of England, on looking back, I think the less said the better. I cannot help remarking that Sir Hercules Robinson remains of the same opinion which he held last year, that the Transvaal Government connived at these freebooting raids. He says, in his despatch of May 26th, which will be found on page 71 of the Blue Book—

> "I think the time has now arrived when a decision, whether the Convention is to be insisted on or abandoned, can be no longer delayed; and the policy which may be decided upon in this respect will govern the reply to be given to the application which the Transvaal Government have again advanced to be allowed to annex to the State the territory which has been so unjustly seized upon by the freebooters, whose proceedings the Transvaal Government have throughout connived at."

Notwithstanding the differenceof opinion which existed as to how far we were bound to those Tribes, there was an agreement; and I think it was admitted by all the Members of the Government who spoke on the occasion I have referred to, that some obligation rested upon us with regard to them. Although the line of protection was considered to be too costly, I think there is proof that the cost was over-estimated. The plan of the Government was, as stated by Lord Derby in "another place," to compensate the Chiefs in some measure by land or money. The Under Secretary of State for the Colonies spoke of small pensions to the Chiefs. I venture to doubt whether the plan of compensation will succeed, because either that compensation must be given to the Tribes as well as to the Chiefs, in which case a large amount of land would have to be found, and in order to get a sufficient area of unpeopled land we should have to search throughout the whole of the Cape Colony; or, if the people were not to be put in a better position as well as the Chiefs, then I say we should not be fulfilling our obligation to them. I must refer the Committee, for one moment, to the despatch of Sir Hercules Robinson, of March 19th, 1883, in which he encloses a copy of the Minute which he had addressed to the Cape Ministers on this subject; and it is worthy of remark that in this despatch Sir Hercules Robinson evidently supposes that the people were to be located on British territory as well as the Chiefs. He says, alluding to a copy of a telegram received from the Secretary of State—

> "The Governor transmits, herewith, for the consideration of Ministers, a copy of a telegram which he has received from the Secretary of State, stating that Her Majesty's Governnment, admitting that the Chiefs Montsioa and Mankoroane have special claims through former services and promises, are willing to give them and others moderate allowances, if, when driven out of their country, they can be located in British territory. The Governor will be glad to learn from Ministers whether there is any available land within the limits of this Colony on which these unfortunate Chiefs and their people can be located."

There is a reply from the Cape Ministers to Sir Hercules Robinson, which says—

> "In acknowledging His Excellency the Governor's Minute of the 14th instant, covering a copy of a telegram from the right hon. the Secretary of State for the Colonies, inquiring whether the Chiefs Mankoroane and Montsioa can be located on British territory, Ministers have the honour to point out that the public lands of the Colony cannot, save with the assent of Parliament, be alienated in any other way than that prescribed by the Land Laws. Even if there were no other obstacles Ministers do not think that a suitable tract of country, within the Colony, could be found for the purpose suggested in His Excellency's Minute, and the pressing nature of the responsibilities in connection with Native affairs, for which the Colony is already liable, precludes them from entertaining any project, the effect of which would be to increase such responsibilities."

From this, it is clear that Sir Hercules Robinson thought the people were included. The despatch came to hand on the 13th of April last, and, from the speech made on the occasion to which I am referring, by the President of the Board of Trade, it makes me think that it could not have been read by him, because he expressed his opinion that it was quite impossible to do anything for the people. He said we were bound to do all we reasonably could to compensate the Chiefs, either in land or money, but not the Tribes at large. The right hon. Gentleman gave reasons in support of the view which he held; one was that we had given no pledge to the people, and the other was that the people would not be any the worse off by coming under the rule of the Boers. Sir, I believe that to be an absolute misconception. The right hon. Gentleman spoke of the matter as if it were merely a change of masters, in the same way as the government of a European State might be transferred from one great Power to another. But I think my right hon. Friend will find, if he inquires of any person practically connected with affairs at the Cape, that it is not merely a question of handing over the allegiance of the Bechuanas, in the sense I have described, but that it is a question of their means of living after their farms have been taken from them. It has been pointed out that one Chief complained that 70 per cent of his pasture land and 95 per cent of his plough land had been taken from him, and that 1,300 farms were distributed by lot amongst the freebooters. Therefore, I say that the Government has to deal with the obligation we are under, not merely to the Chiefs, but to the entire people, who depended upon what we might do for their means of future subsistence. However, I believe an offer was made to the people; we have not the full particulars of it, but I imagine it was made in that telegram to which the hon. and learned Member for Chatham has alluded, in which the noble Lord the Secretary of State for the Colonies gave instructions that Mankoroane was to be told that we could not intervene for his protection, and asked what assistance could be given. Well, I suppose that was an offer of compensation; and I ask the Committee to listen to Mankoroane's reply, which, I think, does that savage credit. It will be found on page 68. Mankoroane says—

> "I have had the honour to receive the message sent to me through Captain Stewart, Civil Commissioner of Barkly, by Her Majesty's Government, but beg to point out to your Excellency that, if Her Majesty's Government delays its assistance until such time as Montsioa and I are driven out of our countries, our people will by that time have been almost exterminated, and the survivors enslaved by the Boers, for we are determined not to desert our subjects, and to defend our just rights against Boer rapacity to the last."

That is just the answer I should have expected from what I learned from well-informed men, travellers and missionaries, who told me that the Chiefs would scout the idea of compensation, and of being located away from their own country. That was the plan of compensation suggested when the matter was last debated in this House; and I think it must be admitted that it has failed, because there is no land available for the people, and the Chiefs themselves will not desert their subjects. But there was another plan suggested, and that was combination amongst the Chiefs. It was a very difficult thing to suggest, because, no doubt, there would be a considerable outcry, if the combination took place, that the Home Government, or, at any rate, the Cape Government, ought to assist the Europeans against the Natives. The Under Secretary of State for the Colonies asked whether, if these Chiefs were united, anyone would suppose that the Boers, armed as they were, would be able to carry out their freebooting invasions? It appears by the Blue Book that there has been an attempt at combination. I observe that a Mr. Bethell, who seems to be a man of considerable ability and energy, has been trying to get the Chiefs to unite. I mention that fact, because I trust that if they do combine, in accordance with the suggestion I have referred to, the Government will not prevent their having a chance of success, although certainly what we read in the Blue Book shows that we are doing all we can to prevent it. Mr. Bethell, in one of his letters, said they wanted ammunition, and he earnestly asked that it might be forwarded. I have no doubt that the reply will be that the rules of the Cape Government cannot be broken, and that the ammunition cannot be sent. We must not, on the one hand, call upon the Natives to combine, and then complain of them, or sneer at them, if they do not succeed under such circumstances as these. It will, however, be a very difficult matter to effect, and I think it would be much better if the Government themselves would take it in hand, because it cannot be denied that there is some force in what Sir Hercules Robinson says—namely, that—

> "If it is necessary on grounds of public policy to insist upon the Natives on their borders being kept without arms, it is at the same time the bounden duty of a civilized Government to prevent, if necessary, by force their own armed citizens taking advantage of the defenceless condition of the Natives to despoil them of their lands."

But why do I trouble the Committee with these accounts? After all, there are only between 25,000, and 30,000 of these people; and it may be asked why we should take so much notice of them? But, besides other considerations, the question of humanity is involved in this matter; and if hon. Members doubt that I will refer them to page 29 of Mr. Campbell Johnston'sReport, where they will find that in one struggle which took place women were shot down, and that for hours together there was firing at the people, and that those who finally surrendered were shot, whether armed or unarmed. It may be asked, what have we to do with this among the many cruel things that are done in the world? I think my hon. Friend alluded to this struggle as a hopeless tribal war; but I must confirm what has been stated by the hon. and learned Member for Chatham (Mr. Gorst), that we are specially bound to help these people, because they are Allies who have helped us in the hour of need. When we were hard pressed, when, in fact, we were beaten, we called upon them to protect our refugees at great cost to themselves, and they did it. We have abundant confirmation of that statement in the despatch referred to by the hon. and learned Gentleman, and I am surprised that, if the Government knew what had taken place, we did not hear more about it at the time. In one despatch Sir Hercules Robinson gave proof of the assistance afforded us by Mankoroane, where he said that to aid us this Chief, at the pressure of the British Government, had arrested another Chief whom the Boers had made use of. The real question is, what are we to do with regard to this Tribe? The Convention has to be reconsidered; and my object in bringing this sad story before the Committee and the Government is not for the purpose of finding fault with what the Government have done, but to remind them of what I believe to be their duty in the future. They have to reconsider this Convention, but they must not forget their obligations; and let me remark that, in considering those obligations, I hope they will not over-estimate the cost of fulfilling them. I think there is abundant proof that the cost has been exaggerated. From all the information I could get, I came to the conclusion at the time that it would not be a very costly business either in men or money. It was suggested that the minimum force necessary would be 2,000 men; an occupation of years was spoken of, and millions of money were hinted at as the probable expense. But Sir Hercules Robinson says that 500 mounted police would be sufficient to clear the country, that if 100 police remained there for 12 months matters would have settled down, and that the cost would not be above £100,000. The Government had, of course, a perfect right to look at the cost of this undertaking; but I am surprised at one thing—namely, that on the page before that which contains Lord Derby's reply acknowledging the estimate of Sir Hercules Robinson, there is a copy of a letter from the noble Lord to the Aborigines' Protection Society, which says—

> "I am directed by the Earl of Derby to acknowledge the receipt of your letter of the 16th instant, enclosing copies of letters addressed to the Rev. John Mackenzie from the Chief Mankoroane and from a Native teacher at Taungs. These letters had been already brought under Lord Derby's notice by Mr. Mackenzie, and have received his Lordship's careful consideration. There appears to be no reason for hoping that any substantial relief could be given to Mankoroane and other Natives in this country except by military operations on a considerable scale, followed by the permanent occupation and protection of the territory."

The Government may be right, and Sir Hercules Robinson may be wrong; but if, as the Under Secretary says, he is wrong, it is a most extraordinary thing that he should be retained as Governor of the Cape Colony. There is no doubt whatever that the delay which has taken place has made the matter much worse and more difficult of settlement in this way—that the freebooting may be said to have reached its second stage. The first party of freebooters who drove the people away might have been easily disposed of; but they have sold their stolen goods, and they have let in another class of people who have some sort of right to the soil, having paid money for it to these robbers. Notwithstanding this increased difficulty, I think we should still see whether we cannot fulfil our duty, and whether, in the interests of the people and on the principle of economy, it would not be right and much easier to do so at once. I will not trouble the Committee with any more general remarks; but I think what has taken place is a lesson to us that no policy can succeed at the Cape which is not firm and consistent, and that we must make up our minds either to leave the country or, if we remain there, to fulfil our duties. I do not believe for one moment that public opinion in England, or that the interest of England, will admit of our leaving the Cape, although I believe there are some Gentlemen who advocate even that course. This thing is positively certain—that we cannot get that country governed without governing it, and we shall have to choose first or last—and it would be much better first than last, and much less costly—we shall have to choose between leaving matters as they were, and leaving the country. Above all, we must not leave the Native question in the hope that it will settle itself. It will not settle itself, and we shall be driven to the conclusion either to allow the English name to be stained by one act after another, of which we could hardly bear to hear, or to assert our supremacy. I am perfectly well aware of the difficulties of the position. They are very great—I do not want to enter into the past—but they must be met; and I do not know that I can do better than conclude my remarks by referring my right hon. Friend (Mr. Gladstone) to the remarks he made two years ago. That was a time when these South African affairs were in a state of great crisis. We had defeated the Boers—I mean the Boers had defeated us, although we had a large force with which we might have defeated them. I will not go into that question now. I never was one of those who thought it better to carry on war merely to re-assert our prestige; but I did suppose that, if we gave the Boers to understand that we would not carry on war for that purpose. yet we should, at the same time, make them understand that there were matters of injustice and wrong which we would not allow them to do. That was, to my great comfort, the notion of the Government, and, above all, of my right hon. Friend. I will conclnde by reading his words, because I do not know anything with which I more thoroughly agree, and I do not think the time is past when they may be carried into practice. These remarks were made at a large meeting in Leeds—

> "You may now perhaps better understand that what we attempted was to do equal justice, and in attempting to grant that justice to the Dutch population which we thought our Predecessors withheld, we never for a moment forgot what was due to other considerations—to the rights of the Native Tribes and the general peace of South Africa; and those men are mistaken, if such there be, who judge that our liberal concessions were the result of weakness or timidity, and who think that because we granted much, it was only to encourage them to ask for more. I know not what is to happen—I hope the Convention is shortly to be ratified—but this I can tell you. We have not been afraid of reproach at home, as we have not been afraid of calumny in the Colonies, on account of indulgences which it was said we extended to the Boers of the Transvaal; and"—

these are the words to which I desire especially to remind my right hon. Friend—

> "So in what may yet remain to be done we shall recollect and faithfully maintain the interests of the numerous and extended Native populations; but we shall not be the less faithful to the dignity of this great Empire in the conduct of all our proceedings."

Mr. EVELYN ASHLEY: I regret that a speech like this, which would be far more profitably dealt with on large grounds, taking in a particular view of our obligations and our power, should have been applied to following the detailed criticism of isolated passages from a Blue Book. The hon. and learned Member for Chatham (Mr. Gorst), as I understand, moves the reduction of the Vote on the ground that the British Resident in the Transvaal has been useless. I deny that the Resident has been useless. He certainly has not been useless to hon. Gentlemen opposite, for if that position had not been filled they would not have had the materials for the attacks they had freely made on the policy of the Government; but because the British Resident has not been able to do all that he might do, it does not follow that the presence of a British Resident is useless. The hon.

and learned Member for Chatham actually comes seriously here and begins his speech by saying that the presence of the British Resident is useless because a murder has been committed in the Transvaal. In the first place, the murder was not committed in the Transvaal. It was committed outside the Transvaal. Mr. Johnston stated that he did not know whether the spot where the corpses were found was in the Transvaal or not, but it was not very far from the Border. But the story is a very short one. M'Gilvray and his companion had evidently gone up and joined the freebooters. One of the rules of the freebooters' laager is that when a man has joined them he is not to leave them until the campaign is over. M'Gilvray got tired of this and escaped; but he was caught, and irons were put round his neck, and his body was found with the irons round him. Whether M'Gilvray was shot in pursuit, or died of starvation, is not proved; and Lord Granville's statement that there is no evidence of his having been murdered is perfectly consistent with the facts that are known. There is no evidence upon which you can convict anyone of the murder of M'Gilvray.

Mr. GORST: The hon. Member says it was outside the territory; but he does not know whether it was.

Mr. EVELYN ASHLEY: The statement does not say it is in the territory. It is not proved to have been outside the territory; but the laager, of course, was outside the territory, and M'Gilvray was escaping from the laager, and, whether it was inside or outside the territory, it was not within the jurisdiction of the Transvaal. But the next case he quotes is that of Captain Wells. Does the hon. and learned Member mean that every act of violence committed in the Transvaal shows the inutility of the Resident? So far as I make out the story there was a man named Honey, who had been arrested by these freebooters. It appears to me that Wells was one of the men who followed them in order to rescue Honey from their custody, and they turned round and repelled Wells's party by firing shots at them. I may tell the hon. and learned Member that the Resident remonstrated with the Transvaal Government on the conduct of this man—Adrian De La Ray—and asked them to repress him; and, although I cannot state it officially, I have seen it stated in the papers which have recently arrived from that district, that this man has been tried in consequence of the remonstrances of the British Resident, and sentenced to six months' imprisonment for the assault on Wells. So far for those two cases. The only case made out for a want of efficiency on the part of the British Resident is the attack on these men. I recall to the Committee the fact that the letter which the hon. and learned Member quoted, and because of which we forwarded our inquiry, was a letter which stated distinctly, in the words of the informant, that this was an attack made on a body of Boers by certain Natives in a camp. Shots were fired, and some women and children were smoked and burnt. I do not know why the hon. and learned Member drags in the question of the guns supplied by the Cape Government to the Transvaal. With regard to Mapoch, no doubt at one time he was nominally a British subject, but he was not a very peaceful subject. He was called upon to pay the hut tax, but he refused; and when our Resident went to arrange the location of the Tribes he absolutely refused to allow him to carry out that work, or to approach his stronghold. He had, in the meanwhile, taken under his care the murderer of M'Gilvray, and, having refused to allow us to go near his stronghold, he then defied the Transvaal Government altogether. Is the Transvaal Government to have no jurisdiction over anybody at all?

Mr. W. E. FORSTER: What I stated was that he was merely called a Transvaal subject because he was within the map which they chose to draw up.

Mr. EVELYN ASHLEY: I am glad to be able to tell my right hon. Friend that, in consequence of what he asked me the other night, we telegraphed out to the Transvaal Government asking the British Resident to report as to what steps were being taken, or were contemplated, with respect to Mapoch and other Natives, and whether anything was concluded with regard to slavery? The reply we have received is as follows:—

> "Hudson reports the following proceedings are contemplated by Transvaal Government regarding Mapoch's and other tribes: first, general principle of dispersing tribes; secondly, detention for three years, but families not separated; conditions similar to those adopted

by the British Government in the case of Mankaroane."

That was under the late Government, and we have always maintained that it was not slavery. The Boer Government, following our example, are, according to this telegram, about to adopt the conditions which we adopted. I should like to refer the Committee to the Blue Book, where hon. Members will find the whole Correspondence and the conditions with regard to Mankoroane's Tribe. Further than that, we have received a despatch to-day from the Cape, in which it is stated that the Government have sent down a representative to watch the proceedings against the prisoners. I commend the following to the hon. and learned Member who says the British Resident is of no use:—

"I have used my influence, I believe successfully, with the Transvaal Government to have the trial connected with war with Mapoch held before the High Court at Pretoria, instead of before the Council of War."

so that this Resident, who is no use, has obtained this much. [Mr. GORST: Has he succeeded?] He says—"I believe successfully." I venture to say that the indictment brought against the Transvaal Government is destroyed by charging them with things that cannot be brought against them. I venture to say there has been nothing in the war against Mapoch with which you could charge them which would be contrary to the usages of civilized war. Our Representative states that there has been no destruction of women and children, and nothing half so bad; and here you have the Transvaal Government spontaneously sending down, without pressure from the British Resident, an advocate to watch the trial; and, at the request of the British Resident, taking away the trial from the Council of War, and transferring it to a civil tribunal. Of course, there is no duty upon them to watch Mapoch's trial; but my right hon. Friend must be aware that there are difficulties connected with the disposal of these Tribes, when it becomes necessary that they should not be allowed to remain in their strongholds. They must live somewhere; but the difficulties are so great that it has been found absolutely necessary, in order to provide for these people, to give them a choice of employment, and stipulated wages and term of service. The whole thing turns on the condition of the indentures; and we must not be in a hurry to say that the Transvaal Government have violated the Pretoria Convention, or the Sand River Convention, merely because they ostentsibly say what they have always said. The hon. and learned Member for Chatham refers to the telegram on page 31. He made a great point of there being inconsistency here, and asked whether Lord Derby had said that these Chiefs had better make the best terms they could with their enemy? I must take the Committee back for a moment to the 16th page; and, with all respect to the hon. and learned Member, I must confess that I can hardly find words to describe the inaccuracy with which he read the telegram. It is a curious fact that the two Boer gentlemen whom the hon. and learned Member for Chatham has specially selected for attack are the very men who were known as the last of the loyal Boers during the Transvaal War. But I do not understand what argument the hon. and learned Gentleman founded upon that part of his statement. The next thing I have to turn to is the reference of the hon. and learned Gentleman to that long list at the end of the last Blue Book of the officials of the Transvaal, alleged to have been engaged in abetting the freebooters. The hon. and learned Member says that their connivance is quite clear, and that, nevertheless, nothing has been done in the matter. Now, I do not blame him for bringing forward this subject; but I may point out that since this Blue Book has been on the Table of the House we have received from the Transvaal Government a statement of the result of the inquiry made into these charges at the request of the British Resident. They send us very voluminous affidavits, contradicting almost every one of the charges made against the Government of the Transvaal—affidavits on the face of them deserving of as much credit as the statement we have in this Blue Book. Those Papers will be laid upon the Table of the House as soon as possible. At this point I will refer very briefly to what the right hon. Gentleman (Mr. Forster) said with reference to the non-supply of ammunition to the Natives. It must be clear to him that great difficulties stand in the way of supplying them. It is part of the policy of all the States in South Africa not to supply ammunition to the Natives; and, that being so, I do not see that Her Majesty's Government could do in this matter more than they have done. In such a case as this we could not coerce the Cape Government, who have full power to adopt what course they choose. The hon. and learned Member for Chatham was very indignant over a despatch of Lord Derby, and said it was most degrading that the Secretary of State for the Colonies should ask to be informed whether it would be possible to prevent the continuance of supplies to the Boers, and whether representations from Her Majesty's Government upon the subject would be favourably received. Sir, I cannot conceive what constitutes a self-governing Colony in the mind of the hon. and learned Gentleman; but of this I am sure, that if we had written despatches ordering the Cape Government to do this or that, we should have soon heard from them that we were out-stepping our position. Therefore, putting the circumstance together, the charge of the hon. and learned Gentleman is entirely unfounded. I say that the document in question is not a degrading despatch, but such a despatch as any prudent Secretary of State would write who knows how important it is not to arouse the susceptibilities of a free people. But I will ask the attention of the Committee to the despatch of Mr. Bethell to the High Commissioner, on page 99 of the Blue Book, which is as follows:—

> "My permit for Montsioa's country the only one refused. Traders from all other Chiefs received permits. This will so increase rising distrust among Bechuanas of good intentions of Government, that disturbances will be accelerated with freebooters, and feeling will be embittered against Colonial Government, who the Natives have already fancied are opposed to their interests. This has been always opposed by Englishmen living among them, especially since despatch of Earl Kimberley in last year, on subject of ammunition for protection against freebooters. Montsioa's son expresses surprise that their Tribe only are refused permits, as they and Batlapins are attacked by Boers solely for protecting English subjects. I, as Baralong Agent, concur, and protest to Imperial Government against such action, more as expression of Colonial feeling than as of importance as regards ammunition, as that is to be procured at a price from West Coast and Portuguese settlements."

It is to the concluding paragraph of this despatch, which treats the supply of ammunition as merely a matter of price, that I ask the particular attention of the Committee. My right hon. Friend the Member for Bradford (Mr. Forster) has referred to a statement made by me on a former occasion to the effect that if these Natives only co-operated and joined together, they would hold their own against the freebooters. Sir, I am happy to say, that recent occurrences are a guarantee of the truth of that remark; and when the right hon. Gentleman says that we ought to intervene and put our police into the territory of the Bechuanas, I cannot help thinking how much more mischief would have been done, and in how much worse a position those people would have been, if we had listened to the proposal that was pressed upon us. The position of affairs now is that the freebooters are hemmed in by the Native forces, that the Chief is advancing against them at the head of 2,000 men, and that a Petition for annexation by the Cape Colony has been signed without opposition in the Republic of Stellaland. The telegram conveying that information arrived at Cape Town on the 13th of July, and only reached the Colonial Office to-day; the delay which has occurred in its transmission I regret I am unable to explain. In arriving at their conclusion upon this matter the question of cost was regarded by Her Majesty's Government as of minor importance, and was really not taken into consideration. The consideration which influenced Her Majesty's Government was that by intervening they would be assuming a responsibility which would lead to further difficulty. With regard to the estimate of £100,000, I would point out that it was based upon the assumption that we should enter the territory of the Bechuanas and leave it immediately the freebooters were displaced; but our view of the case was that directly we retired we should have to face the same state of things over again. I will conclude by saying that, after all that has occurred, I deny that a British Resident is useless at Pretoria; and, further, I maintain that a Resident or a representative of Her Majesty—by whatever appellation he is described—is necessary for us; and if we are to call upon the Transvaal Government to discharge their obligations, we must have someone at Pretoria to inform us of what is going on. In view of the fact that three Representatives of the Transvaal Government are coming over here at the end of October, it cannot be said that the re-opening of the question of the Convention has proceeded from Her Majesty's Government. It has proceeded from the Transvaal Government; and it is only bare justice to say that from the beginning the Government of the Transvaal have expressed their desire to wait until they had some experience of the Convention, and then approach Her Majesty's Government, if necessary, and ask them to reconsider the position. Mr. Kruger, the President of the Republic; Dr. Toit, the Minister of Education; and General Schmidt, are the three Representatives to whom I have alluded. I have no right to speak with authority as to the view which Her Majesty's Government will take when the wishes of the Transvaal Government are laid before them; but I am warranted in saying that the condition of the Natives of the Transvaal will not be forgotten by Her Majesty's Government at that time. I deny entirely that the Natives in the Transvaal have not gained greatly by the Pretoria Convention; and I would point out to the Committee that every case of cruelty that has been attributed by the hon. and learned Gentleman to the Boers, has occurred outside their territory. With regard to slavery, I am quite sure the Transvaal Government do not wish it to be restored in their country. I believe them to be perfectly honest in their declarations upon this subject made through their President when he was over here some time ago. The question was then dealt with very completely by President Kruger, who pointed out that, although, undoubtedly, some years ago there had been slavery in the Transvaal, it was dying out. But however that may be, however loose and ineffective may be the Transvaal Government, and notwithstanding the abuses which may be found to exist under it, I am certain that the Natives in the Transvaal have gained, and will continue to gain, by the existence of the Convention of Pretoria.

SIR MICHAEL HICKS-BEACH said, the Under Secretary of State for the Colonies had taken his hon. and learned Friend the Member for Chatham warmly to task for what he had styled his inaccuracy in quoting the Blue Books. He (Sir Michael Hicks-Beach) did not think he ever heard Blue Books more fairly analyzed than those had been by his hon. and learned Friend; and if the Under Secretary of State had considered the number of efforts they had made to obtain a fair discussion of the whole question at the hands of Her Majesty's Government, and how those efforts had been thwarted, he (Sir Michael Hicks-Beach) believed the hon. Gentleman would not have commented so severely on the course taken by his hon. and learned Friend in raising this question that night. The Under Secretary of State for the Colonies referred, in the course of his reply, to those murders with the account of which the hon. and learned Member for Chatham commenced his speech. He (Sir Michael Hicks-Beach) was surprised when he heard him speak of the Resident as having completely done his duty, when he found that the latest intelligence which Her Majesty's Government possessed with regard to those murders was contained in a newspaper telegram. He could not think that the hon. Gentleman fairly dealt with the position of Mapoch. No doubt, that Chief and his Tribe were included within the limits of the Transvaal, and were technically subjects of the Transvaal Government; but whose fault was that? It was the fault of Her Majesty's Government and the Commissioners they sent out to South Africa, who placed this Chieftain and his Tribe and hundreds of thousands of other Natives under the authority of the Transvaal Government, notwithstanding that they strongly stated their dislike and hatred to the Boers and their government. He was surprised to hear the Under Secretary of State for the Colonies say that the action of the Transvaal Government with reference to Mapoch had been justified, because, in his opinion, Mapoch had never paid taxes to Her Majesty's Government; and all he (Sir Michael Hicks-Beach) would say on that point was, that if the hon. Gentleman was right, it proved that there was less reason than ever for that decision to include this terriory in the Transvaal, which had been the primary cause of the difficulty. He must say he thought the Committee had been hardly treated that evening by the way in which more than one important piece of information had been conveyed to it by the Under Secretary. The hon. Gentleman had read a telegram stating that it was not a fact that the Mapoch Tribe was indentured for five years, but that it had been indentured for three years, the families not being separated. He would not take up the time of the Committee by entering into this question of indenturing further than to say that it had been the practice of Colonial Governments, as well as of more or less independent States, to indenture the Native Tribes whom they had conquered in war. But he did not think the Under Secretary fairly stated the case, when he referred to the action of the last Administration in a matter of this kind. He had not, since the remarks of the hon. Gentleman were made, had time to refer to the case of the particular Tribe adverted to; but he had a most distinct recollection that when the Cape Government, during the time he was at the Colonial Office, indentured the members of some Tribes which they had conquered, for a period of three years, he at once wrote in strong and plain terms, requesting that the period of indenture should be altered to one year. With reference to the present case, then, he would suggest that Her Majesty's Government should take his view, which, he ventured to say, was right—namely, that the indenture should be for as short a period as possible, and that they should impress upon the Transvaal Government that the term of three years should be reduced to one. Before passing to those matters of larger importance to which the Under Secretary referred in the course of his statement, he wished to express his conviction that the hon. and learned Member for Chatham had not raised this question that night on a Motion for the reduction of the Vote by the amount of the salary of the Resident, from any feeling that the Resident had not to the best of his power endeavoured to do his duty. As he (Sir Michael Hicks-Beach) understood it, the ground on which that Motion had been placed before the Committee was that, whatever the Resident might have done, or whatever he might have attempted to do, his office had been practically useless, because his remonstrances had not been attended to by the Transvaal Government. He would now turn to the question of the way in which the Transvaal Government, and even the freebooters, had been provided with arms to be used against the Natives, while the Natives themselves had been precluded from obtaining them. He quite admitted the accuracy of much that had fallen from the Under Secretary of State for the Colonies respecting the difficulties which attended the free supply of arms to Natives. The reason of that was obvious, and it was nowhere more fairly stated than by Sir Hercules Robinson in the despatch which the right hon. Member for Bradford (Mr. Forster) had quoted in the course of the debate. He thought Sir Hercules Robinson was fully justified by the facts of the case in saying—

> "If it is necessary, on grounds of public policy, to insist upon Natives in their own borders being kept without arms, it is, at the same time, the bounden duty of a civilized Government to prevent, if necessary by force, their own armed citizens taking advantage of the defenceless condition of the Natives to despoil them of their lands and cattle."

It did not seem to him, from a perusal of the Blue Books, that there had been any really strong representation made by Her Majesty's Government to the Government of the Transvaal on this subject. He was quite aware of the rights of a self-governing Colony; but Natal, at any rate, was not a self-governing Colony, and when he saw, as they had all seen during the last few months, arms supplied to the freebooters, not only without any attempt to check their supply, but actually with the connivance of the Government of the Transvaal, he must say he did not think Her Majesty's Government had shown quite that conception of the necessity and justice of the case which Lord Derby informed Her Majesty's Representative at the Cape so widely prevailed in this country. The Under Secretary for the Colonies went on to allude to a combination among the Bechuana Tribes for their own defence against the common enemy, as the freebooters were considered, and the hon. Gentleman had referred to it almost in tones of delight, as if it was one of the best things that could happen in South Africa. Now, he (Sir Michael Hicks-Beach) ventured to say that nothing could be more dangerous to the White population of South Africa than to encourage the Natives to defend themselves by such a combination against their White neighbours. The Under Secretary stated that the Natives looked upon the White freebooters as their common enemy. No doubt they did so, and ever would do so; but it could never be forgotten, in dealing with South African affairs, that for generations past there had been these perpetual Border conflicts between the Whites and the Native Tribes; and if there was once any general combination among the Native Tribes of South Africa against the White men, he ventured to say that such a result would tax far more heavily the responsibility and power of this country to defend the settlers in South Africa than anything that could occur under present circumstances. The last remarks of the Under Secretary appeared to him to be by far the most important part of his speech. After all, they were not concerned so much that evening in discussing the past; it was not even necessary that they should discuss the present; but what the country was anxious to know was, what the intentions of Her Majesty's Government were in the future in regard to the revision of the Convention? It had been practically admitted in the debates which had taken place in the course of the Session that, to use the words of the President of the Board of Trade, the Transvaal Government had broken both the spirit and the letter of the Convention. It had been admitted that the Bechuanaland Chiefs had been attacked, despoiled, and plundered, at any rate, with the connivance of the Transvaal Government, and that these Chiefs, in the words of Lord Derby, had special claims on the Government of this country through former promises of protection. That was the position we had arrived at; and the question naturally asked was, what Her Majesty's Government proposed to do? What happened during the last discussion in the House of Commons on this subject? The Prime Minister came down to the House and announced his intention of moving a Resolution, which he must say, although he did not wish to make use of any offensive term, appeared to him to be one of the meanest propositions ever made by a British Government. The right hon. Gentleman proposed to ask the House to express its trust that Her Majesty's Government would make adequate provision for any Chief who might have just claims upon them, and suggested that this might be done by locating any such Chief in British territory. That proposal was further elaborated and interpreted by the despatch from the Colonial Secretary proposing to Sir Hercules Robinson that Her Majesty's Government should give all these Chiefs and others a moderate allowance if, when they were driven out of their country, they should settle in British territory. Although that proposal was suggested by the Prime Minister, and although at the time it was suggested the right hon. Gentleman stated it was desirable that the House should express an opinion on the subject, Her Majesty's Government had never dared to submit it to the House. Although they had been challenged to do this by himself (Sir Michael Hicks-Beach), over and over again, or to take the judgment of the House in any other way upon their Transvaal policy, Her Majesty's Government had never ventured to do so; and why? Because he believed that proposal would have been scouted by the House, as it deserved to be. Instead, they had withdrawn it, and had made a proposal, very likely in consequence of some suggestions from the Transvaal Government, that there should be a revision of the Convention. Now, what was it that the Transvaal Government meant by a revision of the Convention? The Transvaal Government had never accepted the Convention as imposing upon their actions the smallest restriction, except so far as suited their convenience. When the Volksraad, in 1881, accepted the terms of the Convention, they asked, in the first place, for such modifications as would have altered the conditions of the Convention, and made it an instrument establishing the independence of the Transvaal. When they at last accepted it as it stood, they did so simply, to use their own words, subject to a practical test; and they immediately proceeded to test it. How did they test it? They tested it, as he could prove from the Blue Books, by omitting, in every instance, to carry out its provisions where those provisions caused them the slightest inconvenience. They had as little regard for their financial obligations as for the stipulations to which they had agreed with respect to the Native Tribes. In the Blue Book last published they set forth one of the most audacious statements that could possibly be made. Although they admitted their debt to this country, and their liability to pay the £100,000 which, according to the Convention, ought to have been paid a year ago, they trumped up an audacious counter - claim of £170,000—a claim, to use the words of Lord Derby, so absurd that it could never have been made seriously with any idea that it would be allowed. It was, therefore, clear what the Transvaal Government intended by the revision of the Convention—namely, that it was to be so altered in its terms as to recognize their independence. He wanted to know how Her Majesty's Government would interpret it when they were dealing with the Representatives of the Transvaal who were coming over to this country? Would they adhere to the interpretation given to Parliament when the Convention was made, and see that the solemn promises made by Sir Hercules Robinson to secure the interests of the Natives, whom we were bound to protect, were kept? Those solemn promises were that the Native interests would never be forgotten by us as their former Governors, or by our Representatives in South Africa. In accepting the ratification of the Convention by the Volksraad of the Transvaal, Lord Kimberley, who was then the Colonial Secretary, said that Her Majesty's Government would not entertain any proposal for the modification of the Convention, unless, after it had been ratified, the necessity for further concessions were proved by experience. He had never understood the meaning of those last words, for there was an expression used at that time by a distinguished Member of Her Majesty's Government—he thought the President of the Board of Trade—that everything had been conceded in the Convention which could, in honour, be given. If that were so, he did not see how any further concession could be made. And yet he fully recognized that the Convention might require alteration. Nothing could be worse than a Convention which one side repudiated in practice, and the other did not attempt to enforce, and which only held out false hopes to the Natives, without protecting the interests which it purported to protect. Therefore, he was glad that the Convention would be reconsidered, with a view to its alteration; but what he hoped was that Her Majesty's Government, in considering what the alterations were to be, would not make concessions to those whose wrong-doing had prevented it from working. It would be a very bad thing to put a premium upon freebooting in South Africa by allowing the establishment of these independent Republics, as they called themselves, of Stellaland or Goshen; but it would be even worse to encourage the Transvaal Government in a system of wrong-doing in attempting, directly or indirectly, to extend its boundaries, by allowing them to incorporate within their own territory the land of these Bechuana Chiefs. There had been a suggestion made to the Government of the Cape Colony, which suggestion appeared to have been most favourably received according to the Under Secretary of State for the Colonies, not only by the Chiefs Mankoroane and Montsioa and the Natives of their district, but also by these very freebooters who had attempted to establish the Republics, and now found themselves in some little difficulty in regard to the matter—namely, that the country should be annexed by the Cape Colony, or placed under its Protectorate. That seemed to him to afford one ray of light in this unfortunate question. He trusted that Her Majesty's Government would do their best to secure the consent of the Government of Cape Colony to that proposal to annex the territory, or to place it under the protection of the Cape Government. He felt that the responsibilities we had incurred towards the inhabitants of those regions, as stated by the right hon. Gentleman the Member for Bradford (Mr. Forster), could not be cancelled by the mere cancelling of the Convention, and he saw no other way in which they could be satisfactorily fulfilled. He could well conceive that the obligations of this country under the terms of the Convention, in regard to the powerful Tribes to the North of the Transvaal, might be such as were practically impossible for this country to carry out, and which neither any question of good faith or of interest would make it incumbent upon this country to retain. If that were so, he could conceive that the Convention might well be revised in those respects. But he must venture again to impress most strongly upon Her Majesty's Government the hope that they would not concede, in the revision of the Convention, anything to the wrong-doers, so as to practically secure them in the enjoyment of the wrong they had done. He did not believe that this country would be relieved from any of the responsibilities which they had recently recognized in the action they had taken in Basutoland, or that anything would be done to secure permanent peace in South Africa by such a course of conduct as that. They might depend upon it that the Africander Party in South Africa were no more to be conciliated by action of this kind, or by concession, than was another Party who lived far nearer to Great Britain. What the Government ought to do was to recognize the obligations which had been incurred, and carry out those obligations in concert with the Cape Government, as he believed it was possible to carry them out. In that way, and in that way only, could they hope to extricate this country from the shame and disgrace which had so far attended their policy and action in South Africa.

Mr. WODEHOUSE said, the right hon. Gentleman (Sir Michael Hicks-Beach) had expressed a hope that Her Majesty's Government would use their influence with the Cape Government to obtain their consent to the annexation of Bechuanaland to the Cape Colony, or to its being placed under the Protectorate of that Government; but he would point out to the right hon. Gentleman that such a proposal had already been submitted to the Cape Government, and the Prime Minister of the Cape, in reply, said his Government were not prepared to entertain the idea of extending the boundary of the Colony in that quarter. And, indeed, it did not seem at all probable that the Colonial Government would undertake these new responsibilities at a time when it was asking the Imperial Government to release it from the burden of governing the Basutos. Although he was not averse to the suggestion of the right hon. Gentleman, he did not think there was any likelihood of its adoption at the present moment. He agreed with a great deal which had fallen from the right hon. Gentleman, who had spoken with much moderation. He agreed with him that the Transvaal Government would probably evade or violate any engagement which they might find either inconvenient or distasteful to observe. It was undeniable that the Convention had been flagrantly violated. We had as strong a case as could well be imagined for forcible intervention, if we chose to use it; but we had not intervened. We had Native Chiefs with confessedly strong claims upon us now threatened with extermination, partly because they had been our friends, and yet we did not intervene. There was no disguise about the reasons which had induced us to abstain from intervention. We abstained because, in our opinion, intervention would have involved sacrifices greater than we cared to make for the objects concerned. He did not make these remarks by way of taunt or accusation, but simply that we might realize under what conditions Her Majesty's Government would soon be negotiating with the Transvaal Commissioners. He supposed that those Commissioners would ask for complete independence, for a discharge of all their debts to the Imperial Government, and for an extension of territory on their South-Western Frontier, together with the removal of the Resident, or a modification of his functions. Now, in regard to the discharge of the debt, he thought the Government might consent to wipe it off; and in connection with the Suzerainty of this country, he thought we might modify the functions of the Resident, so as to reduce him to the position of a purely diplomatic officer. He trusted, however, that Her Majesty's Government would not sanction any further extension of Transvaal territory on its South-Western Frontier. Then, with respect to the question of the supply of arms and ammunition to the Natives, he hoped that, when the Government were negotiating with the Boer Commissioners, they would consider the expediency of abrogating the Sand River Convention, which precluded us from alliances with Native Chiefs, and from supplying Natives with arms and ammunition. No doubt the Transvaal Government would wish to continue to hold us to those engagements; but if the Imperial Government would not protect the Natives from aggression by freebooters, at least they might refuse to be a party to one-sided engagements, which operated exclusively to the disadvantage of the Natives. The Cape Government lent cannon to the Transvaal Government, and would do nothing to facilitate a supply of arms and ammunition to the Natives; but surely the Imperial Government might be impartial in this matter, and thus encourage the Natives to combine for their own defence. It might be said that the Sand River Convention contained valuable provisions in regard to the prohibition of slavery, and the apprenticeship of Natives; but it appeared, from the statement of the Under Secretary of State for the Colonies, that the practice of apprenticing Natives prevailed in the Tranvaal, and therefore the value of those provisions of the Sand River Convention was questionable. A great deal in the future of South Africa turned on the settlement of the Bechuanaland question. Much of that country was inviting to settlers, and the main roads to the interior passed through it. It was a very serious thing, therefore, to allow it to pass into the hands of the Boers and freebooters. He must say, on the other hand, that it would be imprudent on the part of Her Majesty's Government to undertake a forcible intervention there unless they went in strength, prepared for the contingencies of sharp fighting and a costly occupation of the country afterwards, in which they would never be sure of a cordial support from the Cape Government. They could not count on effective support from that quarter, because a Cape responsible Ministry, dependent for its existence on Dutch votes, was always afraid of wounding Dutch susceptibilities; and it must be remembered that Colonial opinion, as regarded the treatment of Natives, was very different from English opinion. Intervention in Bechuanaland would have been a serious undertaking even a few months ago, and it would certainly not be less serious now. He did not believe that, even if Her Majesty's Government were ready to embark on such a policy, they would be properly supported in it by the public opinion of this country in its present mood and temper. But public opinion in this country was perpetually fluctuating in regard to South African questions. Hot fits succeeded cold fits. One day the British public was captivated by what the President of the Board of Trade called a "crusading enthusiasm," and another day it thought only of extricating itself from these everlasting South African entanglements. In the constant fluctuations of public opinion, the crusaders might have their turn again some day; and if they then made an end of the Transvaal Republic, the interests of civilization and human progress would probably not sustain an irreparable loss. However much we might wish to shake the dust of South Africa off our feet, it was extremely difficult to do so. And he would point out that a policy of complete non-intervention in Bechuanaland would not be strictly consistent in spirit with the present policy of Her Majesty's Government as regarded Basutoland. They were going to take back the Basutos, and the Cape Government would probably press them to take over also all the Transkei territory. He did blame the Government for these proceedings; but, from the point of view of those who wished to get clear of South African entanglements, taking back the Basutos was a retrograde step. Lord Derby's disclaimer of permanent responsibility for the affairs of Basutoland was not worth the paper upon which it was written. It would not shorten Imperial responsibilities by a single hour, nor diminish them in the least degree. Once in Basutoland, the Imperial Government would occupy a central and commanding position in regard to Native affairs. Every Native thought South Africa would be conscious of its presence there; and if its administration of Basutoland proved successful, as he believed it would, there would be continual demands, both from Natives and from Missionaries, for further extension of Imperial administration. He would not detain the Committee longer; but would apologize for the desultory and fragmentary character of the few observations he had ventured to make.

Sir HENRY HOLLAND thought that they were much indebted to the hon. Member (Mr. Wodehouse) who had last addressed them for his able and statesmanlike speech. He concurred with that hon. Member in thinking that it would be very doubtful policy to press upon the Cape Government the annexation of Mankoroane's territory. He feared a recurrence of what had happened in respect of Basutoland. He feared that, after the annexation, troubles and difficulties might arise; that the Cape Government would spend a good deal of money in endeavouring to put an end to these disturbances; and that ultimately they would disannex the territory again; and that this country would be asked to take over the Government of it, a request which we might have some difficulty in refusing. He might here state that he thought Her Majesty's Government had acted wisely in the course they had taken with respect to Basutoland; and he was of opinion that the conditions laid down by Lord Derby were fair and reasonable. Another point in which he very much agreed with his hon. Friend the Member for Bath was with regard to the opportunity they now had of making more satisfactory terms with the Transvaal Government. If that Government could be convinced that we were prepared to act firmly, and to enforce the observance of any agreement made with them, we had a good opportunity of making satisfactory terms and of settling the disturbances along this Frontier, and securing tranquillity for the future. He thought the question of abrogating the Sand River Convention, and of making, as it were, a fresh start, was well worthy of consideration; and he was disposed to think that the Transvaal Government would not be opposed to this. But all depended upon whether the Government would act firmly. The Under Secretary of State for the Colonies had accused the hon. and learned Member for Chatham (Mr. Gorst) of inaccuracy in his construction of the Papers in the last Blue Book; but he had signally failed to prove his charge. He had himself been inaccurate upon the point where Mr. M'Gillivray was killed; and he (Sir Henry Holland) thought he was no less inaccurate in his reading of the letter of Mankoroane at page 16 of C. 3,686. Mankoroane says that—

> "The Boers were bitter against me because I was looked upon as an English ally, having befriended many loyal refugees from the Transvaal during the late war. Among these are many leading men and possessors of landed property in the Transvaal State,"

and then he gave some names. Mankoroane's grammar might be defective, and it was true that strictly speaking the word "these" should refer to the "loyal refugees;" but a glance at the names, and a comparison of those names with the names of the Transvaal burghers at page 69, who were fighting with Massouw, showed distinctly that the hon. and learned Member for Chatham was quite correct in assuming that the word "these" applied not to loyal refugees, which these men certainly never were, but to the Boers who were bitter against Mankoroane, and who formed part of his enemy's (Massouw's) volunteers. The Under Secretary of State disputed the statements as to Mapoch. Now, it was not necessary to defend all the actions of Mapoch. He might have been—indeed he probably was—a troublesome fellow to deal with; but it must be remembered that we could not properly throw off all obligations in respect of him, because he, undoubtedly, was at one time a British subject; and it was against his will, and in despite of his remonstrances, that he was made a subject of the Transvaal Government by the terms of the Convention. He would only refer to one other point in the speech of the Under Secretary of State for the Colonies. He quoted a statement of a Mr. Nelmapius (page 50 of C. 3,686), as if it were correct, of the massacres committed at the storming of Sikukuni's stronghold; but he omitted to state that a despatch was found from Lord Derby on the next page, in which Lord Derby referred to the inquiries that were made in 1880 as to this matter, and says that—

> "The published denials of those who were present on the occasion are entirely at variance, it will be seen, with Mr. Nelmapius's statements."

He (Sir Henry Holland) hoped that the hon. and learned Member for Chatham (Mr. Gorst) would not press this Amendment to a Division; because, in truth, the Resident was not to blame; but Her Majesty's Government were in default. The Resident remonstrated, and he could do no more. The fault lay with Her Majesty's Government, who were not prepared to support the Convention under which those remonstrances were made. That no heed was paid to remonstrances was, therefore, not to be wondered at. As he had had an opportunity, by the kind indulgence of the House, of stating his views upon the conduct of Her Majesty's Government in the Transvaal in April last, he would not repeat them now; but he must say that he had since then seen no reason to change his opinion. On the contrary, he thought that the last Blue Book presented to Parliament had considerably strengthened and proved the correctness of that opinion. They were, indeed, in a worse position than before. First, because two new Republics had been formed assuming Executive and legislative functions; and with these Republics formed of deserters and bad and violent freebooters they would now have to deal. If proper measures had been taken at an earlier period, such as he had suggested in the former debate, these men who were now organized and embodied could have been dispersed. And, secondly, because the condition of the Native Chiefs, their allies, was much worse. He had proved, as he thought, on a former occasion, the complicity of the Transvaal Government in the attacks on the Natives, and the more recent Papers confirmed this view, though it was then questioned by some Members of the Government here. The Transvaal Government again showed that they could have put down these disturbances and secured peace, if we had been willing to alter the terms of the Convention. They said—

> "This Government feels assured that it would be able by its intervention to restore peace in those parts, and to render it permanent among the Natives."

Why, then, did they not exercise this intervention if they were in earnest? But, again, the evidence now was overwhelming as to the character and position of the Transvaal subjects who were fighting against the Native Chiefs. There were not only common marauders, but there were Transvaal Field Cornets; a Commandant of the Bloemhof District; two Members of the Volksraad; Colonel Ferreira, a Special Commissioner, and other well-known men; and, as shown by the hon. and learned Member for Chatham, ammunition was supplied by the Transvaal Government. The Native Chiefs were losing men, cattle, and land; and why were they suffering this loss? Sir Hercules Robinson furnished the answer. He said Montsioa and Mankoroane

> "Are now on the point of being exterminated in consequence of their fidelity to the British Government, and because of the assistance they gave to British subjects in the Transvaal War."

It seemed to him (Sir Henry Holland) most remarkable that in the last debate in April, when Members of Her Majesty's Government were disputing the propriety of using the term "allies" in connection with these two Chiefs, and were disputing their obligations and responsibilities towards them, they actually had in their hands this despatch of Sir Hercules Robinson, which was received here on March 29; and he thought that this required some distinct explanation from some Member of the Government. Our obligation to these Chiefs could be very briefly stated. They had been and were our allies; the Convention which was made with the Transvaal Government had for one of its main objects the protection of Natives; and this was supposed to have been secured by the fixing of a boundary line, and by the retention of the Suzerainty. The Prime Minister himself had stated that the retention of the Suzerainty was as safe a protection to the Natives as if we had retained the Transvaal; in other words, it was, then, an absolute protection, for no one could doubt that if we had retained the Transvaal we could have prevented these attacks on the Natives. But what had Her Majesty's Government done in performance of their engagements? They had allowed the Boers to break the conditions of the Convention—that was admitted by Her Majesty's Ministers—and not ventured to enforce the observance of those conditions. They had left the Natives without any assistance to fight their own battles against these freebooters; and now what was their reply to the earnest entreaties of the Chiefs for assistance and protection? In the first place, he would remark, as a proof of the uncertainty of the action of the Government, that they seemed to have delayed returning any reply to such entreaties until Sir Hercules Robinson telegraphed that, in his opinion, the Chiefs "were entitled to a final and definite reply." And what a reply was then given. It had been characterized by the hon. and learned Member for Chatham as disgraceful, and he did not think that that term was too strong. Montsioa and Mankoroane were told that Her Majesty's Government could not intervene by force for their protection, but that, in the event of their being driven out of their country, Her Majesty's Government would consider what assistance could be given them. Not even actual assistance was promised to them; but after they had been defeated, and driven out of their country, Her Majesty's Government would consider what could be done for them. A most cruel reply, and aggravated, as it seemed to him, by the fact that at this very time the Government had learnt that they could not acquire land in the Cape Colony for the Chiefs and their people. They must, therefore, have known that it would be very difficult, if not impossible, to find land elsewhere even for the Chiefs, still more for the Chiefs and their people, from whom the Chiefs would never willingly consent to be separated. There was left, then, no other mode of assistance than money, and such assistance would have been most inadequate, and would not have met the necessities of the case. It had been urged by the Under Secretary of State for the Colonies that the fact that the Republic of Stellaland had recently applied to us for protection against Mankoroane was a justification of the policy of Her Majesty's Government. He confessed he took a very different view. He was not surprised that such protection should have been asked for. When freebooters had secured their plunder, they would, of course, be glad to be protected with their ill-won gains. But the Government could not possibly give such protection; and thus more bloodshed must follow, whether the Natives conquered the freebooters or the freebooters defeated the Natives. Now, if the Government had intervened at an early period, and before the quarrels became intensified, with a moderate Frontier Police Force, composed of Boers and Volunteers, and paid at the joint expense of the Transvaal and the Imperial Governments, they would, in all probability, have saved this bloodshed. That was the opinion of Sir Hercules Robinson, who knew the position well; and it was difficult to see how the Government, if that were so, could be held clear of this additional fighting and bloodshed. In conclusion, he thought that the Committee and the country had a right to condemn the Government for their conduct in this matter, for the want of firmness, and for the want of good faith to those who were suffering in consequence of their fidelity to us. It was conduct that tended to impair the honour of this country, and to lower it in the eyes, not only of the Dutch population and of the Natives, but of the whole civilized world.

MR. GLADSTONE: Sir Arthur Otway, I am rather surprised, after the long experience of the hon. Baronet at the Colonial Office, at the easy way in which he disposes of these Cape Controversies. He sees his way through the whole of them without the slightest difficulty, notwithstanding they have been the perplexity of British Cabinets for over 50 years. About that the hon. Baronet has no doubt—he sees no shadow upon any part of the question. [Mr. ASHMEAD-BARTLETT: Hear, hear!] He tells you what we ought to have done, and what would have happened; and the hon. Member for Eye (Mr. Ashmead-Bartlett) lends the hon. Baronet the support of his high authority. Let us see how this question stands with regard to the issue raised by the hon. and learned Gentleman the Member for Chatham (Mr. Gorst), and in speaking of the hon. and learned Gentleman I distinctly repeat what I said before—namely, that, in my opinion, the whole course of his proceedings on this matter shows that he has been animated by a public spirit in what he has said. He thinks that the Office of Resident ought to be abolished, because it has entirely failed as regards those who are still British subjects, and as regards Natives within the Border and Natives beyond the Border. My hon. Friend the Under Secretary of State for the Colonies, in what I thought a very able speech, has stated the case as we view it on these points. We think the hon. and learned Member for Chatham, with respect to those who are still British subjects, made no case whatever; because the two persons to whom he referred, though they may have been British subjects, were persons who were apparently engaged in freebooting, and were persons who were not in the view of the Government, or of any Party in this House, when we endeavoured to frame this Convention. Then, with regard to the Natives within the Border, I will not say that the hon. and learned Gentleman has proved nothing, because my hon. Friend has admitted that with respect to the particular case brought up in the letter kindly supplied to us by the hon. and learned Gentleman we are not in a condition to give a perfectly full explanation. But even if I am to adopt the worst supposition, I still contend that an isolated case of that kind goes no way whatever towards the finding of a reply to the very great and broad question, which is really the question, and by far the most important of all the questions involved in this intricate subject—namely, what has been the case of the Natives within the Border under the

Convention? There may have happened a particular abuse in the case of certain persons of subordinate authority at a particular spot; and yet the general operation of the Convention, or, at any rate, the general condition of the Natives within the Border, may be, on the whole, a satisfactory condition. With regard to the case of Mapoch, I must say I take entirely the same ground as that taken by my hon. Friend the Under Secretary of State for the Colonies. Mapoch was a rebel against us—that is to say, matters did not come to actual violence; but he was disobedient to our laws. [Mr. W. E. FORSTER: In what?] In not paying the taxes which it was his duty to pay. That appears to me to be an argument which goes very far indeed to acquit the measures taken by the Transvaal Government for the purpose of putting down a person who neither we nor they could persuade to perform civil duties. With regard to the Natives within the Border, I am almost afraid to say how many they number, for no one knows the fact perfectly; but unquestionably there are certainly many thousands of them. [An hon. MEMBER: 250,000.] Well, they exceed in numbers those persons beyond the Border, with regard to whom my right hon. Friend behind me (Mr. Forster) and others in this House have felt so much just anxiety. Though I am very far from saying that the Convention was proved to be a solution of all the difficulties connected with the Transvaal, yet I must say, as regards that main question, the presumption is that the operation of the Convention has been good; and certainly we are not in a position in which it would be wise to withdraw the salary of the Resident upon the ground that he has failed in the duties which he has undertaken in respect of those who were the objects of his special charge. I think the hon. and learned Gentleman, in professing to quote conclusive authority—he has certainly quoted high authority, and he was justified in giving the best in his power—has not convinced us that there is reason to believe that there was anything irregular in the case of Mapoch being withdrawn from the court martial, and his being tried as a rebel before the High Court. I will not detain the Committee upon the question of literary criticism on the interesting matter which has arisen upon the interpretation of page 16 of the last Blue Book; but it is admitted that the argument as to grammar is on our side. About that there is no doubt. I do not wonder that the hon. Baronet, who sees his way with such facility through all matters of political difficulty, should also see his way through all matters of grammatical difficulty, which are matters much more easy to get over. My opinion is, that my hon. Friend was quite right in following the grammar of the letter. If this letter had been the composition of an illiterate person, or of a savage, I could have better understood the contention raised. I do not suppose that anybody suggests that the letter was written by Mankoroane. It is rather a finished letter in its phrase and expression, and it has even adopted the very last administrative improvement in the framing of despatches by numbering all paragraphs. I have nothing to complain of whatever in the tone of this debate, which I think has been conducted with a seriousness and a directness of purpose which does credit to those engaged in it. We have, I am afraid, a good deal of difference of opinion amongst us; but, at the same time, I shall not hesitate to state my own opinions where they differ. I will in no case venture to state them dogmatically; but will give them with the reserve which I think is due to cases arising at a vast distance, in a country very difficult of access, and under circumstances with which we are most imperfectly and inadequately acquainted. It has been said by my right hon. Friend behind me, and by the hon. Baronet opposite, that matters would have stood much better had we interfered by force some four or six months ago. Well, Sir, that is directly the reverse of our opinion. Our opinion is, that the present situation, so far as we may presume to give an opinion, is better than it would have been had we interfered. It is all very well to say, and perfectly true, that Sir Hercules Robinson is a man of great ability, and that he supplied us with the opinion that if we sent 500 men to this place—1,000 or 1,200 miles off—we should have disposed of the matter in the course of a few months, and that by keeping a limited number of men there, in 12 months we could have left the country, and thus the whole question would have been settled. We have had lessons upon trusting to the opinions even of confidential, upright, and able men in distant countries, when they have been called upon to give their opinions on such questions. When we came into Office, we trusted to the opinions—and I believe we had no choice, according to the understood rules of action in this country, but to entrust to those opinions—of the eminent men who were actually in Office, or appointed to Office, in South Africa. I mean such men as Sir Bartle Frere, Sir George Colley, and Colonel Lanyon.

An hon. MEMBER: When was Sir George Colley appointed?

MR. GLADSTONE: Sir George Colley was appointed to Office at the time when we came in. These are gentlemen of whom I speak with most unfeigned respect. But the result of those opinions was entirely disappointing, and this country had to pay a heavy price for that disappointment. When such disappointments occur, responsibilities cannot be thrown on those who give the opinions; it must be thrown upon, and it must be borne exclusively by, the Executive Government of the day. Therefore, Sir, in receiving this opinion from Sir Hercules Robinson, we were not in a condition in which we could say—"We accept it, because it is your opinion; and we will pledge your authority in the face of Parliament if we find you are wrong." On the contrary, it was my opinion, and I believed it was also the opinion of my Colleagues, that however able Sir Hercules Robinson may be, or however conscientious his judgment may be, yet, from the very nature of the case, he could give no opinion amounting to more than his own probable impression under obscure and difficult circumstances; and that we, and not he, should bear, and justly bear, the whole responsibility if we had acted on it. I do not hesitate to say, with respect to that opinion, that there was on the face of it, in my opinion, the strongest reason why we should attach but slight importance to it. It was sustained by no reasonings; it was an opinion, and a mere opinion. It was a mere opinion, and an opinion without the props which are derived from illustration, analogy, and reference to former examples—and when applied to the legitimate facts of the case—the immense distance of 1,000 or 1,200 miles at which a force would have to operate, the length of time which must have elapsed in conveying communications, the difficulties of the country, unsettled and barbarous, through which these communications must have passed—and when we were told that we, the responsible Government of this country, should have been justified in coming down to our places in Parliament and saying we have sent 500 men a distance of 1,000 or 1,200 miles to a wild country and will bring them all back for £100,000, I think we should have been laying ourselves open to universal censure and reprobation; and we should have been told that, if misfortune did arise, the responsibility of that misfortune would have accumulated upon our heads in a degree almost beyond example. The hon. Baronet joins with my right hon. Friend (Mr. Forster) in the opinion, which they very frankly avowed—namely, that we ought to have threatened force, and to have used it. That is a most conscientious view on their part. I would, however, observe that those who have had responsibility in the matter, especially the right hon. Gentleman the Member for East Gloucestershire (Sir Michael Hicks-Beach), and those among whom he sits—indeed, I think I am right in saying, even the hon. and learned Gentleman (Mr. Gorst)—have never adopted that doctrine. They have pointed out and indicated that we have been wrong, and that there is something unknown and indistinct which we ought to have done, but which we did not do. The hon. and learned Member for Chatham did not suppose that we ought to have carried out another South African War—hon. Gentlemen have carefully avoided committing themselves to that opinion. Their statements of opinion upon this point have been rather remarkable. Well, I sympathize, to a great extent, with the feelings of my right hon. Friend behind me (Mr. Forster), and the hon. Baronet opposite (Sir Henry Holland). I know—I do not disguise it for a moment—that there is much that is very painful to look back upon in the circumstances which have occurred; but, at the same time, we must be prepared to deal with those circumstances, not according to the impressions we may derive by a partial inspection of one portion of them, but from an examination of the whole case, and endeavour to estimate our case in the light of reason and possibility, recollecting that we are the stewards of the treasure, lives, and interests of the people of England, and that we have those to consider before we indulge the first impulses of our own mind in a desire to interfere for the purpose of gratifying that which I admit to be philanthropic instincts. My right hon. Friend said, in one portion of his speech, that the cost, after all, would not have been very heavy. Now, Sir, it was not the cost—and I am quite sure my right hon. Friend will give me credit for sincerity when I say this—that weighed upon our minds. Had we thought it to be a case in which a certain amount of good—and I admit that the settlement of Bechuanaland would have done great good—could have been obtained by an expenditure of a certain amount of money, neither the Executive Government, nor the House, nor the people of England, would have hesitated for a moment. It was no such thing. It was not primarily a question of money, but a question of blood. It was not only a question of blood; it was a question of dangers in South Africa lying in the rear of all those signs, and sometimes that appeared on the surface, of danger in South Africa, of stirring up animosities that would have pervaded the whole of the European communities, and the end of which it would have been difficult to foresee. With regard to the supposed complicity of the Transvaal Government with the freebooters, it is the duty of everyone holding Office to speak with reserve on such a subject; but I do not hesitate to say that it is very natural to suppose, in the absence of the most positive proof to the contrary, that there was considerable sympathy existing between the Transvaal Government and the freebooters. If that be so, it is that very circumstance that makes the whole question so formidable, for do not suppose that the sympathy was confined to the Transvaal Government. The same feeling went into the Orange Free State. ["No, no!"] But we have some evidence of expressions of sympathy made to caravans of travellers passing through the Orange Free State; and I do not hesitate to say that it is a sympathy of race, and would not have even been confined to the Transvaal and Orange Free State, but would more or less have pervaded the whole of South Africa. These are great responsibilities, and I must observe that I am not ashamed to say, under these circumstances, that some effort ought to be made, if need were, to provide for any necessities of those persons who have suffered very severely on account of their attachment to us by some means other than making war. The hon. Baronet, let me assure him, is entirely mistaken in one reference he made to the former debate. He stated that the contention of the Government on a former occasion was that we were under no obligations to these Chiefs. That language was never used by my hon. Friend near me, or by myself, or anyone who spoke on the part of the Government. We do not deny that there were obligations towards these Chiefs; but what we said was that those obligations were of a character which could not be considered in a manner so obsolete, and so isolated from the view of other circumstances, as to cause us to look at them and nothing else. They were obligations which were qualified by our obligations, which in turn were qualified by the amount of sacrifices we were to ask from the people of England by the practicability or impracticability of the objects, and by the most serious doubt we entertained as to whether, if we intervened by force, as we were invited to intervene, we should not be doing more harm than good. We contended that the case was a case of tribal war, and that the freebooters were taking the part of one portion of the Tribes, and my hon. Friend suggested that nothing would be so desirable as union among the Chiefs themselves. Months have elapsed, and undoubtedly, without contesting at all the weight of the authority of the hon. Baronet, and my right hon. Friend and others, we do believe, in our own minds, that we are in a better position, and not a worse one, than we should have been if we had intervened by force four or six months ago.

Mr. W. E. FORSTER: The people have lost part of their land.

Mr. GLADSTONE: My right hon. Friend speaks as though he had been there to-day. Are we not told that Mankoroane is marching with 2,000 men against Stellaland? That is the intelligence we have received. I venture to say there is much weight in the statement of my hon. Friend the Under Secretary of State for the Colonies. The hon. Baronet opposite (Sir Henry Holland) says that if we had interfered with a force of 500 policemen, five or six months ago, that interference would at once have tended to drive the freebooters into unity. The temper of the debate, however, has been such as to show that the chief anxiety of the House is in reference to what has to come. Of course, under existing circumstances, all I can say is, that we ought not to approach the question under the influence of any motives or ideas that ought to bias us in endeavouring to arrive at any partial judgment. Her Majesty's Government have certainly no vanity of authorship or affection of parentage in respect of the Convention. [*Ironical cheers.*] Those ironical cheers will not lead me to deviate from the path I ought to take in the matter, nor will they lead me into a statement of the reasons which led us to believe that the Convention was the best expedient remaining to us in a very difficult position. We do not claim for the Convention a complete and palpable success. The question will be, in what sense and to what extent the representations of the Transvaal Government respecting its modification ought to be entertained? It would not be expedient that I should proceed to indicate any leaning in any particular direction; but this I will say—we are fully sensible of our responsibility to Parliament; and we have no idea, and no desire, to carry into effect any views of our own irrespective of Parliamentary control. We will endeavour so to proceed as to commit as little as possible those on whose behalf we act, and who are entitled to represent in a special manner the sentiments of the people of England. I have the strongest conviction that it is an abuse of power on the part of the Executive Government, although they are obliged to claim for themselves, by high considerations of policy, the right and privilege of making Treaties—it is a gross abuse of their power if they interpolate their own peculiar views and fancies in the formation of those Treaties, if they do not endeavour to frame them according to the real demands and the justice of the case, and with a just and full regard also to the sentiments entertained by the people and by Parliament. The question does not admit of my saying much more; but there is one appeal, made by my right hon. Friend the Member for Bradford (Mr. Forster), which I do not hesitate for a moment to meet and accept. My right hon. Friend says that in cancelling the Convention we should not cancel our engagements with the Natives; that the Convention is a written document; and that the abolition of that document would not at once reduce to a nullity all those relations which had prevailed between us and that country. We cannot undertake to set aside prudential considerations in anything we may do or decide; but I fully admit, in answer to my right hon. Friend, that we are bound, in good faith, to do what we can with regard to the future destiny of those Native Tribes who themselves have qualities which make them as races very full of interest, and with respect to whom our special relations have, undoubtedly, imposed upon us some degree of peculiar responsibility. I have to thank hon. Gentlemen generally for the way in which this question has been discussed; and I hope I have said nothing which would tend in any degree to suggest that I am unaware of the considerable responsibility under which we stand, or that I am too confident as to our being in possession of any special secret by which we might solve at once the difficult and complicated problem which has now for more than a generation perplexed our statesmen.

SIR MICHAEL HICKS-BEACH: I should like to ask the right hon. Gentleman one question bearing upon the remarks he has just addressed to the Committee. I understand him to say that Her Majesty's Government have no desire to carry into effect any views of their own, irrespective of Parliamentary control. Are we to understand that if any modifications of the Convention are proposed by the Representatives of the Transvaal Government no final action will be taken until Parliament has had an opportunity of expressing its opinion on the subject?

MR. GLADSTONE: The opinion that I expressed was an opinion accompanied by qualifications. All I meant was that we should go as far as we could towards reserving the control and opportunity of interference on the part of Parliament;

but I know not what political necessities may arise, and, therefore, I cannot give any pledge that we will take no steps before Parliament has been consulted.

Mr. W. FOWLER said, he agreed with the Prime Minister that this was one of the most difficult problems Parliament had had to consider for many years. He could not understand how they could avoid the carrying out of the Convention. They must maintain it or abandon it; and if the Natives were not to be altogether left to their fate, he apprehended that they must carry out the Convention. The Prime Minister had not said he had any desire to get rid of the Convention; but what he had said was that there were immense difficulties in the way of carrying it out. He (Mr. W. Fowler) thought that what they had just heard from the right hon. Gentleman must convince them of that fact. At the same time, he (Mr. W. Fowler) had great difficulty in understanding how they could possibly abandon the Convention consistently with their honour as a nation. They had deliberately entered into the Convention; and the Prime Minister assured them, two years ago, that one of its great objects was to protect the Natives within and without the Frontier. The right hon. Gentleman stated that in deliberate and clear terms, and many hon. Members on the Ministerial side of the House would never have voted with the Government unless they had thought the Convention would have been a real protection to the Natives, both within and without the Frontier. Now, they were told that the Convention was of no use. If the Convention was really and truly binding upon them it ought to be carried out. If it was of no consequence, and could not be carried out, they must throw it over, and admit that they had made a blunder. But, surely, those who made the Convention must have seen the possibility of defeat arising. It was distinctly laid down in the Convention that certain things were to be done by the Boers and certain things by the British Resident. For instance, the Boers were on no account to make any contract with Natives outside the Frontier; everything was to be done through the Resident. But the Boers were making contracts with the Natives outside the Frontier in defiance of the Convention. They had been making Treaty-arrangements about land, and they boldly told us that they had made such arrangements with the Natives, although they had entered into a distinct agreement with us that they would do nothing of the kind. He was particularly struck with the despatch of the 26th of May from Sir Hercules Robinson. That despatch had been referred to in the course of the debate. It was written in London after Sir Hercules Robinson's arrival here, and, it was to be supposed, after he had most carefully considered the question as a whole. He (Mr. W. Fowler) would like to point out to the Committee that Sir Hercules Robinson, on page 71 of the Blue Book, gave the deliberate conclusions he had arrived at after he returned from Africa. Sir Hercules Robinson said there were yet four courses open to the Government. The first was to clear the freebooters out of the territories belonging to Mankoroane and Montsioa by force. That, he said, Her Majesty's Government had given up. He did not say he approved or disapproved of this course; but merely said it could not be adopted without considerable expense. The next course, Sir Hercules Robinson said, would be—

"To cancel the Convention of Pretoria, reverting to the provisions of the Sand River Convention."

Sir Hercules Robinson continued—

"This course, if adopted, would dispose of the present application of the Transvaal Government to be allowed to intervene on the South-West Border, as if the Convention of Pretoria were abrogated the Transvaal Government would be free, should they see fit to extend their Border to the Atlantic, which was claimed some years ago in a Proclamation by President Pretorius as the Western boundary of the Republic."

The third course was—

"To adhere to the present Convention line, refusing to acquiesce in any extension of the Frontier, whilst abstaining from active intervention for enforcing it. The result of this course would be either that the freebooters will succeed in establishing the independent Republics, which they have proclaimed, and named Stellaland and Goshenland, or the Transvaal Government will persist in annexing the territory conquered by the freebooters without the permission of Her Majesty's Government."

That would be a most extraordinary result, which he (Mr. W. Fowler) thought would hardly be satisfactory to the House. The fourth course was—

"To amend the Convention line, acquiescing in the annexation of the territories of the

> Native Chiefs Montsioa and Mankoroane to the Transvaal State. This is the course urged by the Transvaal Government in their application now under consideration."

Sir Hercules Robinson then went on to say—

> "Of these four courses, I think the last is the most undesirable, for the reasons which I explained in paragraphs 9 and 15 of my despatch of the 22nd of January last."

He (Mr. W. Fowler) attached great importance to the words of Sir Hercules Robinson. Sir Hercules Robinson told them that to accede to the application which had been continually made by the Boer Government, to give up these lands which they now claimed, belonging to Mankoroane and Montsioa, would be the worst course of all to adopt; and he (Mr. W. Fowler) thought the House should insist that the Convention should not be thrown away in that sense. It seemed absurd that they should make elaborate arrangements, and then turn round and say it was impossible they could be carried out. After entering into this deliberate agreement, it did seem to him the strangest argument to say, within two years of the conclusion of the Convention, that it was an impossibility to carry it out. On reading through the Blue Book he observed a most marked change in the tone of the Correspondence of the Transvaal Government within the last month or two. Their last despatch was couched in very different terms to that about which he had heard Lord Kimberley in the other House use such strong language. It seemed to him that we were beset with immense difficulties; but the Prime Minister himself said that we were to meet difficulties. We had, no doubt, before us the danger of war; but he could not help thinking that if the Boer Government once understood that the English Government were determined to carry out this Convention, and that it was not a question of their being squeezed this way or the other, not merely should we have civility in despatches, but something like a reasonable agreement would be come to. The Committee had been told several times that this was a quarrel with which they had no business; and the question had been asked, why should they interfere in the quarrels between the Native States and the Boers? He admitted that there was a great deal to be said in favour of that view, which was very popular out-of-doors. None of them wanted to be dragged into another South African War; but he thought that this argument came rather too late. It would have been very true if it had been said, at the outset, that they had no business at all in South Africa; but now they could not say they had no business there. They had great responsibilities in South Africa, and they were bound to respect those responsibilities. Former generations had handed down those responsibilities to them, and they had to do the best they could to carry them out. There had been one argument used in the course of these discussions which he hoped they would not hear again. He referred to the argument that some sort of compensation ought to be given to the Natives. They had been told that the Natives should be compensated—that was to say, that land should be given to the freebooters, who had taken the land improperly from the Natives. In other words, it was suggested that they should pay money and give land up to people who had no right to it. Such a proposition could not be seriously entertained by the House of Commons. If they looked at the Blue Book, they would find that there was even a still more preposterous suggestion made, and that was that money should be given to the Chiefs, and no notice should be taken of the people. As a matter of fact, the land belonged to the Tribe and not to the Chief alone, and to give money to the Chief alone would be a most monstrous and outrageous thing. He could not help thinking that there was one danger which had not been much alluded to on this occasion. It was said there was a danger of arousing animosity between one race and another in South Africa; that there was a great danger that they might create a still greater feud between the English and Dutch races in South Africa. He, however, thought there was a still greater danger if the English ceased to be respected in South Africa. They had to take a course worthy of a great people, having great responsibilities, and not being afraid of those responsibilities, and they had to act with a real and genuine desire to do their duty on all sides. They could not ignore the Dutch, and they could not ignore the Natives. Surely it was not for those who were descended from the great anti-slavery advocates to say they did not care what happened to the Black man, and that they would rather suffer any indignity as long as they escaped war. That was the sort of argument he heard in the Clubs, and even in the Lobbies of the House of Commons; but hon. Members ought not to give way to any such feeling. There was no man in that House who had a greater detestation of war than he had; and he would be the last man in the world to say a word which he thought would have the effect of encouraging war. He believed, however, that if they acted in a careless and indifferent manner, only bearing in mind their own selfish needs, it might lead to disputes and to very serious wars hereafter. He had intended at one time to have gone into several other points in connection with this matter; but he would not trouble the Committee any further, considering the long discussion they had already had. He simply wished to intimate his deep sense of the difficulties of the position, and his desire that they should take a very large, temperate, and moderate view of it; that they should not lose sight of the rights either of the White or of the Black man; but should endeavour to carry out a Convention which they had deliberately entered into, and which ought not to be deliberately broken either by one side or the other, and endeavour to carry it out with the utmost consideration and regard for the feelings and rights of all parties concerned.

Mr. ASHMEAD-BARTLETT said, the hon. Gentleman who had just sat down had stated that the principal argument of those who opposed the active protection of the Natives in Bechuanaland and the Transvaal was the danger that they should be involved in greater difficulties, and possibly in extensive wars with the Dutch population. The hon. Gentleman spoke of that argument as being used in the Clubs, and whispered in the Lobbies of the House of Commons. He might have said that it was the principal argument which the Prime Minister of England had first put forward. The Prime Minister had denied, with great force and impressiveness, that any question of cost had entered into the consideration of the Government in refusing protection to the Natives of Bechuanaland; but he admitted a reason for the inactivity of the Government which he (Mr. Ashmead-Bartlett) ventured to say was worse than the reason of parsimony. The right hon. Gentleman stated that the reason why they had not protected their friends and allies was that they were afraid to do so. ["No, no!"] Hon. Gentlemen dissented; but what other construction could be placed on the statement of the Prime Minister? So long as these slave-driving, perfidious, and canting Boers of the Transvaal were elevated into heroes by the right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) and the hon. Member for Liskeard (Mr. Courtney), did hon. Members think they would hesitate to press exactly what they pleased on a Government, which not only showed itself by its actions to be afraid of them, but confessed itself afraid? The Prime Minister stated that this question must be judged from a regard of the general circumstances of the case. What were the general circumstances of the case? Here was a Convention which the Government of England made not two years ago, on the faith of which they induced the House of Commons to put up with the greatest disgrace and humiliation that had ever been inflicted on this country since the Dutch ships sailed up the Thames in the time of Charles II. The Government promised that this Convention should be observed; but it had been broken, not in one or two main points, but in every single clause and item, and broken with the utmost degree of effrontery. The Convention was to protect British subjects in the Transvaal. How many loyal British subjects had remained there? British subjects had been chased out of the country, and their property had been confiscated. Their lives had been made miserable. They dared not remain, and the Government dared not send out a Commissioner to inquire into the state of affairs. What was the secret of the change of front—the extraordinary change of front—which the Government made not long ago with regard to the despatch of a Commissioner to the Transvaal? Within a fortnight of their statement that they intended to send out a Special Commissioner to inquire into their relations with the Transvaal, they came down to the House and stated that they were going to receive a Commissioner—that was to say, they were going to allow two or three more of the men who had proved themselves to possess no faith or honour to come over and make what representations they liked to Her Majesty's Government, and purposely to deceive them. There never was a more humiliating confession than that the Government were going to receive a Commissioner, and that they were to abrogate that Convention, on the faith of which Parliament accepted the Transvaal surrender. The Under Secretary of State had told the Committee that the Government knew all along that the Boers were not satisfied with the Convention, and meant to break it—that was to say, the Government signed the Convention, and brought it down to the House, knowing all the while that it would not be observed in the least. He doubted if such a confession had ever before been made on behalf of Ministers in that House. The Prime Minister told them that Mapoch was a rebel. They might have understood that statement in the mouth of the right hon. Gentleman the Member for Birmingham; but for the Prime Minister to say that Mapoch, who had never submitted to British rule, was a rebel, because he declined to pay taxes, was indeed extraordinary. But who else refused to pay taxes? Why, the Transvaal Government bound itself by solemn pledges to pay us £100,000 with interest; but not one farthing of that money had been paid. Were they rebels; would Her Majesty's Government judge them by the same criterion as they applied to this unfortunate savage, who was willing to go to our rescue, and who had been indentured by the Boers? Well, the Under Secretary had read an extraordinary telegram to the Committee, to the effect that Mapoch had actually mustered 2,000 men, and was marching against the freebooters. Every Member in the House was impressed by that statement; and it was not until the right hon. Gentleman the Member for Bradford (Mr. Forster) asked the date of the telegram that the Committee became aware that it was nearly a month old—the date being the 18th of July. There had been many telegrams received by Her Majesty's Government since that time; but no mention had ever been made of this. He ventured to say that if there was the smallest amount of truth in that despatch it would soon be found that the Boers would send an overwhelming force against the Bechuanas and destroy them. The Prime Minister had again had recourse to his argument of blood-guiltiness; but did the blood of these unfortunate Bechuanas, murdered in thousands, count for nothing? He shared the opinion of a great many well-informed Gentlemen in that House, and the opinion of Sir Hercules Robinson, that if a little firmness had been shown by Her Majesty's Government Mankoroane would have been saved. The Prime Minister most unjustly threw the blame on the officials in South Africa, and a more unworthy act it was difficult to conceive. He had been astonished to hear the challenge thrown out by the right hon. Gentleman and the Under Secretary with regard to the attitude of the Natives inside the Transvaal. The facts were these. When the Convention was being made, Her Majesty's Commissioners in South Africa were met by deputations from all the Chiefs in the Transvaal, who represented 800,000 Natives; and these, with the strongest and most unanimous voice, complained of the treatment experienced from the Boers. They said as they had been treated in the past so they would be treated in the future, and they gave the strongest evidence of their loyalty to us. Their words were—

> "We should like to have the man pointed out from amongst us who objects to the rule of the Queen. We were the owners of this country; we were here when the Boers came, and who, without asking leave, settled down in the country. . . . The English Government then came, and we have had four years of rest and of peaceful and just rule."

They went on to say that the Boers pierced their noses and made them slaves. The same language had been made use of over and over again; and yet the President of the Board of Trade, not long ago, in that House, said that the Natives were under an obligation to the Boers for making the Transvaal habitable for them. But the contrary had been proved many times in that House; the treatment of the Natives by the Boers had been atrocious. The Convention of Pretoria had been violated at every single point; the loyal inhabitants of the Transvaal had not been protected by the Transvaal Government; and the Natives around it had been despoiled and massacred by thousands; the Article of Suzerainty had been broken; and, finally, the question of payment of debt had been completely put on one side. They had not heard a single word of the Vote of Censure passed by the Transvaal Government on the Government of Her Majesty. The Committee would have liked to hear something about that, and also about the future; but, as nothing had been stated, he ventured to say there was no real undertaking as to the future, either with regard to the Zulus or any of the Natives of the Transvaal. The longer the policy of the Government was persisted in the more serious would be the difficulty and the cost, he would not say of sustaining the honour of the country, for the Government had thrown that aside long ago, but of protecting the lives of the loyal Natives at the Cape.

Sir GEORGE CAMPBELL said, the speech of the right hon. Gentleman the Prime Minister, to which the Committee had listened, rendered any further defence of the Government policy in South Africa unnecessary. In all the attacks upon that policy not a single suggestion had been made of the course which would have been taken by the Opposition in the circumstances. The hon. Member for Bath (Mr. Wodehouse) had addressed the Committee with extreme clearness, grace, and knowledge of the subject; and that hon. Gentleman had proved that almost every course was impossible. He had hoped that his hon. Friend, with his great knowledge of this matter, would have indicated some way out of the difficulty; but he had entirely failed to do so. Although no charge had been proved against the Government, they had shown that they would have been in a most undignified and unworthy position in trying to work a Convention which was not to be worked. He said they must, once for all, make up their minds as to the course to be adopted in future; in other words, they must either enforce the Convention or abandon it. It seemed to him impossible that they should enforce the obligation they had incurred unless they took possession of and administered the Native territory. The Convention was originally that they should take over from the Transvaal Government the purely Native territory; but they had departed from the Convention, and said—"We will make a Treaty to protect from injustice the Natives under the dominion of the Boers." Now, everything showed that that was almost impossible. Therefore, his argument was that they must either undertake the protection of these Natives or abandon all responsibility for it. They were not bound to protect Natives all over the world; and in South Africa, as elsewhere, they must endeavour to draw the line somewhere beyond which their responsibility should not extend; and his own opinion was that in the present case the line should be drawn on this side of the Transvaal. It seemed to him that they had given nothing in the nature of a distinct pledge to the Chiefs who were now in trouble. He did not understand, in other cases, the use of the word "rebel." Take the case of the Chief Mapoch. It was shown that he had consistently maintained an independent position; that he had refused to pay tribute to the Transvaal Government and to the British Government. In what sense, then, was he a rebel against either Government? It seemed to him that he had not been a rebel against the Boers, and also that he had no claim on the British Government, because he had never submitted to it. He thought they ought to recede from the Convention into which they had entered in a weak and unfortunate moment. He was not one of those who wished to withdraw from their position of responsibility in respect of pledges actually given in South Africa. There were many people there within the British boundaries to whom they were pledged. He was very glad that they had undertaken to fulfil those pledges with regard to the people, and he believed there were other States for whom they should undertake that duty; but, at the same time, he could not help thinking it a stroke of good fortune that the career of Cetewayo had been so speedily brought to an end. He would conclude by expressing a hope that they should establish the British Dominion within an intelligible boundary line, and that they should not undertake to protect the whole of South Africa and her people at an enormous expense.

Mr. R. N. FOWLER said, the hon. Member for Kirkcaldy (Sir George Campbell) had told the Committee that all the attacks made upon the Government from that side of the House had failed; but he would remind hon. Members that the Government, who were the authors of the Convention of Pretoria, came down to the House and said they had made a Convention which in a satisfactory manner protected the interest of the Natives. That Convention had the effect of handing over 750,000 Natives to the tender mercy of 37,000 Boers, who were perfectly well known to be the most atrocious slaveowners in the world, and with respect to whom it had been stated two years ago, by the hon. Baronet the Member for the University of London (Sir John Lubbock), that they had been known to put a number of Native children to death by burning them alive. These were the people to whom Her Majesty's Government had handed over the unfortunate Natives; and the result of that policy had been clearly shown in the speeches of the hon. and learned Member for Chatham (Mr. Gorst) and the right hon. Gentleman the Member for Bradford (Mr. Forster). If the Government had advanced at the proper time, they would have incurred some loss of life; but they would have restored peace and order in the country, and the Committee would not have had before them the harrowing details to which they had listened that evening. He had expressed his deep sorrow that Her Majesty's Government should have entered into this ill-starred and most unfortunate Convention of Pretoria, which had been fraught with the greatest human miseries that any act in the history of the world had produced. He urged on Her Majesty's Government to remedy the mischief caused by the Treaty of Pretoria; and he hoped that when the Transvaal deputation made its appearance in Downing Street they would be received in a firm spirit by Her Majesty's Government, and that they would find they were dealing with men who were determined to do all that lay in their power to promote the interest of humanity.

Question put, and *negatived.*

Original Question again proposed.

Mr. GUY DAWNAY moved to reduce the Vote by the sum of £1,200, the salary and expenses of the Resident with Cetewayo in Zululand. He was well aware that the Office in question had already been swept away by the interposition of a far different authority to that of the Vote of a Committee of the House; but however much circumstances might have changed in the last few days as a result of the policy of the Government, that change had not affected the question of the wisdom or justice of that policy in the first instance—rather it had added a burning point to the charge to be brought against the Government. Last year, on the debate on his hon. and learned Friend's (Mr. Gorst's) Motion for the restoration of Cetewayo, the Prime Minister stated that the Government could not listen to the suggestion until they had obtained the best information in their power as to what the effect of the restoration would be. The right hon. Gentleman used the following words:—

> "But supposing that, instead of an unanimous reception of Cetewayo, there should be a serious division of opinion, is it right for us, until we have taken every step in our power to obtain the best information and the best advice, to send Cetewayo into the country, with the moral certainty we possess that he would be a power, and that if he were not the cause of pacification he would be a very serious cause of disturbance and bloodshed."—(3 *Hansard*, [268] 771.)

Those remarks induced him (Mr. Guy Dawnay) to forego his intention of addressing the House on the subject; but he had bitterly repented his decision ever since. The Government acted strictly in accordance with the declaration of the Prime Minister. They got the best information that was to be got; but they deliberately acted contrary to it, and upon their heads would be charged all the bloodshed which had taken place during the five months preceding and culminating in the death of Cetewayo. Ever since the adoption of the unfortunate policy which led to the restoration of Cetewayo he had done his best to obtain an opportunity for discussing it. He had not thought himself justified in availing himself of the facilities afforded under the New Rules of Procedure, because he held somewhat different opinions as to the propriety of such a course to those held by the hon. Member for Ipswich (Mr. Jesse Collings); and owing to the unfortunate delay in the issuing of the Papers, which should have been issued at the beginning of the Session, he was precluded from raising the question on the Address to the Speech from the Throne. The Government plea in that Speech for the restoration of Cetewayo was that it would "lead to the preservation of peace and order, and bring about a stable Government in Zululand." But instead of peace and order they had to look back upon a five months' history of bloodshed and violence in the land, wasting and destruction within its borders; while in place of a stable Government they had now to picture to themselves the dead body of the Zulu King, with a Zulu's assegai driven through his heart. He asserted that his condemnation of the Government did not depend upon the mere easy after-wisdom that followed in the wake of history; but that all information, all experience, and all common sense pointed conclusively and infallibly to the events he had referred to, as the natural and inevitable consequence of the policy he would condemn. He would only refer to the Zulu War so far as to remind the Committee that as the outcome of a campaign involving a most lamentable loss of life on both sides, and a very considerable expenditure of public money, they did obtain a settlement of the Zulu Question, which received the assent of all best qualified to give an opinion in the essential point of the removal and deposition of the Zulu King, who was at once the Representative of the warlike spirit of the nation and the embodiment of the bloodthirsty traditions of his race. But the present Government had gone out of their way to re-import that element of danger, and on what grounds? Not in deference to any general desire among the Zulus, either Chiefs or people; in direct opposition to the expressed wishes of our Colonists, against the wishes of those who were entitled to have the utmost possible deference paid to their wishes, and in the teeth of the opinions of Sir Henry Bulwer. It was merely from a desire to complete in South Africa, as in India, Ireland, and elsewhere, the reversal of the policy of the late Government, and in deference to what was the mistaken sentiment of a false philanthropy amongst a small section in this country, and to the agitation which was carried on in Natal with the effect, if not the object, of fostering discontent among the Zulus, thereby discrediting the former settlement in the Zulu country and rendering its government impossible. With the permission of the Committee he would read one or two extracts in confirmation of this view. Sir Evelyn Wood said—

> "Every Zulu whom I met alone in my ride through Zululand told me, in the course of conversation, that the Zulus would not willingly go back to the old system which obtained under Cetewayo, preferring the present system. I gathered that the people in those districts that have been undisturbed greatly prefer the present state of things; but that all are earnestly desirous of being more directly under the British Government."

And, again, Sir Henry Bulwer, in his Report, stated that—

> "I believe that not merely the majority of the appointed Chiefs are individually opposed to the restoration of Cetewayo, but that great numbers of the Zulu people have no wish to return under this rule, and would regard any obligation to do so as one of the greatest misfortunes that could befall them, and that many would be compelled to leave the country."

Did the Committee realize what was the state of Zululand under Cetewayo? In his own experience he had twice in one year, during the short time that he had spent in the inhabited districts of the country, come across companies of soldiers on their way to wreak the vengeance or to deal out the barbaric parody of justice of the King on some unfortunate and unsuspecting kraal. The soldiers would surround the kraal at night; at the first dawn of day the work of destruction would commence, and the sun would rise on the corpses of men, women, and children slain in an indiscriminate massacre, where it had set on a happy and prosperous village. Was it to be wondered at that the first question of so many Zulus at the installation to Sir Theophilus Shepstone was—"Will the King be allowed to send out killing parties, and to act, generally, as he did before?" When Sir Henry Bulwer complained of the slaughters which were committed, Cetewayo said—

> "I do kill, and I mean to kill, and I do not consider I have done anything in the way of killing. I have not yet begun. It is the custom of our nation, and I shall not depart from it."

What was it but such facts as these that peopled Natal with its thousands of Zulu refugees? The best comment on the difference of the state of the country under Cetewayo, and under Lord Wolseley's settlement was, that instead of the thousands of flying Zulus, Zulus escaping for their lives, that each year of Cetewayo's reign witnessed, the year 1881 saw 1,643 Zulus re-immigrating from Natal to Zululand. There was an expression which occurred more than once in the Blue Books, which contained in a few words a whole volume of eloquence. The Zulus said that in Cetewayo's absence "they could sleep with both eyes closed, and the barking of dogs no longer disturbed them." A charge of "killing" had been brought by a Correspondent of *The Daily News* against some of the appointed Chiefs; but Sir Henry Bulwer had ascertained there was not the slightest truth in this charge, and the Correspondent in question was the same who, on so many occasions, had trusted to his imagination for his facts, or else had proved a perfect sponge, for the absorption and re-expression of the lying fabrications of others. In further proof of his assertion as to the real wishes of the Zulu people, he would refer the Committee to Sir Theophilus Shepstone's graphic account of his installation of Cetewayo; but he thought he had adduced overwhelming evidence to prove his views, and he would ask the Under Secretary of State for the Colonies what evidence he proposed to bring forward in support of his case? He denied that he could bring any evidence, except that of what had been so wrongly called "the great Zulu deputation"—the deputation of a few discontented headmen and relations of Cetewayo, who, as the Blue Books showed, wanted, in reality, not Cetewayo's restoration, but territories for themselves. He would ask the Government upon what they had based their views of peace and contentment in South Africa? They had entirely failed in making either the people of Natal, or Cetewayo, or the Chiefs contented. As regarded the Chiefs, the policy of Her Majesty's Government involved a deliberate breach of solemn engagements; and this was the expressed opinion of Lord Wolseley and Sir Henry Bulwer. Lord Wolseley wrote on March 23, 1882, to the Colonial Office—

> "I wish to place on record my strong conviction that the return of Cetewayo to Zululand would be fraught with considerable danger to Natal, and would give rise to serious trouble in Zululand itself, while it would be in direct contravention of the guarantee I gave to all the 13 existing Chiefs of Zululand, that under no circumstances should Cetewayo be ever allowed to settle again in that country. Without that guarantee none of them would have accepted the position of Chief, with all its many responsibilities."

But there was a still more weighty expression of opinion—that of the Prime Minister himself, uttered last year in that House. The Prime Minister said—

> "Our obligations to the 13 Chiefs in actual or nominal possession of Zululand were not to be got rid of—at all events, without some definite evidence as to the unfaithfulness or the incapacity of those Chiefs. I admit that two cases have been quoted; but it would be absurd to say that those 13 men are to be condemned because two of them have proved unfaithful to their Government." — (3 *Hansard*, [268] 772-3.)

What proofs of unfaithfulness or incapacity could be brought against Umbanawendhlela, against Hlubi, or against John Dunn? The Committee were entitled to demand some explanation of the deposition of John Dunn. It was 13 years since he first knew him in South Africa; and he could, from years of acquaintanceship, bear testimony to his talents, his abilities, and his worth. He had won the golden opinion of all Europeans who had met him, and the regard of the Natives; and his name was mentioned with respect by both friend and foe in South-East Africa. He had proved himself a most loyal and useful subject of his Queen; a better friend to the Natives amongst whom he had cast his lot than any member of the Aborigines Protection Society; and a better Christian, in all the most essential principles of Christianity, than many that had professed it far more, and practised it far less. He had been accused of treachery to Cetewayo; but only by those who were totally ignorant of his previous history, and of the terms on which he held his Chieftainship. He had done all he could to prevent the Zulu War, and, when it broke out, he crossed, by Lord Chelmsford's orders, into Natal, and there waited quietly for the war to terminate—till that event happened which changed the whole complexion of the struggle, till a British and Colonial Force had been practically annihilated by the Zulus, while Natal was lying paralyzed by the disaster, momentarily expecting a rising of her own Native Tribes as a consequence of any further reverses, while a British Force was away in Zululand, hemmed in by the Zulus. Years ago John Dunn had told Cetewayo that if any hostilities broke out between Zululand and Natal, he would be found in the ranks of the King's enemies; and Cetewayo replied—

"You are a White man; I am a Black man. If White men fight Black men, for whom should you fight but for those of your own colour?"

Of his services in the war it was needless to speak; of the estimation he was held in by the Zulus it was enough to say that a common demand of Zulu Envoys was—"Will John Dunn give us his word?" He could not himself understand how anyone who appreciated the effect of our first reverse on the Native mind, and the extent of the consequent panic in Natal, could blame John Dunn for refusing to remain a passive spectator of what then seemed the death-struggle between civilization and savagery, after the White man's dominion had received such a crushing blow as that inflicted by the Zulu assegai under the rocks at Isandhlwana. As regarded his administration of his territory, Sir Henry Bulwer had borne testimony to his good government; and it was owing to the confidence of the authorities that all the discontented Chiefs were quartered on his territory. The only single point upon which the Government could find the slightest fault with John Dunn was with regard to the Hut Tax. That was, however, one of the suggestions orginally made by him, and it was proposed to the assembled Chiefs by Sir Evelyn Wood, and unanimously agreed to by them; and it was utterly impossible for anyone placed in such a position to have done without some sort of tax of that kind, a fact sufficiently proved by the Government having adopted the same tax in the Reserved Territory, though they had increased it by 40 per cent. There could be no question or doubt of the improvements made by John Dunn in his territory; he at once set to work to make roads, he prohibited the import of spirits, he assisted the Missionaries, he gave ploughs and trained oxen to his headmen, he built six substantial stores for the creation and supply of that demand for necessaries and luxuries which was the best incentive to Native industry and exertion, and he had employed three White Administrators under himself at salaries of £200 each, and, in fact, had done all he could, and all that no one else would, to civilize the Natives and improve his territory. In that lay the best chance for the security of our Colony of Natal, and it did seem hard that the only recognition of all this was his deposition from that power he had exercised so ably—his removal from that post which he had filled so wisely and so well. He thought it was incumbent on the Government to furnish some proofs of the unfaithfulness or incapacity they had alleged against him. With regard to the restoration of Cetewayo, he had shown that it was not desired by the people of Zululand; it was a violation of the promises given to the Chiefs, and it was only due to the agitation of a few discontented relatives of Cetewayo, who thought their own claims to the exercise of a superior authority had been overlooked in the general apportionment of power—an agitation fomented and fanned to flame by unfortunate influences in Natal. It remained to view it from the point of view of the Colonists—that is, in regard to the effect that the restoration must have had on the Native Tribes around; and he asserted that, with every Native who knew that Cetewayo was restored, such a concession to agitation could only be looked upon as a further evidence of the wane of the power of the White man. He merely expressed the opinion of every White man in South Africa, when he said that the magic of the name of Englishman had lessened very considerably in Africa during the last two years, through the long, serious loss of *prestige* entailed on us by our policy in the Transvaal, through our defeat, and still more by our placid acceptance of defeat—by the disastrous, the humiliating termination of a war, entered upon with a light heart, and a careless confidence—conducted in a way which, if that war was unjust and was unnecessary, involved a heavy charge of bloodguiltiness on the Government which commenced it—a heavy responsibility for wasted blood and tarnished fame—and terminated after repeated reverses with a haste, and under circumstances, which they had been told, which some had been taught to consider manly and Christian, but which the misguided Kaffir persisted in considering as conduct craven and cowardly. Had our latest transactions in the Transvaal done aught to redeem our fame? Did the Government soothe themselves with the belief that, with regard to Montsioa and Mankoroane, these things had been done in a corner; that every Native, from the Knysna to the Zambesi did no know that, not only had we been beaten in the miserable skirmishes that ended in the retrocession of the Transvaal, but that now the Natives who, as our allies, had assisted us in that war, had in their turn been plundered and despoiled, had lost lands and lives at the hands of the Boers, while the Suzerain power, to whom they looked for assistance, and to whom they made such touching appeals, had stood idly by, or only made its impotence more marked by helpless and unavailing remonstrances. And, finally, was Cetewayo's restoration necessary as an act of justice to himself? What was the claim of his family to the Throne; and how had that claim been won? It had been won by blood, and cemented by a succession of fratricides unparalleled in history. Chaka, the former King, first waded through slaughter to a Throne. He was killed by his brother Dingaan. The fratricide Dingaan was, in his turn, killed by his brother Panda, with the help of the Boers. No such Nemesis overtook the fratricide Panda in his own person; but his favourite son, Umbalazi, whom he had intended to succeed him, was attacked and killed by his brother, the late Cetewayo. And yet that was the Royal Family, and that the man whom the Government went out of their way to restore. From the first moment that Cetewayo's foot touched Zululand he began to break every single condition under which he had been restored, both with regard to the Reserved Territory, and to Usibepu, until, after the land had been turned into a perfect Pandemonium of savage civil war, he had fallen himself a victim to the fear and the dislike which the remembrance of his former tyranny had inspired—a tyranny which his absence had enabled his former subjects to realize. All experience and all history showed that, often in a civilized nation, certainly with the conquered Chief of a savage race, when once his former servile subjects have seen—

> "The desolator desolate, the victor overthrown,
> The arbiter of others' fate, a suppliant for his own."

That then—

> "His spell upon the minds of men, breaks never to return again."

In defeat and in captivity we had shorn the locks of the Zulu Samson; and we did but restore him to his country with sufficient strength left to pull down his country in ruins on himself. In bringing these charges against the Government, he was aware that such charges lost weight in coming from so young a Member, though he could say his hair had grown grey under an African sun. He asked—Would the Government deny that their policy involved a breach of faith to the Chiefs?—that faith which the Prime Minister owned had been pledged to them. Would they deny that they had acted directly contrary to the information by which the Prime Minister owned they should be guided? As regarded the future, the Government had now an opportunity of effecting a peaceful, lasting, and beneficent settlement of Zululand. All the difficulties which had been experienced might have been avoided if the Government from the first had accepted their responsibilities, and extended to the whole of Zululand that protection which they had given to the Reserved portion, as he had suggested last year. A Resident ought to be appointed to the whole of Zululand, whose power should be exactly the same as that possessed by the Resident in the Reserved Territory. The produce of a general Hut Tax should be assigned to him, for the expenses of government, and for the improvement of the country. Zululand would be self-supporting, and would be in no way a burden or expense to us. Such a settlement would be welcomed with joy and relief by every Zulu Chief, and by every Zulu man and woman. He thought that the services of John Dunn ought to be utilized in any settlement of the country. If any Chiefs should be unwilling to come under our protection some territory in the North might be allocated to them; but he believed that even Usibepu would prefer our Protectorate. He was confident that it was their duty, as a civilizing and Christian country, not to give up the power for good which had been given to them in that country. He looked upon their maintenance of their hold there as a solemn duty; but he still would say, "Zululand for the Zulus." He did not want to see that country portioned out amongst White settlers, with a Native area growing each year smaller and more confined, like some Red Indian Reservation. If the Government would only, even at that eleventh hour, assert their paramount authority, and put an end to anarchy and bloodshed—if they would but listen to the repeated requests of the Zulus themselves that they should be brought under the protective rule of England, they would find a people—like the Israelites of old asking for a King—a people not only ready, but desirous to accept our control; and if they would accept that responsibility in a proper spirit, as a mission entailed upon them, as a superior race, as a conquering and a Christian nation, he believed not only that the present inhabitants of that country would learn to look back, without heartburnings or regret, to that July morning which first saw their King a fugitive, and his Army flying from the field, but that all the future generations of Zulus would learn to bless the day which gave up their land to the true mercy of the White man.

Motion made, and Question proposed,

"That a sum, not exceeding £8,225 (including a Supplementary sum of £3,808), be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for certain Charges connected with the Orange River Territory, the Transvaal, Zululand, and the Island of St. Helena."—(*Mr. Guy Dawnay.*)

Mr. EVELYN ASHLEY: The misfortune of dealing with this question seems to be that those who approach it are divided into two factions. There are the advocates of John Dunn, who may be called the Dunnites, and the advocates of Cetewayo, who may be called the Cetewayo Party; and those who are for John Dunn think there is no good in the Cetewayo Party, and the Cetewayo Party think there is no good in the Dunnites. The hon. Gentleman who has just sat down is the Leader of the Dunn Party, and the Leader of the Party favouring Cetewayo may be said to be found in the hon. and learned Member for Chatham (Mr. Gorst). When the hon. and learned Gentleman the Member for Chatham strongly insisted upon the restoration of Cetewayo, the hon. Gentleman who has just sat down offered no opposition.

Mr. GUY DAWNAY: In consequence of the direct appeal of the right hon. Gentleman the Prime Minister, I forewent my right to move the Motion I had down on the Paper.

Mr. GLADSTONE: I beg pardon. I am utterly unconscious of such an appeal.

Mr. EVELYN ASHLEY: However, it is the fact that the hon. Gentleman was not here to oppose the hon. and learned Gentleman the Member for Chatham when he pressed on the Government the necessity of restoring Cetewayo. We at the Colonial Office are obliged to be made of sterner metal. We are not for John Dunn, and we are not for Cetewayo. We do not care for either. We have tried to take into consideration what is of far more importance than the welfare of John Dunn or the welfare of Cetewayo, and that is the welfare of Zululand. This is what has guided us, and not the interests of John Dunn or the interests of Cetewayo. The hon. Gentleman has talked to us as if the settlement that was inaugurated under the late Administration had been such a success that the only duty of the succeeding Administration was to leave it alone; and as if Her Majesty's Government, by a Quixotic conduct, and by their affection for Cetewayo, had caused disorder and disturbance where before there was peace and quiet. I would observe that the hon. Member very distinctly pointed in the course of his speech to annexation as the real solution of the Zulu difficulty. Well, Sir, I am not prepared to deny that at the time of the defeat of Cetewayo at Ulundi the great body of the Chiefs and Natives would have accepted our rule if we had chosen to assert it. But Her Majesty's late Government were not prepared to annex Zululand, and Zululand was not annexed. Instead of that, a system was invented by Sir Garnet Wolseley which was described in a Natal paper at the time as a system of establishing 12 Cetewayos where there had only been one before. How has that system prospered? What has been the result to Zululand of its establishment? It is absurd to suppose for a moment that during Cetewayo's three years' absence from Zululand the country was in a state of peace. As a matter of fact, there were many little wars between the Chiefs; and there was a great loss of life. There were disputes going on between Chiefs, and, in fact, there were constant disturbances. On this point I need only appeal to the authority of Sir Henry Bulwer, who was not a very ardent advocate of the restoration of Cetewayo. What does Sir Henry Bulwer say? In addressing the Legislative Assembly of Natal in 1882 he said—

> "I regret to say the accounts from the neighbouring Zulu country are unsatisfactory. The general condition existing in that country under the settlement is, in many respects, such as to make it desirable that matters should be considered with a view to remedy defects, and with a view to a more satisfactory and assured state of things."

This is what Sir Henry Bulwer said in June, 1882. Again, in his despatch dated August, 1882, Sir Henry Bulwer said that—

> "Events have occurred in the Zulu country which not only have lent colour to the assertions against the appointed Chiefs, but have given an unfavourable impression of the working of the settlement."

Further on he makes similar statements; but one quotation is quite sufficient for my purpose. What does the Transvaal Government say? They had no particular liking for Cetewayo; and, as far as I remember, they sent an official communication to Her Majesty's Government, through the Resident at Pretoria, dated October 24, 1881. In that communication it was stated that the Executive Council had passed a Resolution to the effect that the intelligence they had received showed that the condition of affairs in Zululand was so unsatisfactory that it would in future be a source of disturbance and continual danger to them and also to the residents on the Natal Border-line. It therefore appeared to them in the highest degree necessary, in the interests of the peace of the whole of South Africa, that the Government of Zululand should be placed on a satisfactory footing, and this could only be done by releasing the Zulu King, and restoring him to his rights. They added that Cetewayo would then be in a position to restore peace to the Kingdom, and to prevent the shedding of blood in such a barbarous manner as was then to be witnessed. Now, I do not quote these opinions to show that the Transvaal prophecy has turned out right. I do not pretend to say that; but I venture to say we had before us all these elements for our decision, and that we were not swayed solely, as the hon. Member stated, by the deputations which went to Sir Henry Bulwer. "Deputation" is a noun of multitude, and signifies many, and not much. I will allow that these deputations did not signify much; but, still, they were elements in the consideration of the question. But the chief element was this—Zululand was in a state of disturbance, and it was going from bad to worse. We had reason to believe that as long as Cetewayo remained in captivity there would be this agitation on the part of those who were at his back; and, above all, there was this great consideration, which Sir Henry Bulwer has dealt with so carefully in his despatch, and which, I think, will commend itself to hon. Members—there was this great fact—that the Zulu people, like all the Natives of such countries as Zululand, were accustomed to the existence of a paramount authority—that is to say, a power forming a Court of Appeal and the Sovereign power over the different Chiefs who came more immediately in contact with it — and this Sovereign power lay in the person of Cetewayo, their King. We took that paramount authority away, and we substituted nothing for it. If we had annexed the country, or established a Protectorate, we should have supplied that paramount authority; but in the plan adopted no substitute was found for it. It was perfectly evident that there would be no peace in Zululand until the paramount authority was re-established in some way or other. That there was a comparative amount of peace after the settlement of Sir Garnet Wolseley was due to the fact that the Zulus thought we had assumed that paramount authority; and it was only when they began to discover that the English Queen had not taken Cetewayo's place that disturbances broke out and matters went from bad to worse. I can put into the witness-box no less a personage than John Dunn himself, because there was a record in the Blue Books of about a year and a half ago of a letter from John Dunn to the Colonial Office, in which he says—

> "This settlement cannot possibly last, and the only solution I can suggest is to make me King of Zululand."

Well, Sir, that of course, might have been a solution; but we thought that the more just solution was to re-establish Cetewayo. In taking into account all these points of expediency, we must not lose sight of the question of justice, and there was a question of justice involved. Cetewayo had been removed from his position, without his having given us any real cause for depriving him of power. Whether war was well-advised or ill-advised; whether it was expedient or inexpedient, I think it is universally acknowledged that, as far as Cetewayo himself was concerned, he had not attacked us, and probably would never have attacked us if we had not first attacked him. This being so, there was a consideration of justice to be brought into play; and I maintain that we were bound, if we could, to restore Cetewayo; and the only consideration that ought to have prevented that restoration could have been, first of all, if we had thought that by restoring him we should have exposed ourselves to attack, or that by restoring him we should have brought trouble and disturbance to Zululand, where before there was peace. We had no reason to believe that he would attack us before, and we had much less reason still to believe that he would attack us after the experience he had gone through. As to the question of bringing disturbance and trouble to a country where before there was peace, I have already said there was no peace. The outbreak, perhaps, was not very acute; but disturbance there was. There was certainly no peace to disturb. Our belief at the time was that, on the contrary, Cetewayo's return would bring peace; and I think we had good reason to believe that, under the conditions we imposed upon him, his return would have brought peace, had he adhered to those conditions. It is quite clear, however, that he did not accept the limitations of territory which he had bound himself to observe. Why he did not, it is beyond my power to say; but I think if Cetewayo had been left a little more to himself, and had not been counselled by seeming friends, whose counsel turned out eventually to be more fatal than that of enemies—if he had not been encouraged by friends to believe that he could regain his former possessions in full—he might have been content with what had been allotted to him, and he might now have been alive and in possession of a great part of his former possessions. The Reserve that we kept back from Cetewayo is, in itself, a reply to the charge that we failed to keep our pledges. As far as John Dunn is concerned, there is no doubt that he has nothing to complain of. The territorial system was meant for the good of the people, and not for his personal gain; and if he had made any personal gain he would have been unwarranted in doing so. He was left in possession of his personal property and of his tribal followers; and all he is deprived of is his territorial jurisdiction, with all its duties, and labours, and its privileges. The same thing applies to all the Chiefs. With regard to Usibepu, it is all very well to find fault with us for his having been left in possession; but he could not have been removed except by an expeditionary force, and after a difficult fight. It would have been an odd way of restoring peace in Zululand to tell one-third to go and take two-thirds; and Usibepu is well placed in a corner of Zululand. If peace has not resulted from the return of Cetewayo, that has entirely arisen from his determination to appropriate territory, and obtain the mastery over the whole country. Usibepu's conduct is strictly defensible. The first attack was made upon him by Cetewayo, and the last onslaught made by Usibepu's forces upon Cetewayo was made in anticipation of a united expedition by Swazis and Cetewayo's forces, which in a few days were going to attack Usibepu in his own territory; and I may say, in reference to the Question, I think, of the right hon. Gentleman the Leader of the Opposition the other day to the Prime Minister, as to the number of men Cetewayo had at his disposal, we have official information that in the last fight between Usibepu and Cetewayo, Cetewayo's troops numbered 6,000, while Usibepu had only 2,000 men; so that Cetewayo had not been hampered by any numerical inferiority. The Committee may like to know what is our latest intelligence respecting Cetewayo. Our latest information is that there seems to be very little doubt that he was killed, although his body has not yet been found; but the Reserve has remained unattacked, and is in a state of tranquillity. Mr. Osborne, our Resident in the Reserve, has been instructed to go temporarily over into Zululand proper, in order by his presence to try to bring about a pacification, and a settlement of this difficulty; but, at the same time, he has been instructed to explain to the Natives that he is not to take any action implying that we are going to assume the government of Zululand. Mr. Osborne is an old friend of many of the Zulus; he understands their language and their character, and his influence has already acted very well in the promotion of peace. Usibepu did ask, some time ago, for an English Resident; but, as will be seen from the Blue Books, the Government thought it unnecessary to appoint such a Resident; on the contrary, they thought it would be likely to bring about complications in the matter. I do not understand the hon. Member intended to move the reduction of the salary of the Resident with Cetewayo. [Mr. ASHMEAD-BARTLETT: Certainly.] I must say that the word "Resident" in this case is a mistake, because it implies a great deal more than the word "Resident" should do; for I must point out that from the earliest time of a Resident in Zululand proper—when the right hon. Gentleman opposite (Sir Michael Hicks-Beach), through Sir Garnet Wolseley, appointed a Resident—it was clearly understood that he was merely to be an adviser, without any authority to interfere, and no doubt it is very seldom that you can get very much influence exercised by a Resident; but, however that may be, and whatever may be the future of Zululand, it would not be right to withdraw the Resident at present. Whether it may be possible at some future time to withdraw him I do not know; but at present I believe he is exercising very useful influence.

SIR MICHAEL HICKS-BEACH: I think it is a great misfortune that my hon. Friend (Mr. Dawnay) has not had an opportunity of bringing his Motion under the notice of the House, and that we are forced to take this debate as a second Amendment upon this Vote in Committee. Not only would my hon. Friend's eloquence have had a greater effect in support of a Motion on which he would have divided the House, but we should have had a fuller discussion on a matter which has not been completely entered into by the Under Secretary of State for the Colonies. The hon. Gentleman said something about the different views held by the partizans of John Dunn and of Cetewayo. No doubt it is true that they look at this matter from a different point of view; but I am quite sure there is one thing in which they will all agree, and that is that, in spite of the grandiloquent phrases in which the hon. Gentleman has stated that the Government had endeavoured to consult the interests of Zululand and this country, there has seldom been a more signal failure in the policy of a Government than has resulted from their action in the case now before us. What do we see? We see that the Government, from certain motives, some of which the hon. Gentleman has described, and which I shall touch upon shortly, made up their minds to restore Cetewayo to Zululand; but they could not make up their minds to restore Cetewayo to Zululand in the sense in which the restoration was desired by the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), or by the hon. and learned Member for Chatham (Mr. Gorst), or by those who have taken up Cetewayo's cause in South Africa. I am not blaming them for the hesitation with which they approached this matter. I think they were wrong in restoring Cetewayo at all; but this, at any rate, is certain—that in attempting to carry out the policy which they took up, I believe not on account of justice or necessity, but because it was forced upon them by certain hon. Members below the Gangway, they did not satisfy those who had pressed it on their notice. On the other hand, in the course they pursued they neglected the advice of those who were best qualified to advise them, and whose advice they, as representing the Government of this country, were specially bound to take, and I will mention one name, that of Sir Henry Bulwer. Nothing could be more contrary to the advice of Sir Henry Bulwer than the course decided upon by the Government in the restoration of Cetewayo; because what they did was to force him, little by little, very much against his own inclination, to suggest to them some plan for the restoration of Cetewayo, and then to emasculate that plan by taking out the very part which he considered vital for its success. The hon. Gentleman has told us that, after all, the conditions with which the Government had to deal were by no means satisfactory—that, in a word, the settlement of Zululand, of which Sir Garnet Wolseley was the author, and which was sanctioned by the late Government, had failed. I should like, if the Committee will permit me, to occupy their time for a few minutes upon that point. I do not say that that settlement had a very complete success; but why? In the first place, I will venture to say, on behalf of Sir Garnet Wolseley and the late Government, that that settlement would never have been made on the basis on which it was made had it ever been supposed that the authority of this country over the Transvaal would be withdrawn. The whole basis of that settlement depended on the maintenance of Her Majesty's authority over the Transvaal, and on the influence exercised by the *prestige* of British power over the neighbouring regions. That influence was lost by the retrocession of the Transvaal, and especially by the manner in which the retrocession was effected; and it was obvious that some substitute for it must be found, if the Zulu settlement was to be maintained. Such a substitute was suggested to Her Majesty's Government; but they would not adopt it. If hon. Members care to turn to the Blue Books, which are now so much a matter of ancient history, they will find that at the time of the settlement by Sir Garnet Wolseley, in the very despatch in which I gave the sanction of the Government of the day to that settlement, I called the attention of Sir Garnet Wolseley to the question of Sub-Residents, and expressed my opinion that in the working out of that settlement it would probably be necessary to appoint Sub-Residents to assist the Residents with the intelligence they could obtain, and with their advice. It is strange that within a year of that time—September, 1880—Mr. Osborne, who was then Resident in Zululand, suggested the very same thing, and also suggested the imposition of a Hut Tax; and, later on, he expressed the opinion that the condition of affairs existing in September, 1881, would have been prevented by the adoption of the plan he had recommended in 1880. But these measures were not adopted. The matter was left to itself. Sir Evelyn Wood called the Zulu Chiefs together to consult as to the state of Zululand; and at the end of 1881 the very same proposal was again made, and Sir Evelyn Wood supported it. Her Majesty's Government declined again to consider the proposal. They declined to extend any kind of authority over Zululand, even to the extent of appointing Sub-Residents possessing some kind of magisterial power. What happened? There arose a very remarkable agitation, conducted by the representatives of Cetewayo's family in Zululand, but directly fomented by White men in Natal, and by the Aborigines' Protection Society in this country. It is to that agitation that the policy adopted by Her Majesty's Government is really due. Lord Kimberley had telegraphed to Sir Henry Bulwer that the Government felt strongly the danger of prolonging uncertainty in Zululand, and the difficulty of justifying the continued detention of Cetewayo. That last sentence is the real key to the whole situation. Her Majesty's Government were pressed not merely by the deputations to which the hon. Gentleman has alluded, but by inconvenient Questions and Notices of Motion from below the Gangway. Sir Henry Bulwer stated that the agitation had arisen from statements that the Government was about to restore Cetewayo. I need not say, as my hon. Friend has remarked, how much the public belief in statements of this kind must have been augmented by the feeling aroused throughout South Africa by the policy adopted by the Government with regard to the Transvaal. Sir Henry Bulwer distinctly attributed to this agitation, conducted and fomented as I have described, all the troubles in Zululand. Then the Under Secretary of State went on to say that another matter which pressed upon the Government was the suggestion of the Transvaal Government that Cetewayo should be restored. He admitted that the restoration had not had the effect which the Transvaal Government had expected; and I am sure nobody would be more ready to join in that admission than the Transvaal Government themselves, for I have noticed that their complaints as to the action of the Zulus on the Border, and the complaints of the Zulus as to the action of the Transvaal Government, have been increasing instead of diminishing since the restoration. Then the third point to which the hon. Gentleman referred was that touched upon by Sir Henry Bulwer. Sir Henry Bulwer dwelt with great ability and at considerable length on the absence of any paramount power in Zululand. But how did the Government propose to deal with that? Not at all in the manner he recommended. What was his recommendation? He said they might restore Cetewayo over a small portion of Zululand, which was willing to have him back, but that it was vital to the success of the scheme that in the remainder of the country which was not willing to have him restored they should institute another paramount authority, and that must be the authority of Her Majesty's Government. That recommendation, I must say, was treated with contempt by Lord Kimberley; and Cetewayo, in obedience to hon. Members below the Gangway, was restored to a considerable portion of Zululand, while the recommendation of Sir Henry Bulwer, who was on the spot and knew the circumstances, was absolutely ignored. Now, the Government are surprised that this settlement of theirs has had worse results than the former settlement. I say worse results. Just now the right hon. Gentleman (Mr. Gladstone) told the Committee that one of the reasons which prevented Her Majesty's Government from enforcing the provisions of the Transvaal Convention with reference to Bechuanaland was the thought of the blood that might be shed. I do not think Her Majesty's Government could have considered that matter much before they sent Cetewayo back; but if they did, they have been disappointed, for I will venture to say that all the blood that was shed in the Zulu War was little indeed when compared with the loss of life and misery which has occurred in Zululand since the restoration of Cetewayo. The Under Secretary of State for the Colonies says it is all Cetewayo's fault, because he would not accept the limitation of his territory. This Blue Book clearly shows that when Cetewayo had an interview with Lord Kimberley, and was told generally how his territory would be limited, and how he would have John Dunn for his neighbour, and the other conditions that would be required of him, he protested in the strongest way against the proposed limitations. Yet, in spite of his protest, he was sent back to Zululand; and it appears to have been expected by Her Majesty's Government not only that he would himself willingly observe these conditions to which he had objected, but also that, although he was sent back a man who had been defeated, and deprived of all authority over his people, he would be able to impose them upon his adherents without any force to assist him in carrying them into effect. All that I can say is, that of all the acts of Her Majesty's Government in connection with South Africa, I do not think there is one which will redound with so little credit to them as this restoration of Cetewayo. I cannot conceive any person to whom that restoration has been any benefit whatever; but this I must say—that it has been another exemplification of the entire incapacity of Her Majesty's Government to resist any agitation, however unreasonable, that could be raised against them, and to consider the fairest arguments in opposition to such agitation, even when put before them by those very men in whom they ought to have the highest confidence as thoroughly able to judge of the state of affairs in South Africa.

MR. GLADSTONE: The right hon. Baronet has shown his capacity to deal with a question of this kind in the spirit of a Party politician; and I do not think I have heard during the present Session a speech more imbued with that spirit than this speech. A large portion of that speech has been an unnecessary vindication of Sir Henry Bulwer. Why have we all this about Sir Henry Bulwer? No one attacks him; there was no complaint against him, and no responsibility thrown upon him; yet what does the right hon. Gentleman do? He accuses and attacks the Government because they did not accept certain proposals made by Sir Henry Bulwer as to the method of restoring Cetewayo. They did not accept these proposals because they disapproved of them, and because Sir Henry Bulwer's plan appeared to them to come too nearly to a plan for the annexation of Zululand. Did the right hon. Gentleman approve of these proposals?

SIR MICHAEL HICKS-BEACH: Certainly, if Cetewayo was to be restored at all.

MR. GLADSTONE: Then the right hon. Gentleman did not approve of the restoration? [Sir MICHAEL HICKS-BEACH: No.] Then why did he not say so at the time? The right hon. Gentleman is exceedingly wise after the event. Cetewayo's restoration was a failure. There is no doubt about that. He has paid the penalty of his fault. The right hon. Gentleman had no other advice to give at the time when the matter was fully debated in this House on the Motion of the hon. and learned Member for Chatham. Is the right hon. Gentleman unaware of that? Has he reserved all his studies of this subject until he thought he had an opportunity of attacking the Government? Did he pay no attention to the subject of Zululand until that opportunity was given him? Is he unaware that the hon. and learned Member for Chatham, in a speech of great ability—and not a Gentleman on this side of the House, and below the Gangway, but on the other side of the House—opened up the subject, and not by agitation, and not by means of the Society for the Protection of Aborigines, or anybody else, but by his own reason, showed what we were not prepared to contest, and what we were aware of, that the state of things in Zululand was very unsatisfactory; and the right hon. Gentleman, with all his Colonial wisdom, of which we have had such an abundant display to-night, had not a word to say on the subject, and allowed this fatal measure of restoration to go forward without a syllable of warning. Why was Cetewayo sent back? It seems to the mind of the right hon. Gentleman a thing totally impossible to conceive, that anybody should be actuated by the idea of doing justice. He says my hon. Friend was guilty of grandiloquence. Why? Because he said in the simplest language—the right hon. Gentleman is pretty grandiloquent himself—that we had endeavoured to study the interests of England and Zululand. Therefore, he is guilty of grandiloquence. Now, I will repeat the statement, though I do not suppose the right hon. Gentleman will accept it, with any credit, that a sense of justice did greatly and principally govern us with regard to Cetewayo. I thought the right hon. Gentleman had himself done the grossest injustice to Cetewayo. Our great desire was to repair what had been done; but the ruin that had been wrought in Zululand it was not possible for us entirely to repair. It is one thing to carry confusion and destruction into a country; but it is most difficult to gather together the broken fragments which are the monuments of the statesmanship of the right hon. Gentleman. These were the motives that led us to restore Cetewayo. Never did I receive any communication with greater pain, or an appeal of which I more felt the force, than the letter which Cetewayo addressed to me, pleading that he had done no wrong, and asking what was our justification for keeping him an exile from his home and his people. I had no answer to it. Had there been peace in that country, we should have been able to say it was our duty to make some reparation to him in some form; but if Zululand was happy, he must not ask us to restore him, or to wink at restoration, because the happiness of the country was the first thing to be secured. But the country was not happy. The right hon. Gentleman says it was, because the Transvaal had not been retained by us. If the Transvaal had been retained by us, in our judgment no part of South Africa would have been happy. That is our belief. So far from the state of Zululand being better, it would not have been better. [Sir MICHAEL HICKS-BEACH: No.] Surely the right hon. Gentleman said the retention of the Transvaal would have enabled the settlement which was tried in Zululand to work satisfactorily.

SIR MICHAEL HICKS-BEACH: What I said was, that the plan of Sir Garnet Wolseley's settlement was based on the idea of the retention of the Transvaal.

MR. GLADSTONE: The retention of the Transvaal, if, as we believed it would, it had led to general disturbance and confusion in South Africa, so far from improving the state of things in Zululand, would have done exactly the reverse. I therefore do humbly assert, whether the right hon. Gentleman believes it or not, that we were greatly pained by what we thought the injustice which had been done to Cetewayo. I am sorry to have been obliged to revive that subject. I should not have wished to refer to it for a moment; but the right hon. Gentleman, by the Party speech he has made, compels me to refer to it, and to point out to whom it is due that all these difficulties have arisen. My hon. Friend the Under Secretary has stated what I am afraid is true—that, under what influences I know not, though I very deeply regret them, Cetewayo was unwilling or unable to execute the conditions of the settlement provided; and, as my hon. Friend believes, though I will not say I have been able fully to examine that matter, he has suffered for that, and has probably paid the forfeit of his life. But here, again, comes in the right hon. Gentleman, and seems to imply that Cetewayo was under no obligation to fulfil these conditions. And, pray, Sir, why? Because, says the right hon. Gentleman, he protested against them. Why, he had subscribed, and willingly subscribed, to them, in the sense that he chose rather to accept restoration with those conditions than to forego restoration. His case was entirely analogous to the case of the Government of the Transvaal in reference to their Convention. They protested against the conditions of that Convention, but they chose rather to take it with the conditions than to have nothing; and nobody has been more forward than the right hon. Gentleman in holding them to that Convention, because, although they protested against it, they accepted it with their eyes open. Cetewayo did exactly the same thing. He accepted the conditions.

SIR MICHAEL HICKS-BEACH: With every intention not to fulfil them.

MR. GLADSTONE: The right hon. Gentleman has such a perfect knowledge of the intentions of people, and of the interior of their minds, that I will not follow him into that. It is no answer to me, nor any defence of the plea brought up by the right hon. Gentleman, that Cetewayo was not bound to comply with those conditions, and that the blame of his not accepting them falls on the Government. Therefore, I can only say that of all the different kinds of wisdom there is none that is less profitable to mankind than wisdom after the facts; and I have never known a finer or more full-blown specimen of that kind of wisdom than that with which we have been favoured in the speech of the right hon. Gentleman to-night.

SIR MICHAEL HICKS-BEACH: I should like to say, with reference to the personal attack of the right hon. Gentleman upon me for not having questioned the restoration of Cetewayo at the time when it was carried out, that it was quite impossible for me to do so. No doubt the hon. and learned Member for Chatham (Mr. Gorst) raised the question in the early part of last Session; but it was then raised incidentally by him on a day when I was not present, and discussion was absolutely deprecated by the speech of the right hon. Gentleman himself. Then Her Majesty's Government, being in communication with Sir Henry Bulwer on the subject, waited—I do not blame them for that—until the end of the Session; and about the 12th of August announced their intention to restore Cetewayo. Everybody knows that at such a time, within a very few days of the close of the Session, it is quite impossible to call any Government satisfactorily to account in this House.

SIR WILFRID LAWSON wished to say a word or two, principally because the right hon. Gentleman opposite (Sir Michael Hicks-Beach) had made many allusions to those who, in former days, pressed for the restoration of Cetewayo to his own country. With regard to the present state of Zululand, and what had been going on there in the last few months, they had not got quite sufficient information to deal with what had taken place. He had listened to this debate very carefully, and he had had some difficulty in knowing exactly what the point of discussion had been; but, so far as he could understand, there was a desire on the part of the hon. Member who had brought this Motion forward, and those who supported him, to obtain some sort of censure upon the Government for the restoration of Cetewayo to his Kingdom. In his opinion, the only fault the Government had committed in that matter was that they were too late in what they did. If they had done that some months before all these difficulties might not have occurred. But another fault in their proceedings, if it was a fault, was that when they did the thing they did not do it thoroughly; and he thought the speeches from the other side showed that hon. Gentlemen opposite were in that position also. They who were attacked for having pressed the Government to restore Cetewayo might clear themselves by saying that, although they contended that Cetewayo had been badly treated and ought to be restored, they never intended that the restoration should be carried out as it was. Bishop Colenso, who was a great friend of Cetewayo and of the Zulus, advocated that Cetewayo should be sent back. He did not think it was quite clear—although, perhaps, the Under Secretary of State for the Colonies might say it was—that Cetewayo was the aggressor in these proceedings. The Blue Books showed that our authorities kept telling Cetewayo, whatever he did, not to get into trouble, and not to contend with anybody; and Cetewayo refrained from attacking those who were continually attacking him. He did not press that, because he thought the whole thing was obscure; but he believed that something of that sort would be found to have been the case. At all events, whatever they thought of Cetewayo, they must all feel that this had been a very tragical and miserable affair, and that he, through a great part of his life, was very ill-used indeed; and he had been very glad to hear the Prime Minister make that able defence of Cetewayo to-night, and admit that great injustice had been done to him. The hon. Member for North Yorkshire (Mr. Dawnay) seemed to think this very much a question between John Dunn and Cetewayo. He himself was rather inclined to think that John Dunn was at the bottom of this last attack upon Cetewayo; because he saw a letter in *The Observer* of yesterday week, written in large letters, by someone who said he was a great friend of John Dunn, and knew all about South Africa. He was very much inclined to think that letter was written by the hon. Member, as the writer gave great credit to John Dunn for having been at the bottom of the whole affair, and as having been the man who attacked Cetewayo. He did not know John Dunn personally—he only knew him through the Blue Books, and he could not think he was the noble, grand character his hon. Friend made him out to be. What did the hon. Member say at the beginning of his speech? He told a number of anecdotes of the cruelties of Cetewayo when he was in power.. Those things he had never heard of before, and he did not think anybody else had.

Mr. GUY DAWNAY said, he had stated that he had come across soldiers, and in one case he had heard shots fired which had killed women and children.

Sir WILFRID LAWSON said, the hon. Member did not know the whole history of the case, or how this quarrel arose; but his point was, that when these things were done John Dunn was the friend, adviser, and comrade of Cetewayo, and in alliance with him. Did he make any remonstrance, or do anything to stop these crimes?

Mr. GUY DAWNAY said, John Dunn had remonstrated with Cetewayo.

Sir WILFRID LAWSON said, there was another point with regard to John Dunn which he did not think his hon. Friend would deny, and that was, that while he was the Agent for Natal he was in the habit of sending guns to Zululand; and that, he (Sir William Lawson) thought, was not very much to his credit. But, after all, they were really speaking in the dark, for they had not sufficient information on these points, and he only made these observations in defence of himself and his hon. Friends in regard to this matter; and as to the future, he thought it was almost too soon to say anything. He had not observed that anybody had laid down any rule as to the future with respect to what was to be done; and he hoped that the Government, warned by the sad experience they had had, would refrain from that interference and those annexations which might show our strength, but which showed neither justice nor wisdom, and which, in the end, would do us very little credit.

Sir HENRY HOLLAND said, he thought the Prime Minister showed that in this case, as in the case of the Transvaal, he felt he had a doubtful case to defend, because he had made strong personal attacks on his opponents. The right hon. Baronet the Member for East Gloucestershire (Sir Michael Hicks-Beach) was well able to defend himself; but he (Sir Henry Holland) desired to say, in reply to the Prime Minister, who had accused him a few hours ago, in the debate on the Transvaal, of giving an off-hand judgment as to what the Government ought to have done in the Transvaal, without weighing or making allowance for the difficulties of the case, but as if it were all an easy matter, that he could not, of course, take up the time of the Committee by re-stating what he had said in the debate on the Transvaal in April last; but he had then most fully admitted the great difficulty of government in South Africa, which he was not at all inclined to underrate. As regarded the question before the Committee, he desired to point out that the Under Secretary of State for the Colonies had contented himself with reading two opinions of Sir Henry Bulwer on the settlement of 1879 which were given in 1882; but that he had omitted to inform the Committee of the well-considered judgment of Sir Henry Bulwer in 1883.

In his despatch of February 15 of that year he writes—

> "The settlement of 1879 had conferred great benefits upon the Zulu people, which every true friend of the Native Races ought to rejoice at, but which people—at the time of which I write, carried away by a desire for the release of Cetewayo, and impatient at the disorders which had occurred in some parts of the Zulu country, and, moreover, not fully understanding the nature of those disorders, which were, in great measure, the result of an agitation that had been promoted from outside—were apt to lose sight of. The settlement, too, was, in its general design, an admirable one."

It would have been only fair if the Under Secretary had stated this later opinion of Sir Henry Bulwer's to the Committee. He (Sir Henry Holland) could not acquit the Government of want of judgment and foresight in restoring Cetewayo, as they had done. He was not himself open to the charge made by the Prime Minister against the right hon. Baronet (Sir Michael Hicks-Beach) of not having remonstrated against this restoration before it was accomplished; because he had ventured last year, when the debate which had been referred to took place, to argue against the restoration of Cetewayo, either as Chief of the whole country or as Chief of a smaller district. He then prophesied that if the latter course were adopted, and if Cetewayo were returned as a Chief on the same footing as other Chiefs over whom he had ruled, troubles and disturbances were sure to arise. And this view had been proved to be correct. Cetewayo was, from the first, dissatisfied with the conditions imposed upon him, and jealous of the other Chiefs. From the first he was hostile to Usibepu. In February, 1883, they find him saying that—

> "Usibepu was his (Cetewayo's) dog, but land of the Zulus had been given to him (Usibepu), who bragged over him (Cetewayo). This could not continue. The Zulus could not stand all this."

Sir Henry Bulwer had constantly to remonstrate with Cetewayo for this and other breaches of the conditions. Nor could he refrain from observing that when the Prime Minister spoke of the justice towards Cetewayo in restoring him to Zululand, he seemed to forget the injustice and breach of faith thereby shown to those Chiefs whose power and land had been secured to them by the distinct pledges of the British Government, to which reference had been made in the debate. It was said that those Chiefs had the power to go into the Reserved Territory, if they did not desire to serve under Cetewayo; but that was very materially altering their condition. And as the Government had not retained paramount authority over the Reserved Territory, the Chiefs not unnaturally distrusted this offer. Upon this point he might cite Mr. Shepstone's letter to Sir Henry Bulwer, of March 15, 1883, where he says—

> "I would beg to bring to your notice the fact that Cetewayo has no authority whatever in this Reserve, and his claiming anyone here is a breach of the conditions—"

this referred to a distinct breach committed by Cetewayo in demanding money and labour from the people in the Reserve—

> "and I may also point out that on my questioning those who had already decided on remaining, and who from the first expressed their determination to live, as they said, under the Government, they have asked me seriously as to whether the Government still doubts its own determination to retain this part of the country for such as do not wish to return to Cetewayo."

The Native Chiefs evidently doubted whether this Reserve would not be, sooner or later, handed over to Cetewayo. This doubt would have been probably removed if Her Majesty's Government had openly declared their paramount authority over the Reserve; and by doing this they would have given confidence to those Chiefs and headmen who did not want to be under Cetewayo, and who desired either to migrate into the Reserved Territory, or to remain there. He (Sir Henry Holland) would not, at that late hour, detain the Committee any longer; but would conclude by stating that, in his opinion, the Government had shown a lamentable want of foresight, and judgment, and of fairness to the Native Chiefs in restoring Cetewayo to Zululand.

MR. GUY DAWNAY said, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

CLASS III.—LAW AND JUSTICE.

(2.) Motion made, and Question proposed,

> "That a sum, not exceeding £20,077, be granted to Her Majesty, to complete the sum

necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for such of the Salaries and Expenses of the London Bankruptcy Court as are not charged on the Consolidated Fund."

MR. RYLANDS said, he wished to move the reduction of this Vote by £5,000, with a view to calling attention to the very heavy expenses which were incurred in connection with the London Court of Bankruptcy. The Vote now asked for that Court was equal to an average charge of £17 for each case, the cases amounting to 5,293; while in the country, where the cases numbered 8,134, the average cost was only £5 per case. The estimated extra receipts for 1883-4 were £2,500; and he presumed they were the fees that would be received in the London Bankruptcy Court; but there was also a sum of £65,000 which had been received during the year ending September, 1882, by the Commissioners of Inland Revenue for stamps on account of the London Bankruptcy Court, and bankruptcy business performed by the Registrars of County Courts. That sum, in fact, came from the County Courts, and not from the London Bankruptcy Court. He should be glad to know whether he was right as to this amount coming in the way he had described, because, looking at the Return which was presented respecting the High Courts of Justice and the Court of Appeal, he could not be satisfied that that was so. Amongst the amounts given in that Return as received from County Court business for stamps was £66,000; but of that sum £65,000 was carried to the credit of bankruptcies generally. In the Return as to the High Courts of Justice, and the Court of Appeal, there was a remarkable item of incidental and travelling expenses, £8,502; but he could not find in the Return any such item for bankruptcy expenses. In the Vote now about to be passed there was an item of £1,200 for travelling expenses; whereas in the Return presented to Parliament there was this item of £8,502 for travelling expenses, and he should like to know to whom that sum was paid? As far as he was aware, they were not paid to County Court Registrars; and if they were paid in London, he should like to know why they did not appear in this Vote? If hon. Members would look at the Estimate they would easily understand how it was that the London Bankruptcy Court cost so much more than the County Courts. The cause was, the large number of officers—one Senior Registrar, three Registrars, four first class clerks, nine second class clerks, five third class clerks, and so on, making, altogether, 35 clerks. He had very good reason to believe that one Registrar, one Assistant Registrar, and three clerks would be able to do all the work that was performed by this large staff; and, in addition to these charges, there was the Taxing Masters' Department, which cost something like £3,000. Now, in County Courts the Registrar taxed the accounts; there was no special Taxing Master, but each Registrar was the Taxing Master of his own Court. He (Mr. Rylands) could not see why there should be an extra Taxing Master's Establishment in the London Court, when they did not require anything of the kind in County Courts. The Registrars of County Courts performed the duties of Taxing Master with great efficiency. Hon. Gentlemen would also see that there was an Official Assignee's Department, for which the country was required to pay about £4,000 a-year. He would like to know why this Official Assignee's Department was kept up? Then, again, there was a Messengers' Department maintained at a cost of £7,000 a-year, certain first class messengers receiving £200 a-year, and second class messengers £150 a-year. There was also the Department of Controller in Bankruptcy. He had no doubt that hon. Gentlemen had received the Returns in Bankruptcy. If so, they would have observed that only a very moderate amount of ability, and certainly not very much time, would be required to tabulate the Returns which were supplied by the different County Courts and Bankruptcy officers. Yet, under this Vote, the Committee were asked to grant about £6,000 to the Controller's Department. On this point too, he should be glad to receive an explanation. On the face of the Vote, there was a much larger number of officers in London than were required by the necessities of the Court. He held that the whole Establishment was on too high a scale, and he moved to reduce the Vote by the sum of £5,000.

Motion made, and Question proposed,

> "That a sum, not exceeding £15,077, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for such of the Salaries and Expenses of the London Bankruptcy Court as are not charged on the Consolidated Fund."—(*Mr. Rylands.*)

MR. WAUGH desired to supplement the observations of his hon. Friend. He should like to hear some explanation of the travelling expenses incurred in transacting the business of the Court. There was another thing which also required explanation. The Lord Chancellor settled the amount for every bankruptcy to be paid throughout the country. The fees were to be paid in stamps, and he found that in 1880 the Registrars of the County Courts received £89,293 5*s.* 6*d.*, and that only £53,835 was paid back. He would like to know what became of the £35,000? In 1881, £69,987 11*s.* 9*d.* was received, and there was paid by the Registrars £42,511 3*s.* 8*d.* In 1882, there was received £65,546 12*s.* 3*d.*, and there was only paid £49,920 0*s.* 11*d.* In 1883, there was received £66,006 16*s.* 6*d.*, and paid £36,000. What could possibly become of the balance between the two sets of sums? He could not understand the matter at all. It seemed as if the Bankruptcy Court of London swallowed up the difference. His hon. Friend had referred to the Official Assignee and Messengers' Departments. He (Mr. Waugh) had understood that those Departments died in 1869, and yet they appeared to have been continued. There was another account in the Estimate which astonished him — namely, that relating to a solicitor who was attached to the Court, and who received between £2,000 and £3,000 a-year. What was this solicitor appointed for?

MR. COURTNEY was understood to say that the receipts for the Court of Bankruptcy included the receipts both for the London Court and the County Court. It was not possible to apportion exactly the receipts from stamps. With respect to the comparative cost of the Court of Bankruptcy in London and the County Courts, the hon. Member for Burnley (Mr. Rylands) was aware that County Courts were not simply Bankruptcy Courts, and, therefore, some part of their cost must be set down to business other than Bankruptcy business. The London Bankruptcy Court, he had no doubt, cost a considerable sum; but the amount of business transacted was such as to justify the expenditure. The Official Assignee, to whom reference had been made, was a survivor of the old London Court of Bankruptcy, and he did a considerable amount of work in assisting the Registrar of the Court. The hon. Member had called attention to the remuneration of the Controller. The Controller discharged most important functions. There was a great deal of work going through his hands, and, indeed, he was fully employed. As a matter of fact, it was impossible to over-rate the importance of the office of Controller.

MR. GREGORY said, he thought the Vote for the London Bankruptcy Court was swollen to a great extent by the legacy left to it by the old system of Bankruptcy. The Official Assignee, for instance, was one of those legacies.

MR. WAUGH said, the same fees were received in the London Bankruptcy Court as in the County Courts. If they took, for instance, the number of bankruptcies in the London Court and in the County Courts, they would soon arrive at an idea of the actual state of affairs. In 1882 there were in the London Bankruptcy Court 1,593 bankruptcies and insolvencies, costing £34,150, or £21 8*s.* each. The bankruptcies and insolvencies in the country, however, only cost in that year £5 3*s.* each. In London, in 1883, there were 1,798 cases, costing £34,263, or £19 each; while in the country, in the same year, there were 7,243 cases, costing £36,553, or £5 each. He desired to know why there should be this great difference in the cost of bankruptcies? In 1882 the amount received by the Inland Revenue Department for stamps issued in respect of Bankruptcy business was £66,006, and the amount received from County Courts was £36,533. He was anxious to know what became of the remaining £30,000? He could not help thinking that it was swallowed up by the extravagance of the London Bankruptcy Court.

MR. COURTNEY pointed out that the money was actually received by the Inland Revenue Department.

MR. RYLANDS said, his hon. Friend (Mr. Waugh) had, no doubt, overlooked the fact that this money did go to the Exchequer. He (Mr. Rylands) wished to draw a comparison between the expenses of the London Bankruptcy Court and those of the County Courts, and he hoped that, although the hon. Gentleman the Financial Secretary to the Treasury considered matters satisfactory, there would speedily be some overhauling of this Vote. If the Bankruptcy Bill passed, he presumed there would be some re-arrangements, and that, at all events, they would not continue to vote such a large staff of officers, He thought that by some re-arrangement some of the officers of the London Court could be drafted to places where they would be more usefully and advantageously employed. He was very dissatisfied with the expenditure of the London Bankruptcy Court, and he should be glad if the Treasury could find a method by which it could be reduced.

Mr. WARTON asked whether any account or estimate had been made, or whether there would be any reduction or any increase of the number of officers connected with the London Bankruptcy Court? His object in asking the question was to ascertain whether it was likely they were creating legacies, in the shape of officers, for the Court of the future.

Mr. COURTNEY confessed that he was unable to give any estimate of the cost of the new machinery.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Mr. MACFARLANE moved to report Progress, on the ground that there were many Orders of the Day, and that it would take a considerable time to run through them.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Macfarlane.*)

Mr. COURTNEY said, he hoped the hon. Gentleman would not press his Motion, as he only proposed to take three more Votes to-night.

Mr. MACFARLANE said, that if the Votes would not lead to long debate, he should be glad to withdraw his Motion.

Motion, by leave, *withdrawn.*

(3.) £394,122, to complete the sum for County Courts.

Mr. Rylands

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £2,842, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Office of Land Registry."

Mr. ARTHUR ARNOLD said, he should feel obliged to take a Division on this Vote. This Office was one of the most extraordinary in the country. The Vote to be taken for the year amounted to £5,442. Two or three months ago he put a Question to the Secretary to the Treasury, as to how many applications there had been for registration in that Office during the year 1882, and the answer that was given him was that the number of applications had been 14. During the year 1882, therefore, this Office cost the country, for every case that was registered, the sum of £325. It was simply monstrous that the Government should continue to keep that Office up on its present basis. He did not make the least complaint against the gentlemen employed in that Office. They held sinecures, and could not help themselves. The Office was certainly a sinecure, and long before this the late Government, or the present Government, ought to have taken steps to reduce its cost to the country, either by transferring gentlemen who were now engaged in the Registry to other Offices, or in some other way. His hon. Friend (Mr. Courtney) would, no doubt, say that, in addition to these 14 cases of land registration, there had been some cases with reference to property already on the Register. This really did not affect the Question before the Committee. The Office was substantially kept up for the original cases of registration, of which there were only 14 in the past year. It was hardly credible that the Government should go on, year after year, asking the Committee to vote £5,442 for an Office which was obviously a failure. The Office was intended to carry out the Land Transfer Acts of Lord Westbury and of Lord Cairns; but both those Acts had been complete failures, because they contained no provision whatever for compulsory registration. He hoped hon. Gentlemen on both sides of the House would support him in this matter. There was no case more clear than that this Office ought not to be maintained; and it was with great confidence that hon. Members would do their duty to their constituents in this matter that he moved to reduce the Vote by £2,000.

Motion made, and Question proposed,

"That a sum, not exceeding £842, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Salaries and Expenses of the Office of Land Registry."—(*Mr. Arthur Arnold.*)

SIR WALTER B. BARTTELOT said, it would be in the recollection of those who had been in the House for some time that this question had constantly been brought under notice. His hon. Friend the Member for Midhurst (Sir Henry Holland), as well as he himself, had called particular attention to the Vote; and he thought it would be remembered that the right hon. and learned Gentleman the present Home Secretary (Sir William Harcourt), as well as the right hon. Gentleman the present Chancellor of the Exchequer (Mr. Childers), had said that this Vote could not be defended on any grounds. They hoped, however, that some work would come to the Office. It was evident that work had not come to it. Of course, it would be altogether unfair to reduce the salaries of the Office without notice. The men employed would do their work admirably if they had any to do. The Committee, however, in this case, were asked year after year to vote money for an Office which was admitted to be a failure. It appeared to him that Gentlemen sitting on the Treasury Bench had taken no trouble to go into this question, or to endeavour to provide that the officials should have something to do. As a protest against the continuance of this Vote without some work being performed for it, he should Divide with the hon. Gentleman the Member for Salford (Mr. Arnold). When the Army or the Navy were concerned, it seemed that expenditure was to be remorselessly kept down; but when they came to deal with lawyers, matters were very much altered. Some notice, however, ought to be taken of this waste of money; and he trusted the Committee would receive some satisfactory explanation from the Government.

MR. W. FOWLER said, he also should vote for the Amendment of the hon. Member for Salford as a protest. It would be said that they had not sufficient time to do what was desired. The question was an intricate one, he knew; but he was advocating no new principle, as there had been all sorts of inquiries made with regard to it in recent years, although they seemed to get no further. The money expended on the Office might be just as well thrown into a ditch as laid out as it was now. Besides, the whole system was monstrous; in some cases proprietors being compelled to pay a whole year's rent to obtain a registration — the system was monstrous and ridiculous in the extreme. Registration was so performed that it was of no use whatever. The kind of registration which was wanted was one which would apply to the whole Kingdom, and not this fragmentary system, which was worthless—which was certainly not worth £5,000 or £6,000 a-year. If he did not hear any satisfactory explanation from the hon. and learned Gentleman the Attorney General, he should be obliged to vote for the Motion of the hon. Member for Salford.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he was not at all surprised at this Vote being made the subject of comment, and at regret being expressed that such a small return should be received for the money paid for this Office. He felt assured, however, that hon. Gentlemen would wish to do justice to the gentlemen who were in this Office, who had given up good prospects and positions of considerable emolument to enter it. Even though the Government might have been remiss in allowing the present state of things to continue, he did not suppose hon. Members would be prepared to take away from these gentlemen the positions they occupied. There was not so much blame to be attached to the Office as some hon. Members might think. The Office existed, as at present constituted, under the Act of 1875, which was an attempt by Lord Cairns to extend the system of the registration of titles. The expectations formed in 1875 as to the effect the measure would have had not been realized. The Office took upon itself the duties resulting from Lord Westbury's Act of 1862. There had been a registration of 2,500 titles made; and, whatever was thought of the Office, it was clear that the interests of the owners of these 2,500 properties had to be protected. Parliament had undertaken the protection of the titles of these persons, and could not now very well give up its trust.

Mr. ARTHUR ARNOLD: You do not require £5,000 a-year to do that.

The ATTORNEY GENERAL (Sir Henry James) said, he did not wish to argue the matter. They might say that there might be fewer officials, and that those who were retained might receive less emolument; but, surely, it would not be just to let the officials suffer because the Act of 1875 had been a failure. If they passed a Vote of Censure on the Government, and by so doing punished these officials, it would be grossly unfair. It was said that the Government had been supine in this matter; but that was not quite correct, for though they had not done anything they had, at any rate, tried to do something. They had brought forward a proposal for joining the duties of the Middlesex Registry with those of the Land Registry. Their efforts, however, had been met with opposition all round.

Mr. ARTHUR ARNOLD: I should think so.

The ATTORNEY GENERAL (Sir Henry James): Why? They must keep the contracts they had made with these clerks. Unless hon. Members said they were to send the clerks adrift, they could not, he thought, take the course they were proposing. What was the objection to the proposal the Government had made? The Land Registry of Middlesex was in a peculiar position, and was doing a great deal of work; and if the Bill the Government brought forward had been passed the expense of this Office complained of would have been largely decreased. Members had said—"We will not allow you to pass the Bill; we will not allow the two Offices to be amalgamated." They saw no chance of passing a Bill of this kind this Session. They had brought one forward in 1881 and 1882, but had failed to receive that encouragement which would have induced them to bring it forward again in 1883. He did not say that, theoretically, this money should be paid for such a small return; but he would ask the Committee to pause before they deprived of their salaries these clerks, who were in no way responsible for the failure of the Act.

Sir R. ASSHETON CROSS said, he held in his hand a letter which had been given to him by the right hon. Gentleman the Leader of the Opposition, who had left the House; but, owing to the lateness of the hour, he would not trouble the Committee by reading it. He entirely agreed with those who said the Act had been a failure. The fact was one which he deeply regretted. The money expended on the Office was, for all practical purposes, wasted; and he, therefore, trusted that the Government would take the matter in hand, and endeavour, in some way or other, to render the expenditure useful. The question he wished to raise was as to the position of these gentlemen who were engaged in the Office. The letter he had mentioned was from one of them, and he stated that the place he filled was created by Act of Parliament in 1862, and was in the terms of that Act to be held during good behaviour. The appointment was to be made somewhat after the manner of the appointment of the Judges. The writer of the letter stated that he had accepted office at the instance of the Lord Chancellor, giving up a considerable professional income and a valuable position at the Bar on the faith of an Act of Parliament—he and other gentlemen connected with the Department had accepted their positions on the faith of the Act of Parliament. The question was whether the Office could be modified so as to be a benefit to the country, or whether it should be abolished. If the latter alternative were decided upon, those gentlemen who had given up their professional incomes and prospects on the faith of an Act of Parliament would have to be fairly treated. What he would ask was this—if they refused to pass this Vote, how would the salaries be paid in the future? It would be impossible at this period of the Session for the Government to bring in a Bill to abolish the Office and entitle the officials to pensions.

Mr. COURTNEY was understood to say that the position had been accurately described by the right hon. Gentleman (Sir R. Assheton Cross). The gentlemen in question held offices which only differed from those of the Judges in the manner in which the salaries were voted.

Mr. GREGORY said, he could corroborate what had fallen from the right hon. Gentleman (Sir R. Assheton Cross) as to the high standing of these gentlemen at the Bar, and as to the considerable practices they had given up for the purpose of taking these appointments. Not only the Registrar, but the Deputy Registrar also, had given up considerable emoluments. These officials were most anxious to discharge any functions which might devolve on them; nay, they had themselves promoted measures with the view of increasing the duties of their Office. They felt it irksome and wearisome not to have sufficient duties to keep them employed. There were two ways of dealing with the Office—one, to create functions for it to discharge; and the other, to abolish it and compensate the officials for the loss of their employment and of the opportunities of making way in their Profession when they became connected with the Office. He preferred the first of these alternatives. Certain proposals had been made not long ago which, if they had been adopted, would have had the effect of creating a good deal of work for the Office—namely, in connection with the registration of deeds throughout the country. It was not the fault of the Office that that proposal had not been adopted. The Government had not seen fit to accept the proposal, and the Office was, therefore, without work.

Mr. ILLINGWORTH said, he could not regard the explanation of the Attorney General as satisfactery, except in one respect—and that he invariably observed in the utterances of the hon. and learned Gentleman and other Law Officers—namely, that they were tender to the last degree in dealing with the vested rights of the Profession of which they were distinguished ornaments. He (Mr. Illingworth) must take exception to what his hon. Friend opposite had said—namely, that if this Office had been in connection with the Army or Navy the view the Attorney General would have taken would have been different. He did not think there was much respect for vested interests where these two Professions were concerned. Nothing had been said as to the case of the two gentlemen at the head of the Office. If they were in the position of receiving large salaries for lucrative professions in 1862, it was fair to assume that they had now reached mature life, were, indeed, in the evening of life. When they left the Office, he could not suppose for a moment that their places would be filled, seeing that there were no duties connected with the Department. He would go a step further, and suggest that the Chief Registrar should be superannuated, and that the Deputy Registrar should perform the duties of the Office, or, in case they found one of the gentlemen unfit for the Office, that his place should not be filled. They would find, in the ordinary course, that if a vacancy occurred, the Government would at once take steps to fill it. [Mr. Dodds: No, no!] The hon. Member for Stockton had been long enough in the House to know that unless something was said, and a promise, or undertaking, were given by the Government in a case of this kind, every vacancy which occurred would be filled up. He did not wish to cast an imputation on the Secretary to the Treasury; but he could not help thinking that if there had been more zeal shown by the Government there might have been more work found for these highly talented gentlemen in the Registry of Deeds Office. The talents of these gentlemen were surely not confined to the registration of deeds. They were continually finding extraordinary charges in the Estimates for professional work, and he certainly thought it might be very easy to get further services out of these gentlemen not confined to the Office with which they were connected.

Mr. O'SULLIVAN said, it appeared to be necessary to give the Government time to consider this matter; therefore he would move to report Progress.

[The Motion was not Seconded.]

Question put.

The Committee *divided:*—Ayes 40; Noes 65: Majority 25.—(Div. List, No. 263.)

Sir R. ASSHETON CROSS said, that with regard to the Vote which had just been passed, it had been absolutely impossible to refuse it, as they could not deprive these gentlemen of their salaries.

The CHAIRMAN: The Vote is not passed.

Sir R. ASSHETON CROSS said, he desired to press on the Secretary to the

Treasury the necessity of instituting some inquiry next Session, in order to see whether this Office could not be abolished. He would suggest that at the beginning of next Session there should be a Committee of the House appointed to consider the matter.

Mr. ARTHUR ARNOLD trusted that that course would not be adopted, otherwise they would have legislation on the subject.

Original Question put, and *agreed to.*

(5.) £18,690, Revising Barristers, England.

Resolutions to be reported *To-morrow*.

Committee to sit again upon *Wednesday*.

EDUCATION (SCOTLAND) BILL.

(*Mr. Mundella, The Lord Advocate, Mr. Solicitor General for Scotland.*)

[BILL 226.] SECOND READING.

Order for Second Reading read.

Mr. MUNDELLA said, he hoped at that late hour the House would allow the second reading of this Bill to be taken without any further explanation of its details than had already been given. There were one or two inconsiderable alterations proposed to be made to which he need not then refer, except to say they could be moved in Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Mundella.*)

Mr. HENDERSON said, he felt it his duty to protest against the second reading being taken on that occasion. It was quite true that no Notice of opposition appeared on the Paper; but there were some points on which he thought a number of Scotch Members absent that night would like to express their opinion. But he understood that the right hon. Gentleman would give ample opportunities for stating objections in Committee; and therefore, on the distinct understanding that the Committee stage would not be taken at a late hour, he would not press his objection to the Motion for the second reading of the Bill.

Mr. WARTON pointed out to the hon. Member who had just spoken, that if he had not wanted the Bill to come on at 2 o'clock in the morning he should have had recourse to the simple expedient of blocking it.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

LABOURERS (IRELAND) (*re-committed*) BILL.—[Bill 240.]

(*Mr. T. P. O'Connor, Mr. Parnell, Sir Joseph M'Kenna, Mr. Callan, Mr. Lalor.*)

COMMITTEE. [*Progress 4th August.*]

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 4, inclusive, *agreed to.*

Clause 5 (Representation by whom to be made).

Mr. GIBSON said, the clause provided that 12 persons residing in any district could put the Act in force. He objected to this number as being too small. There might be 12 men in a district who put the Act in force, and who, nevertheless, would not contribute one farthing to the rate to be levied for it. He thought there should be some provision made that the persons who put the Act in motion should be residing in the district where the rates would be charged. He begged to move the Amendment of which he had given Notice.

Amendment proposed, in page 2, line 29, to leave out the word "twelve," and insert the words "twenty four."—(*Mr. Gibson.*)

Question proposed, "That the word 'twelve' stand part of the Clause."

The ATTORNEY GENERAL for IRELAND (Mr. Porter) said, he could not agree with his right hon. and learned Friend as to the question of number. It seemed to him that the number 12 was sufficiently large to guarantee that there was a *bonâ fide* need that the Act should be put in force in the district. He trusted his right hon. and learned Friend would not think it necessary to proceed with his Amendment.

Mr. GIBSON said, if the Amendment of the hon. Member for Armagh (Mr. Beresford) were agreed to, he should not be so anxious for the adoption of this Amendment. But he should be obliged to press it at a later stage of the Bill, if he were not met in this matter in a reasonable spirit. When the Bill was introduced last week he was urged to allow it to go into Committee, because it was intimated that the Amendment he had on the Paper would be accepted.

Mr. T. P. O'CONNOR said, he hoped that the right hon. and learned Gentleman would not divide the Committee on this Amendment. He thought the right hon. and learned Gentleman would agree with him that the danger was that the Act would not be sufficiently used. He believed the hon. and gallant Gentleman near him, as well as some hon. Members opposite, had expressed the opinion that the Board of Guardians would not be inclined, in some instances at least, to use the powers bestowed on them by the Bill. But did not the right hon. and learned Gentleman see that by increasing the number of ratepayers required to set the Act in motion its operation was largely imperilled? Another point was that there were several localities in which the number of ratepayers was not large, and the number of 24, or even 20, of those who would take part in a matter of this kind would be so few that the Act would not be put into operation at all. Finally, he asked the right hon. and learned Gentleman to bear in mind that public-spirited men in Ireland were not a large body, and that if he raised the principle of having 20 or 24 ratepayers, he would make the business of setting the Act in motion everybody's business—in other words, nobody's business. He trusted the Attorney General for Ireland would consider the matter on its merits, and see that the Act should be put in operation by those who required it.

Mr. GIBSON said, nothing could be more persuasive than the appeal of the hon. Member who had just spoken. As he had not the slightest wish to act in any hostile spirit, he would withdraw this particular Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 2, line 29, after the word "district," to insert the words "whose rateable qualification conjointly shall not be less than one-fourth of the rateable valuation of the district."—(*Colonel King-Harman.*)

Question proposed, "That those words be there inserted."

Mr. T. P. O'CONNOR said, it was obvious that the objection raised by him to the Amendment of the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) applied with still greater force to the proposal now before the Committee; because if the 24 ratepayers suggested by the right hon. and learned Gentleman would impede the operation of the Bill, *à fortiori* the Amendment of the right hon. and learned Gentleman would do so.

Mr. GIBSON said, he thought there should be a representation of the value of one-fourth, at all events; otherwise, the 12 ratepayers who set the Bill in motion might represent an infinitesimal proportion of the value of the entire district. It was only reasonable that this matter should be looked at from the point of view of those who thought that the number fixed by the clause was too small. He had heard many people say it should be one-third instead of one-fourth; and he threw it out for the consideration of the hon. Member (Mr. T. P. O'Connor) that he should remember that their work would be considered afterwards, and gone through with a great deal of care. If a representation were made to have the powers, which were very novel powers, in this Bill called into operation—powers which, if good for Ireland, would be good for England — what was the objection to saying that the powers of this Bill should only be exercised on a representation of one-fourth of the rateable value of the district? It was desirable that there should be some substantial representation.

Mr. T. P. O'CONNOR said, that although the Act might be put into operation by a small number of persons, the initiative step might be taken by small holders; but it could only be called into operation by the consent of the ratepayers.

Colonel NOLAN said, there would be two or three large districts, and they would do neither one thing nor the other. If they held a large amount of land, they would not take any initiative.

Mr. DAWSON pointed out that there would be the safeguard of a Provisional Order, in case of any drainage being stopped in any county in Ireland.

Mr. HEALY said, there might also be a particular area defined.

Colonel KING-HARMAN urged that some considerable care must be taken to prevent persons outside the area taken action. If the hon. Gentleman in charge of the Bill would accept the next Amendment on the Paper, he should be disposed to drop this Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 2, line 30, after "district," to insert "and living within the area upon which the cost to be incurred in carrying the scheme into effect shall be charged."—(*Mr. Beresford.*)

Question proposed, "That those words be there inserted."

Mr. T. P. O'CONNOR said, he should have no objection whatever to the Amendment; but he wished to point out one difficulty to the right hon. and learned Gentleman the Attorney General for Ireland which would have to be met at a subsequent stage. The area put forward in the beginning might not be the area afterwards adopted by the scheme.

Mr. GIBSON said, that was a point which might require consideration afterwards, because with regard to the area which would be charged afterwards, they could not tell whether the people lived within it or not. It was to meet that point that he had an Amendment providing that they should live within the section with respect to which the representation was made. Then they would be masters of their own section, and they would take care, he thought, to include their residences. There was nothing to prevent that; so that, if the hon. Member (Mr. T. P. O'Connor) liked, he could compose an Amendment out of his and that of the hon. Member for Armagh (Mr. Beresford), which should read—"and living within the section in respect of which the representation was made."

Amendment, by leave, *withdrawn.*

Amendment proposed, in page 2, line 30, after "district," insert "and living within the section in respect of which the representation is made."—(*Mr. T. P. O'Connor.*)

Question, "That those words be there inserted," put, and *agreed to.*

Words *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 6 (Requisites of improvement scheme of sanitary authority).

Amendment proposed,

In page 3, at end, to add, "the scheme shall avoid all interference with the demesne and amenity of residence of the owner of the lands proposed to be taken, and such lands shall be selected with due regard to the general situation and convenience of the owner's property, so as to diminish the value thereof as little as possible."—(*Mr. Gibson.*)

Question, "That those words be there added," put, and *agreed to.*

Words *added.*

Clause, as amended, *agreed to.*

Confirmation of Scheme.

Clause 7 (Proceedings for the confirmation of the improvement scheme. Petition to Local Government Board).

Amendment proposed,

In page 5, line 17, after "scheme," insert "and shall be bound to pay over the purchase money for such lands to the original owner within a period not exceeding one calendar month from the date of the confirmation of the Provisional Order."—(*Colonel King-Harman.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL for IRELAND (Mr. Porter) said, it was quite impossible to accept this Amendment; for it would be absolutely impossible that the money could be paid within one month from the date of the Provisional Order, because that was only the Act of Parliament under which subsequent inquiries would have to be made. He would suggest an Amendment afterwards which would have the effect of securing the utmost possible celerity in regard to payment of the purchase money.

Colonel KING-HARMAN said, he did not wish to prevent the Bill being effective; but he did desire to fix some reasonable time within which the vendor should be able to expect to receive his money. He should not object if it were three months, so long as some period was fixed.

The ATTORNEY GENERAL for IRELAND (Mr. Porter) said, that where land was taken by agreement, the time for payment would be arranged; but where land was not taken by agreement—which he should deal with hereafter—it was reasonable that there should be the utmost possible despatch, but not such as would render it impossible to make the proper inquiries.

COLONEL KING-HARMAN asked, whether the hon. and learned Gentleman would agree to substitute three months for one month? If some period were not fixed, he thought the Bill had better be thrown out.

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, the machinery of this Bill was precisely the same as that of other Acts by which land was compulsorily taken in Ireland; but they could not guarantee that the process of the law would be quickened in every case, and it might be possible, with the utmost despatch, that the proceedings could not be worked out under six months.

COLONEL KING-HARMAN said, he could not accept that argument. When the State owed money to a man, he did not see why the State should not pay the money within a reasonable time. If a man owed money to someone else, he had to pay within a reasonable time, or show some reason for not doing so; and it was hard that anyone should have his property taken away and not be paid within a reasonable time, because the State owed the money. He hoped the right hon. and learned Attorney General for Ireland would reconsider his decision.

MR. DAWSON said, it was well known that it was perfectly impossible to fix exact limits of time, owing to the variety of circumstances surrounding every case and every purchase. Every Provisional Order proceeded quickly or slowly, according to the particular circumstances, and it would be hard to fix a limit of time. The agents of the landlord would, no doubt, proceed with all possible despatch.

COLONEL KING-HARMAN said, this was not a matter which would affect a small holder, who had a few roods to sell; but it was a matter of large portions of land being taken, and it might mean ruin to a man if he did not know when he would get the money due to him.

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, that if the hon. and gallant Member opposite (Colonel King-Harman) would look at the Bill, he would find that there must be a time for notice and inquiry by the Board of Trade, and that the very minimum of time which that could be expected to take would be six months. Of course, no possession could be settled until those steps had been taken, and there would be no title to the sanitary authorities to enter on the land. This was a matter in which the limit might be one, or two, or six months, from the date of the Provisional Order, and it would be absolutely impossible to guarantee the period, even with the utmost anxiety for despatch. If these first steps were not taken, the whole expense would be incurred for nothing, and the vendor would be in a serious position. It would appear like a legislative inducement not to move as quickly as possible, if there were a certain fixed time.

COLONEL KING-HARMAN said, a man having a small piece of land which he had leased to a tenant on short terms would not be able to find a tenant during six or seven months, and so he would be out of pocket.

MR. T. P. O'CONNOR said, that what he understood the right hon. and learned Gentleman the Attorney General for Ireland to intend to introduce by a subsequent Amendment was that, if a landlord was able to show that the whole thing had not been properly carried out, then he would have his ground of complaint. He could not now discuss that Amendment; but if the right hon. and learned Gentleman would look at the Amendment, he (Mr. T. P. O'Connor) thought he would see that when a landlord was able to show that the whole thing was complete, then, if he did not get his money within 30 days, he would have a right to demand it.

COLONEL KING-HARMAN observed, that during all this time the landlord would be kept from both his land and his money. He was sure the right hon. and learned Gentleman the Attorney General for Ireland would appreciate what he was urging. He was not speaking on behalf of the large owners, but of the smaller owners.

MR. DAWSON said, the land would not be taken until the purchase was complete.

COLONEL KING-HARMAN said, the tenant would have to give up his land.

MR. DAWSON asked, why he should have to do that?

MR. P. MARTIN said, that supposing a Provisional Order to be obtained for the compulsory taking of land for waterworks; under these circumstances, while that Provisional Order was in operation, of course the land would remain on the landlord's hands. If the landlord had a tenant, that tenant would be paying rent for the land; and still further, when the Provisional Order became absolutely operative, then before the promoters sought to enter into possession they would have to deposit the purchase money in Court; and, in point of fact, he thought, with all respect, that the hon. and gallant Gentleman (Colonel King-Harman) would see that no possible evil could accrue to the landlord under these circumstances. If the tenant was on the land, he would have to pay the landlord. He could not quit, because there would be an application for a Provisional Order for surveying notices, and the tenant would not be dispossessed until after, under the provisions of the Lands Clauses Act, the money had been lodged in Court.

Colonel KING-HARMAN said, he understood that the money would be paid into Court; but that was what he objected to. It would be held in Court, and the unfortunate landlord would not get it—nobody would get it. He did not see why either the vendor or the vendee should suffer from this red-tapeism; and he thought they might endeavour to make the sale of land a little easier. He had not expected opposition from such a quarter; but he did not wish to obstruct the progress of the Bill, though he hoped the right hon. and learned Gentleman the Attorney General for Ireland would consider this point again.

Mr. T. P. O'CONNOR said, he wished to offer no opposition to the hon. and gallant Gentleman; this was a matter for the Government to settle.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 8 (Certain orders of the Local Government Board valid without confirmation by Parliament).

Mr. GIBSON said, the object of the Amendment he wished to propose was to put in a minimum of one month. At present, under Sub-section (*b*) of the clause, power was given to the Local Government Board to prescribe a time, and he wished to provide that that time should not be less than one month.

Mr. T. P. O'CONNOR said, he had an Amendment before this; and he wished to suggest to the right hon. and learned Gentleman the Attorney General for Ireland, whether or not three ratepayers were not too few to be empowered to compel an Act of Parliament to be carried out?

Mr. GIBSON said, it had been suggested that, under some circumstances, three were too many.

Amendment proposed, in page 6, line 4, after "time," to insert "not less than one month."—(*Mr. Gibson.*)

Question, "That those words be there inserted," put, and *agreed to.*

Clause, as amended, *agreed to.*

Clauses 9 and 10 severally *agreed to.*

Execution of Scheme by Local Authority.

Clause 11 (Execution of scheme by sanitary authority).

Amendment proposed, in page 7, line 7, to leave out "may," and insert "shall."—(*Colonel King-Harman.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 12 (Conditions of lettings).

Mr. GIBSON said, he wished to propose an Amendment to this clause, to remedy what he thought must have been an oversight. In Clause 11 it was provided that, under certain circumstances, power should be given to the sanitary authorities to either lease or grant a lease to carry out the Act. That was all intelligible and plain; but when they came to this clause a marginal note said "conditions of lettings," and that applied directly to lettings by the sanitary authorities. He proposed to provide that those who had neglected their duty should be equally bound by this clause as by Clause 11.

Amendment proposed,

In page 8, at end of Clause, to add—"The conditions in this section contained shall apply and extend to the assignees or lessees of the sanitary authority in respect of any purchased lands sold or let under the next preceding section."—(*Mr. Gibson.*)

Question, "That those words be there added," put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 13 (Completion of scheme on failure by sanitary authority).

The ATTORNEY GENERAL for IRELAND (Mr. Porter) said, he would move an Amendment on behalf of his right hon. Friend the Chief Secretary for Ireland, with the object of providing that in a case where a purchase had been arranged, but in two years it was not completed, the landlord should have an opportunity of repurchasing the land at a price to be arranged.

Amendment proposed,

In page 8, line 13, after "dwellings," to insert,—"The said land shall, in case the person from whom the same was acquired, his heirs or assigns, so requires, be reconveyed to him or them at the price paid for the same by the sanitary authority, or if such person, his heirs or assigns, omits, after one month's notice, to signify his or their intention to repurchase on such terms, then."—(*Mr. Attorney General for Ireland.*)

Question proposed, "That those words be there inserted."

Colonel KING-HARMAN said, he had an Amendment which went to a similar point; but he should prefer his Amendment, because he considered that, where land was compulsorily taken, it should not be essential that the owner should have to watch for two years, and then, if he did not claim within one month, should lose the chance of repurchasing his land. He thought it was also essential that the land should be handed back to him in generally as good condition as when it was taken. The third part of his Amendment proposed that he should be paid for having been kept out of his land; and in the case of small owners, who would have to spend money and would be put to inconvenience in getting the land back again, he proposed that they should receive a certain amount per cent per annum. He should not hold to that; but he thought the Local Government Board ought to give an option to the landlord to repurchase, and that he should not be obliged to watch the time for claiming a right of resumption.

The ATTORNEY GENERAL for IRELAND (Mr. Porter) said, the hon. and gallant Member opposite was under a misconception. His Amendment would not do at all, because it proposed that the Local Government Board should hand back in as good condition land which, perhaps, might never again be as good land as it had been. He thought that what was the substance of the hon. and gallant Member's Amendment was amply carried out by that now before the Committee.

Colonel KING-HARMAN said, there were small plots of land which let extremely high close to large towns for conacre. Suppose bricks were put upon those plots and then handed back in that condition, they would be absolutely valueless. He did not think he was asking too much in asking that the land should be given back in the condition in which it was when taken, and that something should be given to the owner to prevent his being a loser.

Mr. GIBSON said, he should move to amend the Amendment by inserting, in the second line of the Amendment, after "them," and before "at the price," the words—

"In the condition as suitable for agricultural or grazing purposes, as it was when originally taken possession of."

He supposed that his hon. and gallant Friend (Colonel King-Harman) had no objection to the words of his Amendment. All the hon. and gallant Gentleman suggested was that if land were let as agricultural land, they ought to get it back as agricultural land; and if it was pastoral land, they should get it back as pastoral land. This appeared to him a very reasonable proposition.

Amendment proposed to the said proposed Amendment—

To insert, after the words "re-conveyed to him or them," the words "in a condition at least as suitable for agricultural or grazing purposes as it was when it was originally taken possession of."—(*Mr. Gibson.*)

Question proposed, "That those words be there inserted."

Mr. T. P. O'CONNOR said, that if the right hon. and learned Gentleman the Attorney General for Ireland saw his way to accept this proposal, he would not offer any opposition. The ground might have undergone operations which might have made it less valuable for agricultural or grazing purposes, but which might have made it more valuable for other purposes. It might have been cleared, for instance, and the landlord might find it advisable to use it for building purposes. It might not suit the landlord's purpose to have the land re-conveyed to him in the condition in which it was originally taken possession of.

The ATTORNEY GENERAL for IRELAND (Mr. Porter) advised the hon. Member for Galway (Mr. T. P. O'Connor) to accept the Amendment.

Mr. T. P. O'CONNOR said, he would assent to the Amendment.

Amendment *agreed to.*

Amendment, as amended, *agreed to.*

Clause, as amended, *agreed to.*

Clause 14 (Power to purchase lands).

Colonel KING-HARMAN said, he saw that reference was made to the Lands Clauses Act, and he desired to know how that Act would affect the case of commons lands? If the Board wished to acquire commons land, how would the occupier of such land be brought into contact with the Board? The right hon. and learned Gentleman the Attorney General for Ireland would understand him. There was not a great deal of commons land in Ireland; but there were certain commons lands on which people had squatted, and on which the buildings were of a very miserable character, and which it would be most desirable to improve. He would like to know whether this branch of the subject had been considered?

The ATTORNEY GENERAL for IRELAND (Mr. Porter) said, that the right hon. Gentleman the Chief Secretary to the Lord Lieutenant had not had an opportunity of considering the subject up to the present. What, however, the hon. and gallant Gentleman had in view was not, perhaps, that which could strictly be called commons land. If a person built a house after he had squatted for a certain length of time he acquired the fee-simple of the land on which it was built, and that matter could be dealt with under this Act like any other matter. He had now to propose the Amendment which stood in his name.

Amendment proposed,

In page 8, line 33, after the word "Act," to insert—"In the case of any purchase of lands otherwise than by agreement, such purchase, and the provisions of the Provisional Order relating thereto, shall, at the option of the owner of the lands, estate, or interest proposed to be purchased, be at an end in the following events:—

(a.) In cases in which the owner of the lands, estate, or interest shall have become entitled to a certificate under the fourteenth section of 'The Railways (Ireland) Act, 1851,' if the purchase money is demanded by such owner, and remains unpaid for a period of thirty days or upwards after such demand;

(b.) In cases falling within the eighteenth or nineteenth sections of 'The Railways (Ireland) Act, 1851,' if the sanitary authority make default for a period of thirty days or upwards in dealing with the purchase money as provided by those sections respectively;

Provided, That the election of the owner of the lands, estate, or interest to declare such purchase to be at an end shall be notified by him in writing to the sanitary authority within a period not exceeding thirty days after the expiration of the time limited by this section, within which the purchase money should be paid or otherwise dealt with as aforesaid."—(*Mr. Attorney General for Ireland.*)

Question proposed, "That those words be there inserted."

Mr. PARNELL asked the right hon. and learned Gentleman whether he thought there would be time for the negotiation of the loan by the sanitary authority within 30 days? It seemed to him (Mr. Parnell) to be a very short time to allow.

The ATTORNEY GENERAL for IRELAND (Mr. Porter) said, he thought there would be sufficient time, provided despatch were used on the part of the sanitary authority; and, of course, it was to the interest of all parties that such despatch should be observed.

Amendment *agreed to.*

Colonel KING-HARMAN said, he had an Amendment on the Paper to insert, in line 36, after "shall," the words—

"Be given back to the original owner in a state suitable for agricultural or grazing purposes, subject to a repayment of the sum originally paid for it less by the amount of fifteen per centum per annum, or, if the original owner shall, after one clear month's notice, decline to repurchase on such terms, shall."

Having reference, however, to what had gone before, he should like to leave out the words "less by the amount of fifteen per cent per annum." He, therefore, intended to move the Amendment with the omission of those words.

The ATTORNEY GENERAL for IRELAND (Mr. Porter) said, that in order to meet the views of the hon. and gallant Gentleman he would insert in the next Amendment, which stood in the name of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant, the words recently proposed by the hon. and gallant Gentleman and adopted by the Committee. The right hon. and learned Gentleman then proposed the Amendment standing in the name of Mr. Trevelyan, with the addition of the words he had just referred to.

Amendment proposed,

In page 8, line 37, after the word "Act," to insert the words—"In case the person from whom such lands were acquired, his heirs or assigns, so requires, be reconveyed to him or them in a condition at least as suitable for agricultural or grazing purposes as it was when it was originally taken possession of, at the price paid for such lands by the sanitary authority, or if such person, his heirs or assigns, omits, after one month's notice, to signify his intention to repurchase such land, on such terms, shall."—(*The Attorney General for Ireland.*)

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 15 to 18, inclusive, *agreed to.*

MR. O'SULLIVAN (for Mr. VILLIERS STUART) proposed, in page 6, after Clause 10, to insert the following Clause:—

(Power to sanitary authority to enforce under section four of Labourers' Cottages and Allotments (Ireland) Act, 1882.)

"In any case in which an order has been made or shall be made under section three of 'The Labourers' Cottages and Allotments (Ireland) Act, 1882,' or under section nineteen of 'The Land Law (Ireland) Act, 1881,' for providing accommodation for the labourers employed on any holding, and such order has not been complied with within six months after the date of such order, it shall be the duty of the sanitary authority of the district in which such holding is situate to make such complaint as mentioned in, and to put in force, the provisions of section four of 'The Labourers' Cottages and Allotments (Ireland) Act, 1882.'"

New Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

COLONEL KING-HARMAN inquired whether the right hon. and learned Gentleman the Attorney General for Ireland had examined the clause and found whether it came within the purview of the Act?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER): Certainly.

MR. GIBSON said, he was not quite sure whether it might not be desirable to retain the word "officer" in place of the word "authority," and so leave the clause in the form in which it originally stood on the Paper. It might be well to have two strings to the bow, and employ the words "sanitary officer" as well as the words "sanitary authority." The difficulty to contend against was that the sanitary authorities were mainly composed of persons who had neglected to carry out the order that had to be enforced. It could not do the slightest harm to give power to sanitary officers, as well as to the sanitary authorities, to enforce the order.

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, there was a difficulty, of course, in finding who was the proper authority to put the law in motion; but if they adopted the words "sanitary officer," it might lead to inconvenience, because there were a great many sanitary officers in each district, and what was the duty of everybody was generally the duty of no one. The duty might be imposed upon the clerk to the sanitary authority. It would then be the duty of the clerk to the Union in each case to enforce the Order.

COLONEL KING HARMAN said, his experience was that whenever they placed fresh duties upon clerks of Unions, the latter expected to get fresh pay; and if their expectations were not realized in this respect, they did not do the work required of them. He should be disposed to leave the duty to the sanitary authority.

MR. O'SULLIVAN said, he was afraid that if they left the enforcement of the Order to the Clerk of the Union, the Order would not be enforced.

Clause read a second time, and *added* to the Bill.

MR. T. P. O'CONNOR proposed to insert the following Clause, after Clause 17:—

(Extension of Artizans' Dwellings Act, 1875, to certain towns.)

"The Artizans' and Labourers' Improvement Act, 1875, as amended by any Act or Acts, shall extend to all urban sanitary districts in Ireland containing, according to the last published census, a population of twelve thousand and upwards; and also to any other urban sanitary district in Ireland to which the Local Government may by Provisional Order declare that the said Act shall extend.

Such Provisional Order may be made by the Local Government Board in the manner in which Provisional Orders are made by them under 'The Public Health (Ireland) Act, 1878.'

No such Provisional Order shall be made except upon the petition of the urban sanitary authority of such sanitary district, nor, in the event of any objection being taken to such petition, until after a local inquiry with respect to such petition has been held by the Local Government Board."

The hon. Gentleman said, that anyone acquainted with the position of the labourers of Ireland would know that a large number of them took refuge in miserable hovels in small towns. The Committee would only half complete the good work they were doing if they did not make some provision for such men, and this was the object of the clause which he now proposed should be read a second time.

New Clause *brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, that at first sight the clause did not appear exactly in consonance with the scope of the Bill. He should like to consider the matter between this and Report, and see what could be done.

MR. HEALY suggested that the right hon. and learned Gentleman should allow the clause to be inserted, and that on Report he should strike it out if necessary, or make such modifications in it as might appear advisable.

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, he would be willing to adopt such a plan.

COLONEL KING-HARMAN said, he hoped that the right hon. and learned Attorney General for Ireland would stand to his original proposition. He (Colonel King-Harman) did not think less of agricultural labourers living in towns than of those who lived in the country; but the Committee had as yet had no time whatever to consider this clause.

MR. GIBSON said, that the question of artizans' dwellings had been exhaustively discussed when the Artizans' and Labourers' Improvement Bills were brought in; and it was again discussed in 1878, when the Public Health (Ireland) Act was introduced. The authorities in Ireland, who looked into that matter, were of opinion that the fixing of a limit to the operation of the Bills was of immense importance. He did not profess to have any objection to the clause; but he considered that the matter was one which required great consideration. He hoped the suggestion of the right hon. and learned Gentleman the Attorney General for Ireland would be adopted, and that the matter would be left to be considered by him before the stage of Report. It was very proper that the right hon. and learned Gentleman should have an opportunity of consulting his official Colleagues, and that he should be guided, to a great extent, by their opinions on the subject.

MR. PARNELL said, he thought the course suggested by his hon. Friend the Member for Monaghan (Mr. Healy) would be the most convenient one to adopt—namely, that they should insert the clause in the Bill, and consider it more fully on Report. If it were inserted in the Bill, they would be able to consider it properly in its relation to the rest of the Bill. It would certainly be to the interest of the Irish labourers that this clause should be inserted.

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, he had no objection to the clause being read a second time; but, of course, the Government would reserve to themselves the right to deal with it as they thought fit on Report.

Clause read a second time, and *added* to the Bill.

Bill *reported*; as amended, to be considered *To-morrow*.

PAYMENT OF WAGES IN PUBLIC-HOUSES PROHIBITION BILL [*Lords*].

(*Mr. Samuel Morley*.)

[BILL 126.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to*.

Clause 3 (No wages to be paid within publichouse. See 35 & 36 Vict. c. 76, s. 16, and 35 & 36 Vict. c. 77, s. 9).

MR. WARTON said, it was quite true that, on account of what occurred on Saturday, he had not been able to put a block on the Bill. If he had been able, he should certainly, with respect to a Bill of this importance, have taken steps to prevent its being considered at an unreasonable hour in the morning. ["Go on!"] He maintained that it was extremely discourteous for hon. Gentlemen to assail him with shouts of

"Go on!" and he appealed to the Chairman to say whether hon. Gentlemen were really in Order?

The CHAIRMAN: It is difficult to define what is discourteous at this time of the morning, when everyone is anxious to make progress.

Mr. WARTON declined to go on if he was to be insulted in this way.

Clause *agreed to*.

Remaining Clause *agreed to*.

Bill *reported*, without Amendment.

Mr. SAMUEL MORLEY said, they were all but unanimous upon the principle of the Bill; and he hoped the House would be good enough now to read it a third time.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Samuel Morley.*)

Mr. WARTON protested against the Bill being hurried through the House in this way. ["Go on!"] The hon. Member for Stockton (Mr. Dodds) was always ready to insult him. In fact, it was not the first time that the hon. Member had used improper expressions in that House. He considered the hon. Gentleman extremely rude. He had been prevented making the observations he desired to make in Committee; and he, therefore, begged to move that the Bill be re-committed in respect of Clause 8.

Amendment proposed, to leave out the words "now read the third time," in order to add the word "re-committed."—(*Mr. Warton.*)

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

Main Question put, and *agreed to*.

Bill read the third time, and *passed*, without Amendment.

MOTIONS.

CORRUPT PRACTICES (SUSPENSION OF ELECTIONS) BILL.

On Motion of Mr. Attorney General, Bill to suspend for a limited period, on account of Corrupt Practices, the holding of an Election of a Member or Members to serve in Parliament for certain Cities and Boroughs, *ordered* to be brought in by Mr. Attorney General and Mr. Solicitor General.

Bill *presented*, and read the first time. [Bill 281.]

CHOLERA HOSPITALS (IRELAND) BILL.

On Motion of Colonel Nolan, Bill to enable sanitary authorities in Ireland to take possession of land for the erection of temporary Cholera Hospitals, *ordered* to be brought in by Colonel Nolan, Mr. O'Kelly, Mr. Findlater, Mr. O'Brien, and Mr. Macfarlane.

Bill *presented*, and read the first time. [Bill 282.]

EXPIRING LAWS CONTINUANCE BILL.

On Motion of Mr. Herbert Gladstone, Bill to continue various Expiring Laws, *ordered* to be brought in by Mr. Herbert Gladstone and Mr. Courtney.

Bill *presented*, and read the first time. [Bill 283.]

ISLE OF WIGHT HIGHWAYS BILL.

Select Committee on the Isle of Wight Highways Bill *nominated*,—of Mr. Hibbert, Sir Henry Holland, and Mr. Arnold Morley, and Two to be nominated by the Committee of Selection:—Power to send for persons, papers, and records; Three to be the quorum.

House adjourned at half after Three o'clock.

HOUSE OF LORDS,

Tuesday, 7th August, 1883.

MINUTES.]—Public Bills—*Second Reading*—Parochial Charities (London) (168); Statute Law Revision and Civil Procedure * (177); Agricultural Holdings (England) (171).

Committee—Report—Railway Passenger Duty, &c.* (167).

Report—Irish Reproductive Loan Fund Act (1574) Amendment * (156).

Third Reading—Greenwich Hospital * (165), and *passed.*

OXFORD, AYLESBURY, AND METROPOLITAN RAILWAY BILL.

MOTION FOR RE-COMMITMENT.

Lord HENNIKER, in moving that the Bill be re-committed to the same Select Committee, said, he approached the question on two grounds—firstly, on public grounds; and, secondly, because the course taken in this case had no precedent in Parliamentary practice, and bore hardly on those concerned. It was not a very pleasant task to find any fault with a Committee of their Lordships' House, particularly as everyone would acknowledge that the work of Committees was so well done that it could hardly be improved. He might add that his noble Friend (the Earl of Haddington) had so much experience of business that any Committee would be safe in his hands as Chairman. He did not, therefore, approach the question in any way with a desire to find fault unnecessarily; but he would simply place the case as shortly as he could before the House, and leave their Lordships to decide what it was right to do. Their Lordships would be engaged on the second reading of the Agricultural Holdings Bill that night, and would be fully aware that in that measure they were dealing with a class which required special consideration just now. That had stimulated several Members of the House of Commons to object to excessive rates for artificial manures, and so on; and that House had decided to give special facilities to those who made objections as to rates—not only on artificial manures, but on other goods—to have the case considered by every Committee. A Standing Order had been passed which did not exist in their Lordships' House, where Petitioners had to appear in the ordinary way. Of course, what the House of Commons did had nothing, strictly speaking, to do with the procedure of their Lordships' House; but on public questions advantage was generally taken by their Lordships of outside opinions, and they were not usually unwilling to listen to any reasonable proposal. In this case the Manager of the Great Western Railway had stated that in no case where the traders in the district had appeared in opposition to a Bill, had Parliament sanctioned the rates which were now asked for, and not only so, but Parliament had rejected the classification proposed on the two occasions on which it had been asked for. So much for that part of the case. The facts were these. A certain number of farmers and traders petitioned against the Bill on the ground of excessive rates. There were 24 Petitioners, only one of whom had no interest, and did not reside in the district — a merchant of Gloucester — who would use the proposed line. They were all anxious to promote the line if the rates were fair. One day only was given for obtaining signatures to this Petition, so the number of Petitioners was not as large as it might have been. The time for presenting the Petition to the House did not admit of a longer delay. The Bill proceeded before the Committee, and certain evidence having been given, an interview was held with the promoters; the result of this interview was that the Petitioners decided to withdraw rather than jeopardize the making of the proposed line. Their counsel withdrew the opposition, and costs were then asked for by the promoters as against these Petitioners. The counsel for the promoters in asking for costs said he would retire at once if any farmer in any way interested in the district would come forward and say he wished *bonâ fide* to raise this question of manure or other rates. The counsel knew quite well that there were no witnesses there. A letter from Mr. Franklin, dated July 24, which he held in his hand, showed the reason why. Even Mr. Cripps, the promoters' counsel, was willing to say Mr. Franklin was an interested party for the promoters. The letter was as follows:—

> "When I was asked to sign the Petition against the rates and classification of goods as set out in the Bill, I considered the former excessive, and the latter to want reconstruction. The day I was summoned to the House to give evidence to the Committee, I met several landowners and parties interested in the line, and heard from them that the question of rates for manure and agricultural produce had been especially considered by them, and that it would be impossible to work a short line passing through an agricultural district at lower rates, and that if the rates were reduced it would be tantamount to throwing out the Bill. After hearing this, and that the classification of goods on all railways would, in all probability, be brought before Parliament for adjustment. I was induced not to oppose the Bill further. Being agent for several landowners whose property the proposed line passes through and near, I considered the advantages would be too great to offer factious opposition."

He (Lord Henniker) thought that this letter proved the interest of the leading witness, Mr. Franklin, and the grounds on which the opposition was withdrawn. The counsel, too, said he would produce the witnesses if two days were allowed. This was declined. So the offer was made by one counsel, who must have known why the witnesses were not present; and then when the offer was made to produce them within a reasonable time it was refused; and yet, notwithstanding this, costs were awarded against the Petitioners. The question was entirely one of costs. The Bill had to be re-committed entirely, if re-committed at all; but his point was that costs had been granted in this case in a way which required reconsideration. Costs could only be granted when a Committee found the Preamble proved, and that the action of the Petitioners was vexations. The costs were in this case given on the ground that the Petitioners had not been interested in the proposed line. Technically, the Petitioners in question had *pro formâ* petitioned against the Preamble, but this only to give them the power to cross-examine the promoters' witnesses. The ground of no interest in the line was clearly one of *locus standi;* but the counsel for the promoters expressly waived any objection to the *locus standi* of the Petitioners. If the *locus standi* had been objected to and sustained on Preamble, the opposition would have been at an end, and no costs would have been given. Was it fair, therefore, to claim costs on a point of *locus standi?* And, he might add, was it competent to award costs on this ground? Was there any other ground to go on except a want of interest in the line? He thought not; for the right to appear against clauses was admitted by the waiver of the objection to *locus standi.* The Petition was strictly limited to rates; and as to the vexatious question, he wished to know how it could be said the Petition was vexatious? A body of farmers and traders might petition against high rates; their Petition might be unfounded, and so fail; but in Parliamentary experience there was no case like the present in which costs had been awarded against such Petitioners. The Manager of the Great Western Railway's (Mr. Grierson's) evidence alone was good ground on which to rest, and was pretty conclusive on that point. The case, then, was this—that costs had been awarded on a question of public interest in the face of the fact that costs had never been so awarded before by any Committee; in face of the fact that witnesses were somehow induced to be away when they were wanted, but would have appeared later if time had been given to summon them, when the objection on *locus standi* was taken at a later stage of the proceedings than it ought to have been; in face of the fact that this case set a precedent for Parliamentary practice in the future which was against all the Parliamentary wisdom of the past, and while the other House of Parliament gave every facility to those interested to deal with this question of rates in a satisfactory manner. He thought he had made out his case, and that it was not asking too much of the Committee to reconsider the question of costs. No doubt, the Committee acted to the best of their judgment at the time, but could hardly have known all the facts of the case. Of course, he might have gone more into detail, and there was much more to be said on the subject; but he had endeavoured to place the facts of the case as shortly and as clearly as he could before the House.

Moved, "That the Bill be re-committed to the same Select Committee."—(*The Lord Henniker.*)

The Earl of HADDINGTON said, he considered that the rates imposed were proper and reasonable; they were, in fact, similar to those proposed in several Bills during that Session. He had arrived at the conclusion to which the Committee came with some hesitation; but he could not feel much doubt after hearing the reason urged by those in favour of that conclusion. He had himself asked the noble Duke (the Duke of Buckingham) to point out some names among the Petitioners of persons interested in the Bill, and he could only name one.

After a few remarks from the Earl of Rosse,

Motion (by leave of the House) *withdrawn.*

PAROCHIAL CHARITIES (LONDON) BILL.—(No. 168.)

(*The Earl of Camperdown.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of CAMPERDOWN, in moving that the Bill be now read the second time, said, the object of the Bill was to create a new body of management and a new administration for the Charities of London. For a long time the necessity of some reform in this matter had been felt, and the population of the City had declined from 131,000 in 1851 to 50,000 persons in 1881. The Charities were considerable both in number and amount, and were increasing in value every year. They existed for the benefit of different parishes in the City, and consisted in great part of house property in and near London. In 1865 these Charities amounted in yearly value to £67,000; in 1880 they reached the sum of £117,000; and there was very little reason to doubt that with an active and energetic system of management they would soon amount to not less than £200,000 a-year. Many of the purposes for which they had been originally given by benevolent donors were now extinct, and many had changed their character. There was a Royal Commission appointed to inquire into all the Charities. It was presided over by the noble Duke (the Duke of Northumberland). They reported in 1880, and since that time several Bills had been introduced into Parliament founded upon the Report, but not one had succeeded in passing through the House of Commons till this year. The present Bill had come up from the other House, where it had been discussed by a Select Committee. He would refer their Lordships for information on the subject to the Report of that Committee. The most important changes proposed by the Bill were to place the Charities in the hands of the Charity Commissioners, who would be able to proceed by inquiry into all matters without any previous application on the part of Trustees or other persons interested in the Charities. The Bill appointed two additional Charity Commissioners, the duration of whose appointment was not to extend beyond the end of the year 1889. These Commissioners were to form schemes for the application and management of the property—that part of it which was ecclesiastical being devoted to ecclesiastical purposes; and that part which was general being devoted to the establishment and maintenance of provident institutions and to the welfare generally of the poorer classes. Ample provision was also made to satisfy vested interests. In conclusion, it was, he thought, very desirable, in the interests of all concerned in that matter, that legislation upon it should not be longer delayed. The noble Earl then moved that the Bill be now read a second time.

Moved, "That the Bill be now read 2ª."—(*The Earl of Camperdown.*)

The Bishop of LONDON, in supporting the measure, said, it aimed at providing a remedy for a state of things which ought not to be allowed to exist any longer. The City of London, as at present constituted, was comprised within one mile, and £104,500 was the amount of the charitable funds available. That sum could not be properly expended in charity in the City, where some of the parishes had no poor at all; and the Charities had been expended in various other matters, such as the redemption of tithes, and the giving of parish dinners in some cases. He trusted that their Lordships, even at that late period of the Session, would pass the Bill.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

AGRICULTURAL HOLDINGS (ENGLAND) BILL.—(No. 171.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading read.

Lord CARLINGFORD (Lord President of the Council) said, that in asking their Lordships to give a second reading to this Bill, he felt that his task was considerably shortened and simplified by the fact that the measure embodied, to a great extent, the form and the machinery of the existing Act of 1875; and as far as quantity was concerned, a large part—the largest part—of the Bill did not require explanation or justification from him. But although so much of the present Act, in point of machinery, was preserved, the Government desired to add one thing to that Act which it was admitted by almost universal consent to require, and that was the motive power which should set that machinery in motion. The essential portion of the Bill, the effect of which he would endeavour to state, was contained mainly in Clause 1. What he had called the motive power of the Bill was contained in that clause. That 1st clause declared that a tenant who had made on his holding any improvement, upon quitting his holding was to obtain compensation from his landlord; and that right was given in the absence of contract, and in certain cases even in spite of contract, to the contrary, under the clause which came later in the Bill. Such compensation under the clause was to consist of such a sum of money as fairly represented the value of the improvement to an incoming tenant. In that clause, governed and restricted by the clauses which followed, they had the amount of the compulsory principle which the Bill contained, and they had that new standard of compensation, as compared with the existing Act, which they had adopted, and which dispensed with many complications of the Act of 1875, with the compensation periods, and the graduated diminution of the amount of compensation, and so on. And he might say that both of those principles—that of compulsion within certain defined limits, and that of value as the measure of compensation—possessed the sanction and recommendation of the Report of the Royal Commission on Agriculture. As to the principle of compulsion, he saw that his noble Friend on the Cross Benches (the Earl of Wemyss) had placed upon the Paper a very strong protest against it, and a very lofty declaration of that principle of freedom of contract which he appeared to put on a level with the Ten Commandments; while he seemed to think that the proposal of the Government struck at the very foundations of society. As to the measure of compensation, it would be remembered that the authors of the existing Act had felt a very considerable difficulty, and had changed their proposals several times during the passage of the Bill. In the end, however, they decided to adopt outlay as the measure of compensation with a certain artificial reduction, according to the term of years. Under that system, if the value came within the outlay, then the value became the maximum of the tenant's compensation; if it were greater, then the outlay was the measure of the maximum. That was a system which the Government were certainly not prepared to admit into the Bill. It adopted a standard of compensation of a thoroughly one-sided kind in favour of the landlord or incoming tenant, but not of the outgoing tenant. That system had not commended itself to the mind of the Government, nor to the opinion of the other House of Parliament. They believed that it was not a fair and rational standard to adopt, and that view was supported by some of the best and wisest advocates of the tenants. Mr. Clare Read, in a letter published the other day, described that system as one under which the landlord would say to the tenant—"Heads I win, tails you lose." It appeared to them that, if the tenant received less than his outlay when what he left behind him was of little value, as it might be, it was but reasonable that when he left behind him as the result of his skill and enterprise a value larger than the outlay, he should not be deprived of that advantage. The Government believed that the standard of value laid down in general terms in the Bill, to be applied in particular cases by competent experts, was the best, fairest, and simplest standard that could be adopted, and that it was a mode of compensation by far the most likely to stimulate and secure the industry of the tenant. But this was limited in the Bill by a Proviso, not proposed by the Government but introduced in Committee, that in fixing the amount of compensation nothing should be taken into account as part of the value produced by the tenant that was justly due to the inherent capabilities of the soil. As to the improvements referred to in the Bill, which were similar to those in the existing Act, they would be found in the Schedule, and were divided into three classes. The first class, contained in Part I., were those which might properly be considered landlord's improvements—namely, those for which it was usual and desirable that the landlord should supply the capital, and which effected permanent changes in the holding. Part II. referred only to drainage. This was a most important improvement, and one which might, they considered, be dealt with separately. They thought it desirable, if it could be brought about, that drainage should be executed by the landlord; but yet it was so important a matter, and in many cases so essential, that if not executed by the landlord, it was their opinion that it should be done by the tenant, and that the tenant in the last resort should be able to execute it and secure compensation for it when done. That was the view taken by the framers of the Bill. The 3rd Part included manures of all kinds, and all those works which produced an improvement of the soil, and were generally executed by the tenant. Then he came to the restrictions on the general enactment in Clause 1. Clause 2 excepted from the application of the Act all improvements executed before the passing of the Act, except those temporary tenants' improvements which came under Part III. The following clauses dealt with those executed after the Act. With respect to the landlord's improvements in Part I., the consent of the landlord was made essential. As to drainage, under Clause 4, the tenant would not be able to undertake the improvement and claim compensation at the time of quitting his holding, but was bound to give notice to the landlord, so as to give him an opportunity of executing the work himself. Then, if the landlord refused or failed to do this, the tenant was empowered to carry out the work himself, and establish a claim for compensation. As to improvements of temporary effect which, as a rule, could be made by the tenant only, and which it was so desirable that he should make, the Bill imposed no restriction. The Government felt that it was essential that the tenant should be certain of reaping the benefit of his outlay either in the produce of the farm during his tenancy, or in compensation for any remainder of an improvement which he might hand over either to the landlord or to his successor. It had not been thought necessary to draw any distinction between improvements of that kind executed before the commencement of the Act and those executed afterwards. In all other cases the tenant would have no claim for any improvement made before the commencement of the Act. He now came to the clauses which provided that, under certain conditions, agreements between the two parties providing compensation might take the place of the provisions of the Bill. In the case of the improvements mentioned in Parts I. and II. of the Schedule, compensation under any agreement might take the place of the general compensation provided by the Bill. But as to Part III., which dealt with tenants' improvements properly so called, the Bill enacted that agreements between the parties for compensation should be recognized, provided that such agreements were fair and reasonable, and not evasive or illusory. With respect to current tenancies, the Bill said that any existing agreement providing compensation for any specific improvement should hold good and should not be affected by the measure. One clause referred to various matters of set-off which the landlord might put forward against the tenant's claim. The clause dealing with the subject of notice to quit agreed with the existing Act, with this difference, that it did not make the year's notice to quit absolute, but left it open to the parties to set the clause aside by agreement and to retain the present half-year's notice. Part of the Bill dealt with the subject of distress. It provided that for the future distress should be limited to the amount of one year's rent. It protected to a large extent the live stock belonging to a stranger which might happen to be on the farm, and it protected absolutely agricultural and other machinery belonging to a third party. This limitation of the right of distress did not follow the recommendation of the Royal Commission on Agriculture, the recommendation of that Commission being that distress should be limited to the amount of two years' rent. The restriction in the Bill to one year, however, was in accord with the opinion of many landlords and tenants, with the provisions of a measure introduced in "another place" by an hon. Gentleman who was a high authority, and with the Report of a Committee presided over by Mr. Goschen. Their Lordships would see that the new legislation they proposed in the Bill was not of a large amount in point of quantity, but it was of great importance in point of quality. They believed that it would make, if adopted by Parliament, a great change. The existing Act, which was very carefully framed, and which formed a remarkable event in the history of their land legislation, especially as proceeding from a Conservative Government, at the same time was an Act which had not produced much direct effect upon the relations between landlord and tenant, so far as compensating the latter for his outlay and improvements was concerned. There was a great difference between that Act and the measure now before their Lordships, which the Government hoped and believed would not be a dead letter, but would work efficiently and provide security for tenant farmers in making those improvements which it was so greatly to the public interest that they should undertake. His noble Friend on the Cross Benches (the Earl of Wemyss) said he was—

> "Ready to promote a well-considered measure for the advancement of agriculture and the im-

provement, so far as possible by legislation, of the relations of landlord and tenant;"

but that he was not prepared to interfere with freedom of contract and destroy the foundations of society.

The Earl of WEMYSS: Hear, hear!

Lord CARLINGFORD (Lord President of the Council): What did the noble Earl mean by his well-considered measure? He was ready to support a Bill provided it were purely permissive, without the slightest element of compulsion. That was what the words meant if they meant anything. He did not think that, in the present circumstances, and with the experience they had now obtained, the noble Earl would be able to satisfy the House that such a measure, however well-considered, would do any good whatever, or have any effect; and he should like very much to see him endeavour to satisfy upon that point an audience of tenant farmers, say, for example, in the county of Haddington. He had great suspicion of the soundness of the application of a principle of that kind, when it was made solely and exclusively by one of the two parties whose relations it was to regulate, and when it was absolutely repudiated by the other. He readily admitted that in these matters the burden of proof lay on those who proposed to depart from freedom of contract; but he entirely denied that Parliament had ever so neglected its duty as to set up that principle as an absolute barrier, which was to leave them no liberty whatever to deal with the various cases that came before them upon their merits. Parliament had frequently interfered with the principle of freedom of contract. He himself was a colliery owner, and his freedom and his pocket in that capacity were far more seriously interfered with by existing legislation than his freedom or his interests as a landowner would be by the provisions of the present Bill. In ordinary times a tenant was not in a position in which he could readily make a sufficient agreement with his landlord for the purpose of protecting and securing his improvements. This was not a theory or a speculation; it was a matter of experience. But he was not anxious to defend the limited amount of compulsion which the Bill would introduce upon that ground. He would sooner defend it on the ground of public policy. At present, want of security either prevented the tenant from making those improvements which were so desirable, or exposed him to the risk of finding at the expiration of his tenancy that a considerable amount of his outlay was for ever lost to him, with all the heartburning and discontent that must follow. As a matter of public policy, believing that contracts adverse to the tenant's claim were distinctly impolitic, and were upon the same footing as contracts in restraint of trade, and that the absence of safe agreements, upon which the tenant could rely, was a very great public evil—on those grounds they proposed the principle contained in this Bill. They, in fact, proposed by this Bill to create a general custom, which should attach to all tenancies, unless the landlord and tenant had agreed between themselves in some other way, for which the Bill left ample scope, provided that the agreement were not unfair or unreasonable. That was what they were bound to do if they were to do any good. They had ample experience on this subject, and they had had ample inquiry. They had had eight years' experience of a permissive measure, and they had the advantage of a most thorough and laborious inquiry made by the Commission presided over by the noble Duke opposite (the Duke of Richmond and Gordon) with such ability, patience, and public spirit; and what was the result of that experience and inquiry? At the time that the Act of 1875 was passed the opinion was strongly held that the permissive operation of that Act would give very little result in the matter of compensation for tenants' improvements. He was not surprised that the experiment of permissive legislation should have been made; it had been made, and they had now the great benefit of that experience, and the Royal Commission on Agriculture had had the benefit of it, and had given them the result of their inquiry, which result was probably known to their Lordships. They recommended that the principles of the Agricultural Holdings Act, 1875, should be made compulsory in all cases in which compensation was not otherwise provided for, and that it should depend upon the additional value given to the holding. In point of principle, the Bill before the House was substantially founded upon the recommendations of that Report. That experiment having been made, the fact being, as proved by all the evidence and Reports of the Royal Commission, that for the most part, and in the greatest number of cases, nothing had come of it, and that the English tenant farmers did not possess by voluntary agreement with their landlords that security for their improvements which everyone admitted, and many so loudly proclaimed to be essential, he would like to ask their Lordships whether it would be possible for the present Government, or any other Government, to bring in an Agricultural Holdings Bill now which should rest exclusively on the permissive principle? That was the case he had to put, and he ventured to recommend the Bill to the acceptance of their Lordships. He thought it contained two very essential characteristics—namely, moderation and efficiency—which had recommended it more and more, as time went on, to the good opinion of both the great classes with which it had to deal; and he confidently trusted that the general approval of their Lordships would make it the law of the land.

Moved, "That the Bill be now read 2ª."—(*The Lord President.*)

The Earl of WEMYSS, in rising to move the following Amendment:—

> "That this House, while ready to promote a well-considered measure for the advancement of agriculture and the improvement, so far as possible by legislation, of the relations of landlord and tenant, is not prepared to give its sanction to a Bill which, in agricultural tenancies, forbids free contract in the future and breaks it in the past, thus destroying the foundation upon which alone agriculture, trade, and commerce can securely rest,"

said, he thought most of their Lordships would agree with him that it was of evil augury that the moving of the second reading of this Bill had been intrusted to an Irishman, and that it had been moved by his noble Friend, who, in the year 1870, as Mr. Chichester Fortescue, had introduced the first Irish Land Bill. He well remembered the speech in which his noble Friend had moved that Bill. No doubt, he very ably performed his part; but there was this peculiarity in what he had said on that occasion—when he referred to previous attempts at legislation in this direction, he used a refrain throughout his remarks to this effect—"But, Sir, we have made a great advance since then." He (the Earl of Wemyss) did not know whether it would be five or ten years hence when his noble Friend, or some other noble and heroic Lord, would come down to their Lordships' House to propose further legislation on the same lines, and, pointing to the present measure, would say, in the words of 1870—"But, my Lords, we have made a great advance since then." He did not propose to follow his noble Friend into all the details of the Bill. The noble Lord had said that he (the Earl of Wemyss) thought more highly of the principle of free contract than of the Ten Commandments. Well, he did think highly of the principle of free contract, and certainly more highly than, judging from the legislation of late, Her Majesty's Government and his noble Friend thought of the Decalogue. One Bill was a violation of the Tenth Commandment, by allowing men to covet their neighbours' goods; another Bill was a violation of the Ninth Commandment, by allowing a man to speak ill of his neighbour; and, finally, the principle of the Eighth Commandment had disappeared from the Bill, because the property of one man was to be taken from him and transferred to his neighbour. He knew that in asking the House to pass his Resolution he had a difficult task; but was that Resolution untrue? His conviction was, that every step which they took in this kind of legislation, so far from improving the relations between landlord and tenant, embittered and injured them; and he did not believe that there was any possibility of legislation of this kind improving agriculture, or the conditions under which landlord and tenant were now standing in regard to each other. His noble Friend had made merry upon the first part of his Resolution; but that was only the padding of the Resolution, the whole substance of it was in the end. It was to the latter part of the Resolution to which he would call their Lordships' attention—namely,

> "That this House is not prepared to give its sanction to a Bill which, in agricultural tenancies, forbids free contract in the future and breaks it in the past, thus destroying the foundation upon which alone agriculture, trade, and commerce can securely rest."

Now, was it or was it not true that the foundation of agriculture, trade, and commerce rested on free contract, and that throughout the civilized world all trading rested on free contract? The Government were asking the House to do away with freedom of contract in the most important commercial relation in the world. He would, therefore, be justified in asking them to pause and consider the question seriously—How was it brought about that the two great Parties in the State were agreed in suppressing freedom of trade in land? They must cross the Irish Channel if they would see how they got into their present position. The noble and learned Lord (Lord Fitzgerald) stated the other day that at one time all that Irish patriots asked for was compensation for improvements made with the consent of the landlords, and anything like the "three F's" was never thought of. Sir George Cornwall Lewis declared that all Ireland wanted was a Poor Law; and Mr. Cardwell, in 1860, only advocated the compensation he had referred to. In 1870, however, a great change came over the Government; a new dispensation commenced, and the Act of 1870 was introduced; while in 1881 all the confiscatory provisions were introduced in the Government Bill which in 1870 had been denounced as too preposterous to be mentioned. On what plea were the changes introduced in 1881?—the plea of justice and remedial legislation. There was a debate on the subject in that House the other night, and all the justice that appeared was the taking away of property from one man and giving it to another, and taking the hard-earned money of the loyal, well-affected, hard-working labourer and artizan, in the form of increased taxation, and giving it to the not over loyal tenants of Ireland. ["Oh!"] What else was the Arrears Bill?

Lord CARLINGFORD (Lord President of the Council): The money came from the Irish Church Fund.

The Earl of WEMYSS: Well, that was robbing the Church, which was worse still. He did not desire to use hard terms; but he wished they could take to heart the lines of Burns—

> "O wad some power the giftie gie us,
> To see ourselves as ithers see us!"

He should like to give the House the opinion of an American divine, who stated that every muscle of him was Liberal, but over the Irish Land Act his Liberal notions got completely mixed. Could it be said that justice had been done by these measures, or that they had had any remedial effect? Was it not a fact that the Lord Lieutenant of Ireland went about protected in fear of his life, and every Cabinet Minister had at least one detective, and some two or three, surrounding their houses by night and day, while Ireland was in a state of disaffection and disloyalty such as, he believed, had not been known in the present generation? He was in Ireland immediately after the Election of 1879, when the country was in a comparatively peaceful state. He was in Ireland also after the remedial Bill of 1881 had passed, and he could speak to the state of the country during those two periods. After the remedial legislation he found "Boycotting" in full force—school boards, clothing clubs, even a short-horned bull was "Boycotted." The noble Duke (the Duke of Argyll) declared that next Session, if he had sufficiently recovered, he would tell the House what the consequences of the Irish Land Act were. The consequences were apparent everywhere, in the general demoralization which this land agitation had produced. It could be traced in speeches out of Parliament, at farmers' alliances, and in other matters connected with agriculture. They could trace it in Bills brought in by patriotic and public-spirited manure merchants and agricultural implement makers, who found Parliament by far the best and cheapest means of advertising their wares. And it could be traced in that Bill which they were then asked to read a second time. If they wanted further evidence, let them turn to an inquiry which was made recently in the House of Commons of the Government—namely, whether, having regard to the measures which had been passed dealing with agricultural improvements, the Government were prepared to consider the question of protecting the tenant's mineral and other rights from confiscation by the enforcement of fines on the transfer of leases, and so forth? The answer was that the question touched a matter of great importance, which it would be the duty of the Government to give attention to if it were brought forward in such manner as to make them believe they were called on to consider it. That simply meant that if a sufficient number of votes depended on it, a Commission would and elsewhere repeatedly asserted, in very strong terms, the desirability and policy of maintaining the principle of freedom of contract in regard to all such questions, he was desirous of explaining very shortly why he was not able to follow his noble Friend on the Cross Benches in the Resolution he had just moved. In the first place, he was unable to follow him on account of the terms of that Resolution. When he (the Duke of Argyll) first read it he confessed he was disappointed in his noble Friend. He thought his noble Friend was the Simon Pure of Free Trade. He thought his noble Friend was a sort of rock of adamant around which the excitement of political opinion on this subject might have surged in vain. He thought his noble Friend was a standard-bearer, in whose hands the standard of freedom of contract would never shake. What was his astonishment when he saw that their Lordships were asked by a solemn declaration to say whether they were willing to consider some legislative measure which might improve agriculture and the relations between landlord and tenant——

The Earl of WEMYSS: As far as possible. I do not think it is possible at all.

The Duke of ARGYLL: Yes, as far as possible. He did not think his noble Friend got well out of the Question put to him by the Lord President of the Council—"What was the meaning of those words?" The answer of the noble Lord was that the words meant nothing; that they were mere padding.

The Earl of WEMYSS: Hear, hear!

The Duke of ARGYLL: Well, he objected to swallow the padding of his noble Friend.

The Earl of WEMYSS: I will leave them out if the noble Duke likes.

The Duke of ARGYLL: He wondered his noble Friend had shown the House of which he was a Member such want of respect as to ask them, upon so grave and important a subject, to vote the solemn declaration in his Resolution and then declare it was mere padding. Supposing a majority of their Lordships did so, and that the Bill was rejected, and that his noble Friend went to a great assembly of the people of the farming class and was asked, What did the House of Lords mean by voting a Resolution that there should be some interference with the relations of landlord and tenant, and that his only answer on behalf of this great historic Assembly was that it was mere padding, would such an explanation add to the credit of their Lordships' House? Another reason why he could not agree with his noble Friend's Resolution was that the description he had given of the Bill, open as the Bill might be to objection, was not a fair and accurate description. He stated this broadly—that he would not vote for the Resolution of his noble Friend whatever his opinion on the question of freedom of contract might be. His noble Friend hardly ever referred to the details of the Bill, or to its general character.

The Earl of WEMYSS: It is the second reading.

The Duke of ARGYLL: He kept absolute silence on that point, and treated the Bill as if it were nothing but one series of clauses forbidding, invading, and overriding free contract. That was not a fair and just description of the Bill; and he must also say that his noble Friend the Lord President, who was sponsor to the Bill, hardly did justice to his own case when he dwelt on the interference which the Bill proposed to make with freedom of contract, because he failed to point out to the House that the very largest parts of the Bill—perhaps the most important parts of it—were those clauses which did not interfere with free contract, but which, on the contrary, were intended to elicit and call forth contract where no contract existed. And that was the most important part in connection with the actual state of landed property in England. He recollected asking a noble Lord, the proprietor of a large estate of historical name, and whose Predecessor was one of the most eminent agriculturists that England had ever seen, what were the agreements he made with his tenants in regard to these circumstances, and he replied that he had no agreements with his tenants, but that it was mere custom, mere usage which directed the relations between himself and his tenants. That might be an advantageous system in some cases, but it was not, in his opinion, sound as a matter of business; and one of the most important reasons why he supported this Bill was, that in future all the relations between landlord and tenat would, as far as possible, be reduced to written agreements, definite in their nature, and giving to both parties a clear view of their respective rights. Since his noble Friend (the Earl of Wemyss) had rested his whole case against the Bill on an abstract argument about free contract, he hoped the House would allow him to say a few words in reference to his view on that matter. In doing so he would respect the time of the House, remembering above all things that it was not a debating society, but a Legislative Assembly—an Assembly of practical men looking at things from a practical point of view. He asked them from that point of view to look back to the course of legislation during the past 50 or 60 years. At the beginning of the present century the Statute Book was incumbered with a multitude of laws directed in various ways to restrict and protect industrial production, and the relations between man and man on money and money's worth. It was the teaching of the great political economists of that time that all those laws were mistakes, and that in respect to these matters, in the purely economical business relations between man and man, self-interest was the most powerful of all motives, and a sufficient motive to which Parliament should trust for economical progress and success. Accordingly, during the last 60 years one after another of these laws had been repealed—the Laws of Apprenticeship, the Laws of Usury, and the laws dealing with all those items of the Tariff that were directed to the protection of particular industrial pursuits. And, contemporary with all these laws, there had been a long series of Acts bringing the law, for the first time, into relation with human affairs, such as Acts for the protection of life, of health, and of morals. Now, his noble Friend on the Cross Benches had twice or three times been in collision with this House on the application of the abstract principle of Free Trade to the question of legislation, and the majority of the House, or, at any rate, an equality of votes, were against him in the view he took. He (the Duke of Argyll) would not deny for a moment that this Bill was a Bill interfering with individual liberty in the purely economic sense. It was not a Bill for the protection of life, of health, or of morals. This was a Bill to protect purely industrial pursuits, and to regulate contracts between man and man, His noble Friend who was in charge of the Bill, in the course of his speech, said that the *onus probandi* must fall on those who recommended any interference with individual freedom in this particular direction. It was a tremendous *onus.* In the province of purely economic production, in the bargaining for money or money's worth between man and man, there was a tremendous reason against any interference with the law. Now, he would be the last man to say that in all points of value the relation between landlord and tenant was a purely commercial relation. They knew very well, especially in England, that was not so; it was a relation of long and ancient connection, of personal respect and traditional feeling; but as regarded legislation it had always been held to be a matter of business, and, in his opinion, it was most important that it should continue to be so. Then, he would ask this question—Was there any circumstance peculiar to the relation of landlord and tenant which justified and demanded, or called for and rendered expedient, a certain amount of interference with pure matters of business? He had always thought there was one circumstance, and that was this—the state of the Common Law in England in regard to the property and fixtures of the soil. So far as he knew, the relation between a landlord and tenant, between the owner and hirer of land, was the only business relation in which this happened—that the capital of one man at once became the property of another. That was the Common Law of property, and it rested on very good ground. But it did constitute an exceptional circumstance which justified some interference on the part of the Legislature. Now, what was the amount of interference which was justifiable? He would answer that question frankly. His opinion was this—and it was the same opinion as that expressed, he thought, in course of last year by his noble Friend (Lord Hartington) in a speech in Lancashire, when he said that, in his opinion, the presumption of the law in regard to property or capital invested in the soil ought to be reversed, that then the two parties, landlord and tenant, would be placed on an equal footing, and that beyond that there ought to be no interference with the principles of freedom of contract. He agreed in the opinion thus expressed by Lord Hartington, and he regretted that, under the influence of political position, the noble Lord should have been led to depart from that ground. But, that being his opinion, was he bound to follow it under all circumstances, and under all conditions? Was he not to look at what he called the political situation on this question? He was bound to do so. Every public man was bound to do so. It was all very well to express one's personal opinion; but if he found he could not carry it into effect, he was bound to look at the political side of the question, and see what was the next best thing that could be done. That was the spirit in which he looked at this Bill. What happened in regard to the Agricultural Holdings Bill? His noble Friend opposite would recollect that during the debates that took place upon that Bill he resisted then all the arguments that were advanced in favour of making the Act compulsory. It was now stated that that Act had been inefficient and ineffective. He held, however, that it had, on the contrary, had a very considerable effect, although that effect had not been direct. It had compelled a great many proprietors to make, for the first time, written contracts with their tenants. A great many statements that were made about the so-called failure of the Act were the grossest of fallacies. It was said—"Look how many persons, including the officers in charge of the Crown estates, contracted themselves out of the Act!" But why did those people contract themselves out of it? Simply because they had previously made better agreements with their tenants. It was not that they were unwilling to secure what the Act aimed at, but that they knew that they could obtain those advantages by better and more efficient means. It was not true that landlords contracted themselves out of the Act in order to cheat and overbear their tenants. In the evidence taken before the Royal Commission, there was conclusive evidence that in almost all the counties of England the tenants were unwilling to enter upon the Act of 1875. They disliked the machinery, but above all they disliked the novelty of the proceeding, and they wished to go on in the old way. It seemed a strange thing that when an Act had failed, because nobody had wished to come under it, the cry should be raised to make it compulsory. There never was such an absurd argument used. New circumstances had arisen since then. There had been great agricultural distress; the tenants had felt themselves pinched in many quarters. Instead of looking to the seasons, which was the real cause of their misfortunes, or to the scale of their rents, the tenants had, as men in distress would always did—asked Parliament to do what was called "something" for them, and under the pressure of that feeling the leading men of both Parties had committed themselves to some measure of this kind. Under these circumstances, he had only to ask himself this question, Was this a reasonable and moderate compromise in respect to this question of interference with private right? And he was bound to say, looking at the Report which the Government had of the Royal Commission, signed by the noble Duke opposite (the Duke of Richmond and Gordon) and by the noble Duke behind him (the Duke of Buccleuch), who represented so large a mass of property in England and Scotland—looking at that Report, he was bound to say that he thought the Government had tried to embody in this Act as reasonable and fair conditions as perhaps it was possible for them to do. Under these circumstances, he accepted the general bearing of the Bill, and its general principle, as at least doing as much good and doing as little harm as any Bill of the kind ever did. With these feelings, he declined to vote with his noble Friend (the Earl of Wemyss), and he should vote for the second reading of the Bill. He should have some Amendments to propose in Committee, and he might as well say what the principal of them were. The Bill applied to existing contracts. That was a very strong measure. Even the Hares and Rabbits Bill, which referred to a matter of urgent and pressing importance—because there was no doubt the farmer could not grow crops if they were eaten up by rabbits—even that Bill was not allowed to apply to existing leases. Indirectly that Bill would have a great effect upon existing leases, because most of them would be unwilling to have one set of tenants with certain privileges on one side of the hedge, and another set of tenants on the other side without them. Most of them, therefore, by voluntary agreement, had decided to apply the principle of that Act to existing contracts. But the present Bill, unlike the Hares and Rabbits Bill, applied to existing leases. He would submit to the application of the Bill to existing leases except in certain cases. He was willing to apply it to all the existing leases which were silent on the subject. That was a very strong thing to do, because, after all, even although leases were silent upon this particular subject, both parties did know what their rights and privileges were before they came to Parliament. All he should ask the House to decide was this—that the Bill should not override specific contracts in existing leases which referred to this particular matter. The Bill said it should not apply to leases where there was any equivalent for compensation provided in the lease. But what it did not say was this, that it should not apply to leases where there was any specific written agreement or contract excluding such improvements as were mentioned in the Bill. Then, in the case of drainage, the Bill gave a power to the tenant to make unlimited demands on the landlord. The tenant under the Bill might claim for every field on his farm. He thought that was a very strong way of legislating between two business men; but he should not object to the provision where the existing lease provided that a certain sum should be laid out on drainage and no more, and the landlord should not be called on to carry out more than that bargain stipulated. There was one other Amendment which was important in principle, and which he hoped his noble Friend would admit, and that was in regard to the execution of drainage. He knew, from experience, that drainage executed by a tenant was generally rather scamped work. He drained for his own period of occupation and for nothing else. That period of occupation might be very short. He might put in stones, or bushes, or anything else, which was of no value, and at the end of the lease he might claim the full value of such improvements, while it was impossible to estimate the true value of the work without taking up the drains to see how they were constructed. One thing the Bill proposed to provide was, that the tenant should furnish a specification of the work; but, strange to say, by the terms of the Bill, the tenant having given that specification, need not abide by it. He could not believe that his noble Friend would resist the proposal that where the drainage was done by the tenant, it should be in the power of the landlord to employ Commissioners to inspect the work as it was carried out. These were the principal points on which he would ask the House to amend the Bill. He would not say they were the only points, but they were the chief ones, and he was sure they would receive such fair and candid consideration from his noble Friend in charge of the measure as he had attempted to give to the measure itself.

THE DUKE OF RICHMOND AND GORDON said, that, as the author of the first enactment which dealt with tenant's improvements, and as having had the honour to preside for three years over a Royal Commission, which conducted a most exhaustive inquiry into all matters connected with agriculture, besides having been for many years engaged in agricultural pursuits, and having been in constant intercourse with all classes of the agricultural community, he thought that the House had a right to expect an opinion from him on the Bill before their Lordships. He could not help saying that he thought the conduct of the Government with regard to the time at which this measure had been brought before their Lordships' House was a matter open to considerable censure. A measure so largely affecting the landed property of this country, and so pre-eminently capable of being discussed by their Lordships, should have been brought up to that House at a period when it could have received a full, fair, and complete consideration. That it would receive a fair consideration he had not the smallest doubt; but he thought, judging from the appearance of the House, they could hardly expect to give it that full and complete consideration which they were justified in thinking they should have an opportunity of giving it; and he could not help thinking that the conduct of the Government in preferring the discussion of the Corrupt Practices Bill, which was a measure wholly and solely affecting the other House of Parliament—putting that before the measure then under consideration—was a proceeding which, as he had said before, was open to very considerable censure. They had, however, the Bill at last; and he would shortly express his opinion upon it. He desired to take a practical view of the measure without going into those lofty arguments which his noble Friend on the Cross Benches (the Earl of Wemyss) had imported into the discussion. With regard to the Agricultural Holdings Act of 1875, to which attention had been called, he knew that it used to be the fashion to describe it as a failure and a dead letter, and that it was a measure which had had no practical effect; but he agreed with his noble Friend that the evidence before the Royal Commission proved that in many cases it had been productive of considerable good. He recollected in one of those numerous speeches made by the Prime Minister in Mid Lothian he had described the measure as the most abortive piece of legislation it had ever been his good fortune to consider; and he had also stated that two eminent agriculturists with whom he had discussed the measure told him that they looked at the Act but had not read it, as they considered it useless. It had always remained a mystery to him (the Duke of Richmond and Gordon) how those gentlemen could have formed a conclusion as to the merits of the Bill before they had read it. His own impression was that neither of those gentlemen nor the Prime Minister had taken the trouble to read the Bill at that time. His noble Friend who introduced the Bill had described the Act of 1875 as one most carefully framed; he (the Duke of Richmond and Gordon) hoped that previously to the next Cabinet his noble Friend would remind the Prime Minister that he was wrong on that occasion, and that it was, at all events, a useful measure. He found that out of 63 clauses in the Bill now before the House no less than 35 were taken out of the Agricultural Holdings Act of 1875. At the time when he had had the honour of introducing that measure it would have been perfectly impossible to have brought in a compulsory measure, and he was bound to say that he regretted that it had now been found necessary and expedient to depart from the principle of freedom of contract. But he thought, as practical men, they must face the inevitable, and that it was desirable when the great bulk of the country were agreed that something of the kind was necessary that they should accept the principle of the Bill, and that was that the tenant was entitled to be repaid the money he had laid out in the cultivation of the soil, and that if he was not entitled to that by some agreement or compact with his landlord, then it was necessary that Parliament should step in and provide some means by which he should be so compensated. That was in the interests of landlords, tenants, and the whole community alike, because it would improve the condition of agriculture in the country, and induce the tenant to keep his land in high condition up to the very last hour of his lease; and that was one of the great advantages of this measure—the inducement to the tenant to farm as if his lease were never coming to an end. That principle was recognized in the Bill, and in the Report of the Royal Commission—and he wished to call their Lordships' attention to the constitution of the Commission, because it was a Commission composed of men of all classes of society, and of all political opinions—tenant farmers from Scotland, from England, and from Ireland, noble Lords Members of that House, and hon. Gentlemen Members of the other House of Parliament. The Commission was so composed, and numbered about 20 Members, and they came to a Report unanimously agreed to by every Member; and in that Report they said—

> "We are of opinion that, notwithstanding the beneficial effects of the Agricultural Holdings Act, there are many parts of Great Britain in which no such sufficient compensation for his unexhausted improvements is secured to the tenant. In many cases landlords have not offered and tenants have omitted to ask for the fair compensation which we believe it is the interest of both that the tenant should enjoy, and to which we think he is entitled. In some counties and districts this compensation is given by established customs; in some customs are insufficient or do not exist. Upon the most careful examination of the evidence before us, we have arrived at the conclusion that further legislative provision should be made for securing to tenants the compensation to which they are equitably entitled in respect of their outlay, and we recommend that the principles of the Agricultural Holdings Act relating to compensation should be made compulsory in all cases where compensation is not otherwise provided for."

They came to that conclusion in consequence of the evidence brought before them. He found, therefore, that on the Commission they were unanimous in that recommendation; and he believed that, notwithstanding all that had been stated by his noble Friend on the Cross Benches, there was a practical unanimity in the country that something of the kind was necessary. He believed it was now the time to pass a just and moderate measure; and from his acquaintance with the farmers, he knew that they were the very last men in the world who would wish to have anything but a just and moderate measure. He did not think that they went at all with their self-elected leaders, who sought, under the guise of tenant right, to transfer the property of the landlord to the tenant, or had the slightest intention or desire to share in that responsibility of joint ownership, which was so often contended for by those who agitated on the subject. He believed that the tenantry of this country would be satisfied with a just and moderate measure; and he shared those feelings with them, and with those who had dealt with this question, both in the other House of Parliament and in their Lordships' House, and utterly repudiated the ignoble motives that had been attributed to them by his noble Friend who sat on the Cross Benches. He had listened to his remarks, and really, during the greater part of his speech, he could not help thinking that he was sleeping, and that he had gone back some years, and that they were discussing an Irish Land Bill. The whole of the speech was directed to the mischief of the legislation with regard to Ireland. Then, again, he entirely declined to take his view of the state of agriculture in this country, and of the remedies necessary to be brought forward, from the mouth of an American divine. The noble Lord declared that the country was "now in the throes of a social revolution." He should be very sorry if it were so; but he did not think himself justified in taking so exaggerated a view of the subject. He had made use of language which was very unworthy of him; and he thought they had good cause of complaint of the way in which the noble Lord spoke of them in his letters. The noble Lord had reproduced a good deal of his last letter in his speech; but he observed that he had left out the remarks of which he complained. The noble Lord declared that, disguise the truth as they might under specious phrases—bury it no matter how deep under Agricultural Commissioners' Reports—Liberals and Conservatives alike had cast principle and sound economic doctrine aside.

The Earl of WEMYSS: Hear, hear!

The Duke of RICHMOND and GORDON said, that, for his own part, he protested against such a statement. The noble Earl had no right to impute to any Members of the House, or the body of the House, that they were guilty of dishonourable conduct.

The Earl of WEMYSS: I rise to Order. There is not anything in the words quoted by the noble Duke implying dishonourable conduct. What I referred to are sound principles of government and sound economic principles, and I am ready to repeat that these have, by both Parties, been cast aside.

The Duke of RICHMOND and GORDON said, he must also repeat what he had said, and his opinion that the words "specious phrases" implied dishonourable conduct.

The Earl of WEMYSS: No, no!

The Duke of RICHMOND and GORDON: Then the noble Lord went on in the same strain, declaring, in phraseology more distinct than elegant, that the two sides of the House were playing a game of grab for the farmers' votes. He denied that. Those who supported and those who introduced the Bill were sustaining those doctrines and principles which they believed to be just, fair, and proper, in the interests of the very large and important agricultural class of this country. He therefore repudiated altogether the statement of the noble Earl that they were playing at the game of grab for the farmers' votes. The noble Lord proceeded to say that they had had 10 years of agricultural depression, and asked the Commissioners to say in what way the Act would have prevented that depression. That showed that he could not have read the Report. At page 24 it was stated that—

> "All without distinction have been involved in a general calamity. It is important that it should be clearly understood so that undue stress may not be laid upon suggestions for legislative changes, which, whether expedient or not, have no direct or immediate connection with the distress of the present."

The noble Earl asked whether the Bill would have prevented the distress. The Commissioners answered "No;" and every one with common sense would agree with them. He finished by asking the House to give their vote against the measure by supporting the Resolution which stood in his name; but instead of moving the rejection of the Bill, the noble Earl brought forward an Amendment which, even if passed, would still leave the Bill alive. If the whole argument of the noble Earl was not a sham, he was bound to move that the Bill be read a second time on that day six months; but, in place of that proposal, he had moved a Resolution which served as a peg on which to hang a very long, very eloquent, but, in some cases, not very correct speech. Whether the Bill went beyond what justice really required or not might be a fair subject for consideration in Committee; but he, for one, should extremely regret if, by any vote of their Lordships' House, the second reading were not carried. At the same time, he was quite certain that, if passed, the measure would have no effect whatever in a great number—perhaps the majority—of cases in the country. He believed, in the enormous majority of instances, things would go on just as before. They were, however, agreed as to the principles on which the Bill proceeded, and he looked at the measure as an honest attempt to settle a very difficult question, and one which, if not carefully dealt with, might entail very difficult and dangerous consequences at some future time. He was aware that it would be improper to deal with the question in detail at this stage; but he would suggest certain points in which he thought Amendments might with advantage be introduced. In Clause 7, line 15, he thought the words "Parts I. and II." should be left out. He could not understand why Parts I. and II. should be put in and Part III. left out. Part III. was the one of all to which the clause should apply. In Clause 2 some words should be introduced to limit the time before which compensation should not be claimed. A tenant might claim for liming done 40 years ago, and though probably no valuer would allow it, still the landlord should not be exposed to the annoyance of having the claim made. He proposed to fix the limit at eight years, just twice the time for which a landlord could claim compensation from his tenants for waste. With regard to the limitation of the Law of Distress, he wished to remind their Lordships that, although the Bill professed—and, he believed, honestly professed—a desire to confer benefit upon the tenant, benefit would not accrue to all classes of tenants. The persons whom it would benefit were the machine makers and the tradesmen; but the men who would suffer were the smaller tenants, because the landlord could not give them the same credit which he would otherwise give them if he had a longer period over which to distrain. The Bill would not promote the establishment of small holdings—one of the proposals in the Liberal programme. As regarded Clause 42, he should be glad of some explanation as to its meaning. It seemed to him to be perfectly unintelligible as it stood. With regard to items 22 and 23 of the First Schedule, he desired to say that he should move an Amendment in Committee, the object of which was to prevent a tenant laying out an enormous sum during the last year of his tenancy and then sending in a claim for compensation. In conclusion, he hoped sincerely that the Bill would only be amended in these points, and then pass into law. He trusted that by the passing of the Bill an end would be put to that very disastrous state of agitation which had been going on throughout the country, and that the relation of landlord and tenant would be, in the future, as in the past, of a lasting and enduring nature.

Lord BRAMWELL said, he was surprised at the speech of the noble Duke (the Duke of Argyll), and did not see how the Resolution was at all incongruous with the noble Earl's (the Earl of Wemyss's) love of liberty of contract. Such a measure as this might well be introduced, in order that the law should be clear where the parties—the landlord and tenant—had not clearly expressed their intentions. There could be no doubt, however, that such a Bill was opposed to the principles of political economy; and he should like to ask their Lordships, therefore, to consider some of the consequences of passing it. Supposing an intending tenant agreed with the landlord as to the rent; they went over the farm and saw that such a field required draining, and the landlord agreed to drain it; then they saw that another field would not bear the expense of draining, and so it was agreed that it should not be drained. Accordingly, they put it in the lease that such a field should not be drained.

The tenant entered upon the holding, and, with this Bill in his hand, he might say to the landlord—"Drain that field; if you do not, I will, and claim compensation." The tenant would thus break his undertaking; and if reproached for doing so, his reply would be—"I cannot do wrong. This is a law passed by an Assembly of English Gentlemen. The House of Peers has said I may do this if I like." He put it to their Lordships whether they were prepared to face such a consequence arising out of this Bill? Where was the necessity for the Bill? Were tenants oppressed in England, or placed in a position in which it was necessary that they should be protected by legislative enactment? Was there a land hunger here? That was not the case. It was the landlord now who sought the tenant. A gentleman in his neighbourhood some time ago said to him—"I have a tenant who has not paid rent for three years, and I am afraid he is going to give me notice to quit." Half the parish in which he lived was seeking a tenant. It was utterly impossible to say there was any such pressure upon the tenants as made it necessary to protect them by interfering with their freedom of contracting. They were told that they had excepted coal mines from the principle of freedom of contract. That was a different thing, because what was involved there was safety to life and limb. But they ought not, because one exception was made to a general rule, to say that it was right to make another exception. The argument of the noble Duke was that the case of the tenant farmer was different from that of anybody else, as he put his capital in the land. So he did; but he put it there upon terms and by agreement with his landlord, and it was his own folly if he made a bad agreement. A man who entered into a building lease might as well, at the end of the lease, claim compensation for improvement. All that need be done was to lay down a Schedule of Rules as to what should be the case when there was no express agreement to the contrary. One obnoxious result of the Bill would be that the landlord would be made a party to a law suit whenever it suited the tenant. The tenant might make a drain which might be no improvement. He would say it was, and there would be litigation immediately. Under the Bill the compensation was to be a fair and reasonable compensation; but on what principle was that to be adjusted, and who was to ascertain what was fair and reasonable? He said that was a Bill which was calculated to lead to litigation between landlord and tenant; and it seemed to him the hardest thing in the world that a man should not be at liberty to say to his tenant—"Tell me what you want; if I do not like it we do not agree; if I do, let us make some clear agreement." But the Bill said—"No; you shall not." What he should recommend, if that sort of legislation was right, was not that they should permit those agreements to be made and then treat them as a nullity, but that they should prohibit them. They heard in these discussions of indefeasible rights. There was one indefeasible right that existed now which their Lordships could neither give nor take away, and that was the right to call a man who broke his agreement a knave; and he believed it would be freely exercised when occasion arose. The fallacy which he thought had given rise to that Bill was to be found in nearly the last clause—the Prohibitory Clause—which spoke of any contract, or agreement, or covenant made by a tenant, by virtue of which he was deprived of his right to claim compensation. That treated it as though there was a right in the nature of things to compensation. He denied that. When a man entered into a contract he had no other right except that which the contract gave him. If they were to invalidate contracts, let them not do it by saying the contracts might be entered into, but might be broken; but by saying that they should not be entered into, and that there should be a penalty if they were entered into.

The Earl of SUFFOLK and BERKSHIRE said, he believed that there was among the tenants of the West of England a strong feeling in favour of the Bill; at any rate, they had got into their heads the idea that there was something in the Bill worth having. He, therefore, hoped the noble Earl (the Earl of Wemyss) on the Cross Benches would not press his Amendment to a Division; if he did so, he himself should certainly vote against it.

The Earl of CARNARVON said, he thought it was impossible to deny that the purport, if not the phraseology of his noble Friend's Amendment was open to objection. The first question he had been asked was whether there was any need for this legislation; and he felt bound to say that, for his part, he did not think there was any necessity for it. On the contrary, he was of opinion that such legislation was mischievous. What was the benefit to be derived from it? It certainly did not tend to relieve agricultural depression; nor would it have the effect of bringing fresh capital on to the land, though it would have the effect of giving leases to tenants who could not have had them on other terms. What the farmers really desired were better seasons and more capital, and, above all, a remission of the heavy burden of local taxation. He did not believe that in the minds of English tenants there was the smallest sense of insecurity in their holdings. The difficulty of the landlords at the present moment was to obtain tenants. The best law of landlord and tenant was that wise and orderly system which had prevailed in almost all those estates with which their Lordships had acquaintance—the law of mutual confidence. One of his greatest fears as to the result of this measure was that it might have the effect of converting that which had been, sometimes for generations or through centuries, the kindly relations of trust, confidence, and friendship between landlord and tenant into the hard and technical terms of written stipulation. He believed himself that confidence was far preferable to written law, and he thought this Bill sailed far too close to those dangerous precipices that trenched on freedom of contract. He did not deny that there might, in some cases, be a difficulty in obtaining contracts, and that there might be cases in which improvements were not duly compensated for; and if Parliament could by any law place this subject on a sounder and safer basis, no reasonably good landlord could complain. What was it, in reality, that Parliament desired to do? He apprehended that what they all desired and what the Bill purported to do was this—to give reasonable security to the landlord and reasonable security to the tenant—reasonable security to the landlord, because it did not, as he understood, interfere with the ownership of the landowner. Land had from time immemorial been bought and sold, and no distinction had been drawn or ought to be drawn between the sale of land or houses and the sale of any other property. He admitted that between a landlord and tenant there existed a sort of partnership, and that their interests were to some extent mixed up together; but there never had been a question of divided ownership, and if this Bill had the effect of creating an ownership of that kind he should be no party to it. With regard to the security of the tenant, he believed that this Bill purported to secure to him the money he put into the land which he used in the ordinary course of management of an agricultural farm—money expended in unexhausted improvements. He did not think the term "unexhausted improvements" was used in the Bill; he wished it had been, since it would then more distinctly put on record what the Bill meant. But who had the power of defining what improvement was? There was no tribunal in the Bill, and no machinery for defining it. It seemed perilous to leave such a question to be decided without definition. He would not object to umpires, and he invited the Government to give this point consideration. There was a third question which had been raised by persons who complained of the inconvenience to which a tenant was subjected in his liability to removal from his holding. If his noble and learned Friend (Lord Bramwell) was right, that was not a case that was likely to happen at present. But if it did happen, there was no reason why a landlord should not have power to exercise his rights of ownership; and liability to removal was an inconvenience which every tenant was subject to. There were three kinds of improvements dealt with by this Bill—namely, the improvements mentioned in Parts I., II., and III. of the Schedule. With regard to the first class of improvements, they were improvements of a large and permanent nature. He would take the liberty of saying that improvements of this nature made by the tenant were very few in number indeed; they were almost invariably made by the landlord, and he believed they would continue to be so made. As the noble Earl who spoke last (the Earl of Suffolk and Berkshire) said, they drew their conclusions from their experience in the past. For himself, he might say that during the many years he had been connected with land he could not recall any case of a large and permanent improvement having been effected by a tenant; and he would go further, and say he could not recall a single case in which there had been any practically serious difficulty between himself and his tenants. He said this not in any spirit of egotism, but merely to show how effective was the law of confidence and trust between landlord and tenant. Coming to the 2nd Part of the Schedule, he observed that the notice given by a tenant of his intention to commence drainage works might be only a month's notice. That he thought a very short term, for on a great many estates both the landlord and his agent might be absent at the time when the notice was given. The landlord ought to have more to say than he would be allowed to say by the Bill on the question whether the drainage works should be carried out or not. It should be remembered that there was some land which it was desirable to keep in a marshy condition, and that a great deal of drainage was badly done at first, and had to be done two or three times over. The last few wet seasons had created such a panic in the minds of a great many people on the subject of drainage that they were ready now to drain land which they would not have thought of draining some years ago. With regard to the question of awarding compensation for artificial manures, he would only observe that they ought not to overlook the interests of the incoming tenant. If on the land of an incoming tenant a great burden of expenses and obligations were preserved, a serious impediment would be created to the letting and taking of farms. Then with regard to the alteration which the Bill would make in the Law of Distress. A multitude of persons imagined that the law pressed with extraordinary severity upon the tenant, when, as a matter of fact, he derived a certain security from it; because when a landlord knew that there were assets belonging to a tenant in arrear upon which he could lay his hand he was likely to give his debtor time to recover himself. They should be careful lest, by altering the Law of Distress, they should encourage inconvenient ready-money transactions between a tenant and his creditors. In conclusion, he had to say that he should vote for the second reading of the measure, and should move Amendments in Committee.

The Earl of KIMBERLEY said, he accepted with pleasure the noble Earl's declaration of his intention to support the second reading of the Bill. On the whole, the Bill had met with so much favour and support on both sides of the House that it was unnecessary that he should trouble their Lordships with many observations. He recognized to the full that they ought not unnecessarily to interfere with the principle of free private contract; but it might be right to interfere with it in particular cases. The principal justification for interference in the present case was, to a great extent, an historical justification. It had unfortunately, for a long period of time, been the rule of law that any improvements effected by the tenant immediately became the property of the landlord. Men were so accustomed to that rule that it was excessively difficult to move them in another direction. General custom and practice could not be changed without the intervention of a direct Act of Parliament; and the present Bill had been introduced for the purpose of establishing throughout England that which was the custom in many parts of the country. The Schedules to which the noble Earl opposite had referred were more matters for consideration in Committee than for consideration on the Motion for the second reading of the Bill. A good deal had been said as to the Schedule, and with regard to the 1st Part of the Schedule they thought it would have very little operation, as it referred to the improvements to which the consent of the landlord had to be given. With regard to the drainage, it had been said that some parts of the country were over-drained, and he had no doubt that some parts would be over-drained. But, upon the whole, he thought they might fairly trust that the different parties concerned would know whether or not the land was to be improved by drainage; and he was bound to say he really did not think they would find tenants originating large drainage operations, because, unfortunately, there were very few tenants who had money enough to cultivate their land properly, without their undertaking large drainage operations. With regard to the other point—namely, that a good deal of drainage was very often of a temporary nature, that was a very cheap and useful operation; but as it lasted only a short time it was obvious that such operations would only entitle the tenant to proportionate compensation. With regard to the manures put upon the land by the tenant, there was, no doubt, a considerable difference of opinion, and there were some who thought that some of those manures were of a very evanescent character, and that the amount of compensation in respect of them ought to be small; but they would, in all cases where the farm was let, be paid for by the incoming tenant, and he believed that the valuer of the incoming tenant would be quite as sharp in matters of payment as the valuer of the outgoing tenant, and there were not likely to be any very unjust results on that particular point. But all the matters in the Bill were so essentially matters of detail that he felt he should do wrong by wearying their Lordships by entering into them at that stage. He entirely agreed with the noble Duke opposite (the Duke of Richmond and Gordon) that they must look at the measure as practical men; they could not look at it theoretically, and say that the agriculture of the country had gone on successfully on the whole, and the result had, on the whole, been satisfactory; but they must take the thing as they found it, and must look and see what were the feelings and views of the agricultural community. They were called upon as legislators to consider whether there was anything in the demands of agriculturists which ought to be fairly met; and when they found that there were reasonable men throughout the country who were asking upon this matter for greater security for the improvements made by the tenant, when they had a Commission so well described by the noble Duke opposite as a Commission composed of men of all classes, reporting strongly in favour of a measure of this kind, and when they proposed a Bill only carrying into effect a principle already agreed upon, he thought they might, with a fair conscience, undertake to legislate on this matter.

The Marquess of SALISBURY: My Lords, I do not think the noble Earl who has just spoken has been very successful in defending that part of the Bill which relates to drainage, or in showing why drainage should be set aside and separated from other improvements in the Schedule, and why a special power should be given to the tenant to insist upon it. It seems to me that that particular provision has had its origin in the Government taking up the foolish catchword about drainage, which has been going about the country for some time. There is nothing in the reason of things why there should be a greater compulsory power of enforcing drainage than any other improvement. In criticizing the position which my noble Friend on the Cross Benches (the Earl of Wemyss) has taken up, I venture to assure him that I do so with no want of respect for the function he has assumed in this House, for I believe the particular position he assumes is likely to be of considerable benefit to this House; because a great deal of the strength of the House depends on there being in it a number of independent men connected with neither Party, and unembarrassed by their views. But the argument of the noble Earl I understand to be mainly this—that we are pursuing now precisely the same course that we pursued in respect to the Irish Land Bill, and that it will issue in the same disaster. Now, I cannot admit that there is any analogy between the two cases, or that there are in this Bill the objectionable features of the Irish legislation. I go as far in denouncing the Irish legislation as the noble Earl. For its denunciation no language would be too strong; but I think my noble Friend a little injures his cause by mistaking the precise form of objection. It was not because it was an interference with freedom of contract that we disapproved of the Irish legislation. We respect freedom of contract very highly; but I sympathize with the remark of the noble Earl opposite when he said that it was not on a level with the Ten Commandments. One of the most elementary principles of English law is that the law will not sanction contracts which are contrary to morality or the interests of trade. The course of civilization has always been to diminish interference with the freedom of contract; but I do not consider it on a level with the principles which we invoked in our objections to the Irish Land Act. That Act perpetrated wrong and robbery; it took one man's property and gave it to another, and I think we mistake and confuse them in treating these offences as of the same kind as an interference with freedom of contract. There is nothing in this Bill at all analogous to compensation for disturbance. This Bill undoubtedly interferes with freedom of contract; but I do not think that if we pass it, it will lead to any worse legislation on the subject. On the contrary, I am disposed rather to take the opposite view. I do not think that the fact of breaking this principle is attended with all the practical evils which the noble Earl associates with it. No doubt, it would be a very fine thing if we could always legislate on principle; but if we refuse to pass this Bill, the farmers of England, never having had the advantage of experiencing what its provisions are like, will think it to have some extreme merit, and that we are the persons who have taken its benefits from them. On the other hand, if we pass the Bill, they will have such experience of the results of interference with freedom of contract that they will not be apt to come to this House to ask for further measures of the same kind. That is the mode of action we shall have to adopt in much of our legislation; if people ask for an undesirable thing, if it is very bad and very dangerous, refuse it; but if not, give it them, in order that they may learn by experience not to ask for the same thing again. That I believe to be a wise proceeding in the present instance. I do not think this Bill will hurt the landlords very much. If we reject it, it will be entirely on landlords' grounds; but if it is passed, with some modification, I do not think that any just rights of the landlords will be affected. I do not mean that any landlord in this House wishes to take from the tenant that which he has invested in his improvements; and, therefore, the general aim which the Bill has in view is a right and just one, in giving the tenant that which, at all events theoretically, he may sometimes be deprived of now. On the other hand, although I do not believe the Bill will deprive the landlord of anything he may legitimately claim—saving the details which we shall discuss in Committee—I have a strong impression that it will produce a certain amount of inconvenience, to put it in no higher phrase, to the tenant. In the first place, the noble Earl who has just spoken talked of many of us being involuntary occupiers of land. I doubt whether that involuntary character will attach in the future, for I think we shall find that one of the first results of the Bill will be that a very large portion of the land will be taken in occupation by the owners. Another point upon which I think tenants are more sensitive is the height at which their rents stand. My belief is that, unless certain modifications are introduced into the Bill, the distinct effect of it will be, in all those parts of the country where rents have been below their commercial value, they will be raised to that commercial level. It will happen in this way. You provide that the tenant, when he leaves, is to have the increased value of the farm resulting from his improvements. When the valuer goes to examine it, and finds that the farm is worth from 5*s.* to 8*s.* an acre more than the actual rent, he says—"This is improvement;" it is let for 20*s.*, and is worth 28*s.* He is told also that the tenant has made improvements, and he will say this 8*s.* comes from those improvements. I do not see by what possible process that argument can be refuted; and the consequence will be that when you have passed this Bill, as a protection the landlords will raise their rents up to the commercial point, so that the difference between the old rent and the commercial rent may not, when a vacancy occurs in the farm, be turned by the valuer into a fine upon themselves. That, I think, is a very serious point for the tenants to consider, and one which, in my opinion, will make the Bill not so acceptable as the noble Earl thinks. Then there is the question of small tenancies. We are told that the great object is to get men upon small holdings; but what will be the consequence? In the first instance, you struck out the provision which prevented the Bill applying to tenancies below two acres, and you enact that in respect of every tenancy below two acres the landlord will be liable to the possibility of litigation which the Bill carries with it. He will say it is not worth his while to fight a man with two acres, who will be a man of straw; and he will let his holding to a larger tenant, from whom, in the event of litigation, he may be able to recover his costs; so that you will directly discourage the system of allotments, and make it impossible for the labourers to obtain small portions of land, to whom they have hitherto been so great a benefit. But that is not all. There is this Law of Distress. What security can the small tenant give? He has hitherto relied on the Law of Distress for security, but that will be his security no longer.

Lord CARLINGFORD (Lord President of the Council): The Bill does not abolish the Law of Distress.

The Marquess of SALISBURY: No; but it limits it to one year. That is a direct result of the Bill. There has been no point that I think has been more in the forefront of the Liberal programme in recent years than increased facilities for selling land. I think there is a fair chance that this Bill will stop the sale of land almost altogether, because a man will be incurring an unknown liability. It will be utterly impossible for him to know how much compensation is due to those who are tenants on the land, and he cannot, as now, calculate upon the rent and capitalize it; for he will also have to take into consideration that unknown quantity, the amount of the tenant's improvements, or claim for improvements, of which he knows nothing, and which it is perfectly impossible for him to measure. I am not prepared to take the responsibility of rejecting this measure; I am not prepared to allow it to be said that your Lordships, who are mainly landlords, desire to keep back that which is said to be a boon to the tenant. I leave the responsibility of passing the Bill to Her Majesty's Government; but in estimating it I retain the opinion I expressed at an early period of the Session, that if the harm it does on the whole is little, the good it will do will be absolutely none.

Lord ELLENBOROUGH said, he must enter his protest against the interference with the freedom of contract which the Bill proposed.

The Earl of WEMYSS said, he was willing to omit the first part of his Resolution to which the noble Duke (the Duke of Argyll) objected—namely—

"That this House, while ready to promote a well-considered measure for the advancement of agriculture, and the improvement, as far as possible by legislation, of the relations of landlord and tenant."

Amendment (by leave of the House) *withdrawn.*

Amendment *moved,*

To leave out all the words after ("That") for the purpose of inserting ("this House is not prepared to give its sanction to a Bill which, in agricultural tenancies, forbids free contract in the future and breaks it in the past, thus destroying the foundation upon which alone agriculture, trade, and commerce can securely rest."—(*The Earl of Wemyss.*)

On Question, "That the words proposed to be left out stand part of the Motion?"

Their Lordships *divided*:—Contents 55; Not-Contents 9: Majority 46.

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Suffolk and Berkshire, E.
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Ashburton, L.
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Balfour of Burleigh, L.
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Hopetoun, L. (*E. Hopetoun.*)
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Kenmare, L. (*E. Kenmare.*)
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Meldrum, L. (*M. Huntly.*)
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Sidmouth, V.

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Stanley of Alderley, L.
Wemyss, L. (*E. Wemyss.*) [*Teller.*]
Wynford, L.

Resolved in the *affirmative;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

House adjourned at half past Nine o'clock,
to Thursday next, a quarter
past Four o'clock.

HOUSE OF COMMONS,

Tuesday, 7th August, 1883.

MINUTES.]—Supply—*considered in Committee—Resolutions* [August 6] *reported.*

Public Bills—*Resolutions in Committee*—Local Government Board (Scotland) [Salaries]; Parliamentary Elections (Corrupt and Illegal Practices) [Expenses]*.

Ordered — First Reading — Superannuation* [285]; Tramways, &c. (Ireland) [286].

First Reading—Indian Marine* [284].

Second Reading—National Debt [182]; Corrupt Practices (Suspension of Elections) [281].

Committee—Report—Third Reading—Cruelty to Animals Acts Amendment (*re-comm.*) [118], and *passed.*

Considered as amended—Third Reading—Diseases Prevention (Metropolis) [279]; Labourers (Ireland)* [240], and *passed.*

Withdrawn—Parliamentary Elections (Closing of Public Houses)* [102]; Cathedral Statutes* [235].

QUESTIONS.

PETROLEUM ACTS—STORAGE OF PETROLEUM IN THE METROPOLITAN AREA.

Sir EDWARD WATKIN asked the Secretary of State for the Home Department, Whether he is aware that the stock of petroleum oil in the Metropolitan Area has increased, since his attention was directed to the subject, by 37,856 barrels, the total now being 373,541 barrels, equal to 14,941,640 gallons; and that at St. Leonard's Wharf the increase of stock has been 14,042 barrels; and, whether the Bill introduced into the House of Lords has had the approval of the Metropolitan Board of Works.

Sir WILLIAM HARCOURT, in reply, said, he had very little doubt that the quantities stated by the hon. Baronet were correct. With reference to the other part of the Question, he had to say that the Metropolitan Board of Works were appearing before the Committee of the House of Lords to state their views on the Bill before their Lordships.

POOR LAW (IRELAND) — OLDCASTLE UNION (MEATH) — SUSPENSION OF THE MEDICAL OFFICER.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that the medical officer of the Oldcastle Union, county Meath, was suspended by a majority of 17 to 6, because of a number of serious charges; whether a sworn inquiry was held, and the doctor admitted on oath the existence of a number of the abuses complained of; whether the Local Government Board, notwithstanding, removed the suspension, and confirmed the doctor in office; whether the Guardians thereupon, by a majority of 17 to 6, declared that they had no confidence whatever in the medical officer, and that he should be called upon to resign by the Local Government Board; and, whether it is intended to allow this Gentleman to retain his post in the face of the protest of the Guardians?

Mr. TREVELYAN: Sir, the medical officer was suspended upon grounds which, in the opinion of the Local Government Board, did not justify that step. A sworn inquiry has been held into the charges made against him, the two first of which were very trivial. The third was, that he had acted disrespectfully to the Guardians, in employing, as an infirmary attendant, a woman whom they had directed should be placed in the ward for women of bad character. It appears that this woman had been specially trained to attend midwifery cases; and it was in this way, and for that reason, the doctor employed her. He swore that, in doing so, he meant no disrespect to the Guardians, and the Inspector is of opinion that he was actuated by motives of humanity. The Local Government Board consider that, in employing this woman in the infirmary, he committed an error of judgment; but they think that the case is sufficiently met by an expression of their opinion that he had done wrong, and that the facts elicited did not afford sufficient grounds for the dismissal of an officer who had served efficiently for over 33 years. The Board also consider that, in this case, there was a misuse of the power of suspension which is given to Guardians, to enable them to deal with cases of emergency or gross misconduct, pending inquiry and action by the Local Government Board. It is true that the Guardians have, since the inquiry, requested the Local Government Board to call on the medical officer to resign; but the Board are not prepared to do so, merely in consequence of the facts elicited at the recent inquiry, although they are willing to give due weight to any further complaint which may be made with respect to transactions not already investigated and disposed of.

Mr. HEALY asked, would not this medical officer now come under the operation of the new Superannuation Bill, as one of the persons to whom the Guardians would be compelled to give a pension, although they had resolved upon dismissing him by 17 votes to 6?

Mr. TREVELYAN, in reply, said, that he would, if the reasons urged for giving him a pension were approved by the Local Government Board. It would be a gross injustice to deprive an officer of 33 years' standing of a pension on the grounds stated.

THE MAGISTRACY—LANGUAGE OF A SITTING MAGISTRATE AT SEDGLEY.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether it is true, as reported in the "Midland Echo" of the 17th July, that at the Sedgley Police Court on the 16th July, one of the sitting magistrates addressed a woman, who was charged with neglecting to send her child to school, in these words—

> "If I was your husband, and you persisted in throwing my hard-earned money away, I should give you the strap;"

and, again—

> "I tell you, a woman like you deserves the strap;"

and, if such language was used, what steps he proposes to take in the matter?

Sir WILLIAM HARCOURT, in reply, said, that he had received a communication from the clerk to the magistrate in question, to the effect that these remarks were intended to be taken in a humorous sense, and were not meant seriously. It would, perhaps, be well, however, to avoid such joking on the Bench, if it were at all likely to be taken seriously.

EMIGRATION—STATE-AIDED EMIGRATION TO IRISHMEN IN NEW SOUTH WALES.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has seen the statement that three magistrates at Sydney, New South Wales, Messrs. Dalton, Casey, and Burke, have been dismissed from the Commission of the Peace for having joined in the presentation of an address to the Member for New Ross; if he can state whether any money has been spent in the Government Emigration Scheme to send Irishmen to New South Wales; and, whether it is intended to grant any further money for this purpose?

Mr. TREVELYAN: Sir, the only part of this Question which deals with matters within the cognizance of the Irish Government is that relating to assisted emigration; and, as regards that, in reply, I have to say that some grants have been made to assist emigrants to New South Wales; but, up to the present, only one person so assisted appears to have sailed for that Colony. Persons who have been recommended for the grant, and who obtained free or assisted passages from the Agents General of New South Wales, or any other Colony, within a reasonable time, will, according to the present intention of the Emigration Committee and Local Government Board, obtain the grant.

Mr. HEALY: I wish to ask the right hon. Gentleman whether the Government will warn intending assisted emigrants of the character of the Government of New South Wales, of the insult offered to local Irishmen, and the insult offered to the Irish National Representatives?

[No reply.]

ROYAL IRISH CONSTABULARY—SUB-CONSTABLES CLIFFORD AND EGAN.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the suspension of Sub-constable Clifford, of Loughill, has been removed; and, if so, whether the charge against Constable Egan, of supplying to a man named Fitzgerald the police ammunition discovered by Sub-constable Clifford near Fitzgerald's house, will remain uninvestigated?

Mr. TREVELYAN: Sir, the suspension of Sub-Constable Clifford has been removed. I have already explained that the main ground of his suspension had reference to his detaining some articles of value which had been lent to him. No charge has been preferred against Constable Egan of having supplied police ammunition to Fitzgerald; and his officers have stated, in the most positive manner, that they know of no ground for such an allegation. If the hon. Member is in possession of any information leading to a different conclusion, and will furnish it to me, with his authority for it, I will investigate it. At present, as I stated in reply to a former Question, I see no ground for inquiry.

Mr. O'BRIEN: Is it not the fact that ammunition was found—to some extent *primâ facie* evidence that Constable Egan was surreptitiously supplying the Emergency men with ammunition; and is that state of facts to be dismissed, merely because the officer who was responsible for the original statement, that there was no foundation for the allegation, now confirms that statement?

[No reply.]

Mr. O'BRIEN: I beg to give Notice of a further Question on this subject.

STATE OF IRELAND—PROTECTION OF VACANT FARMS.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Why three policemen are stationed on the evicted farm of Thomas Walsh, at Lockabeg, county Limerick; from what source they are paid; and, whether any outrage has been committed in the neighbourhood within the past six months to justify their retention?

Mr. TREVELYAN: Sir, the police are stationed on the farm in question for the protection of the caretaker, for which purpose their presence is considered necessary. They are not a charge on the locality, but are paid from the same source as other Members of the county force. No outrages have been committed within six months, the presence of the police having probably prevented them.

Mr. O'BRIEN: Has any outrage taken place for 12 months?

Mr. TREVELYAN: I am only informed with regard to six months.

POST OFFICE (TELEGRAPH DEPARTMENT)—FEMALE TELEGRAPHISTS.

Mr. STEWART MACLIVER asked the Postmaster General, If he is aware that a new portion of duty has been assigned to the female telegraphists at the Chief Office (from 1 p.m. to 9 p.m.), contrary to the assurance given to the House, that under no circumstances would females be employed after 8 p.m.; and, whether this alteration, if continued, will not prove detrimental to the service by deterring eligible young women from entering it?

Mr. FAWCETT: Sir, I am not aware that I have ever given such an assurance as my hon. Friend (Mr. Stewart Macliver) states—namely, that under no circumstances would females be employed after 8 p.m. It has been the practice for many years past, during two or three months of the summer, to keep a few female telegraphists upon duty up to 9 p.m., to meet pressure of business in the busy season. It rarely happens that more than 12 female telegraphists out of a force of 600 are required to perform this duty; indeed, that is the number at present so employed, and I do not think it will be found to be detrimental to the Service.

POOR LAW (IRELAND) — BELFAST UNION WORKHOUSE — ERECTION OF DETACHED DWELLING HOUSE FOR THE MASTER.

Mr. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, If the Local Government Board for Ireland have approved of the proposal of the Belfast Board of Guardians to erect a detached house for the accommodation of the Workhouse Master's family, at a cost (as alleged by Mr. M'Connell, one of the Guardians) of £1,000; if it be true that, in the month of June 1876, a resolution was adopted by the Belfast Guardians prohibiting all children or other members of any officers' families from residing within the Workhouse in future, and that said resolution has never been rescinded; if it be correct that the present master, when entering on his duties, brought his wife and family with him into the Workhouse without any permission from the Guardians; and, if he would give any undertaking that the creation of increased taxation, providing residences for the wives and families of public officials in Ireland, will be discontinued?

Mr. TREVELYAN: Sir, the Local Government Board have not approved of any proposal of the kind. The Guardians have at present under consideration a much more moderate one—namely, the propriety of expending about £400 for the purpose of building apartments for the Master. In June, 1876, the Guardians ordered that all children of the Master over 7 years of age should leave the workhouse, and they also ordered the removal of the relatives of certain other officers. That order was not a general resolution, prohibiting in future the residence in the workhouse of all children of officers. In June, 1881, the attention of the Guardians was directed by the Local Government Board Inspector to the circumstance that there was no resolution on the books authorizing the Master's wife and family to reside in the workhouse; and thereupon the Guardians unanimously allowed the residence there of the Master's wife and all children under 13. The Local Government Board will take care that no undue taxation is put upon the Unions for the purpose of providing residences for the families of workhouse officers.

EGYPT (RE-ORGANIZATION) — CORRESPONDENCE WITH FOREIGN POWERS—FURTHER PAPERS.

Mr. BOURKE asked the Under Secretary of State for Foreign Affairs, Whether he will lay before Parliament any Despatches which have passed between Her Majesty's Government and Foreign Powers upon the re-organisation of Egypt?

Lord EDMOND FITZMAURICE: My right hon. Friend will find in the Correspondence recently presented to Parliament (Egypt, No. 14) the communications which, as I have already stated in this House, have been received from the Governments of Russia and Italy, in reply to Lord Granville's Circular of the 3rd January last. These Papers also include a Note from the French Government on the subject of the house tax in Egypt. No other communications have been received.

Sir STAFFORD NORTHCOTE asked if the noble Lord would lay on the Table any Papers relating to the progress of the re-organization in Egypt later than May 3rd, which were, he thought, the latest given as yet?

Lord EDMOND FITZMAURICE, in reply, said, that he had made up a Blue Book, headed "Egypt (Re-organization)"—that was as regarded what had happened since the Blue Book issued at the beginning of the Session, and it had been laid on the Table a few days ago. He thought it was Egypt, No. 13.

Mr. BOURKE asked whether any answers had been received from Foreign Governments to Lord Granville's despatch on the Suez Canal, which was sent some months ago?

Lord EDMOND FITZMAURICE, in reply, said, that two replies had been received to the Circular despatch, which was the last Paper presented last year, and was in the Blue Book of 1882. Those two replies were from Russia and from Italy, and were the only replies received from Foreign Governments.

EGYPT (MILITARY EXPEDITION) — SUPPLY OF MULES FOR THE INDIAN CONTINGENT.

Mr. SALT asked the Under Secretary of State for India, Whether any complaints have been made with respect to the non-payment of the purchase money for mules, or other requisites, ordered for the use of the Indian Contingent during the recent Egyptian campaign?

Mr. J. K. CROSS: Yes, Sir; a complaint has been made by Mr. Stringer, who failed in a contract he entered into for the supply of certain mules. The case was referred to arbitration, and it is against the decision of the arbitrators that Mr. Stringer has appealed. The appeal has been forwarded to the Government of India.

EGYPT (RE-ORGANIZATION)—TREATMENT OF PRISONERS.

Sir WILFRID LAWSON asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to the following statement published from a correspondent in "The Standard" of August 3rd:—

> "I hear from Zagazig that the notorious Mudis Feria Pasha, after refusing to give any information, or in any other way to help the English Authorities, has left the place in charge of the Vice Governor. More than seventy men have been lying in irons in the prison since January. No spark of humanity appears to exist in the breasts of the Turko-Circassians to whom we have handed over the Government of Egypt;"

and, whether there is any foundation for the statement?

Lord EDMOND FITZMAURICE: Sir, the attention of Sir Edward Malet will be called to the statement referred to by my hon. Friend; but he must be aware, from the Correspondence already presented to Parliament, of the efforts which have made to procure a speedy gaol delivery. I may add, that this statement, as to the treatment of the prisoners at Zagazig, is not in accordance with the information supplied by Lord Dufferin, and reported in his despatch of the 25th of April, which has been laid before Parliament (Egypt, No. 13, p. 64).

ECCLESIASTICAL COURTS—REPORT OF THE ROYAL COMMISSION.

MR. BERESFORD HOPE asked the Secretary of State for the Home Department, Whether he can state when the Report of the Royal Commission on Ecclesiastical Courts will be made public?

SIR WILLIAM HARCOURT: Sir, I answered this Question the other day. I am told that the Report will probably be sent in on Friday next, when, of course, it will have to go to the Queen, and it will be presented as soon afterwards as possible.

CRIMINAL LAW (IRELAND)—CASE OF T. W. NALLY.

MR. HEALY asked Mr. Attorney General for Ireland, In how many cases is he aware that a similar course of keeping back prisoners from amongst their comrades in the dock has been practised by the Crown as in that of Mr. T. W. Nally at Castlebar; for what reason was Mr. Nally detained in his cell while his co-accused were brought up in Court; and by whose instructions was this done?

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER): Sir, I am quite unable to say in how many cases trials have been postponed in the absence of some of the persons charged; but it is frequently done, I believe; and, on this occasion, the learned Judge who presided saw no occasion for complaint, or for ordering the presence of Mr. Nally. I do not feel at liberty to state the reason why he was not brought up in Court; but it was not that which, in a former Question, was suggested by the hon. Member. I believe it was the same Crown Solicitor who applied that the other prisoners should be put forward in this case. I have already stated that there was nothing whatever illegal in that course.

TURKEY IN ASIA—THE EUPHRATES AND TIGRIS STEAM NAVIGATION COMPANY.

MR. ARTHUR ARNOLD asked the Under Secretary of State for Foreign Affairs, Whether it is the intention of Her Majesty's Government to claim compensation from the Porte on account of the hindrance which has been recently suffered by owners of vessels of the Tigris and Euphrates Company in the exercise of their rights of navigation upon those rivers?

LORD EDMOND FITZMAURICE: Sir, as I stated yesterday, the terms of the arrangement in connection with the recent proceedings on the Tigris are still under discussion; and it would not, in the opinion of my noble Friend the Secretary of State, be in keeping with public policy to make any further statement at present.

GIBRALTAR—CUSTOMS DUTIES.

CAPTAIN AYLMER asked, Whether the Customs Duties at Gibraltar produce a revenue in excess of expenditure; whether the Government have in contemplation an increase in the Duties charged on coal and other imports from the United Kingdom; and, whether the greater part of these imports are not so imported for supply of shipping, and for the use of the troops stationed there?

MR. EVELYN ASHLEY: Sir, there are no Customs duties at Gibraltar properly so called, it being a free port. The Revenue is not more than enough to defray the present public expenditure. In fact, a slight deficit is feared. It is not intended to place duties on coal or other imports from England now admitted free; but the charges on wines, beer, spirits, and tobacco landed will be slightly raised, with a view to insure the future equilibrium of the finances. Most of the articles named are undoubtedly consumed by the shipping and garrison; but their price will be very slightly raised in consequence of these changes.

MADAGASCAR—PROCEEDINGS OF THE FRENCH AT TAMATAVE—INSULT TO THE BRITISH FLAG.

MR. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, If he can give the House any further information from Madagascar regarding the insult to the British Flag at Tamatave?

Lord EDMOND FITZMAURICE: Sir, we have as yet no further information than that already make known to the House.

Mr. ASHMEAD-BARTLETT: May I ask the noble Lord if any despatches have been received contradicting the statements that have been reported?

Lord EDMOND FITZMAURICE: No; the despatches which have been expected for some time have not yet arrived. As I explained the other day, in answer to another Question, there was a probability of some delay owing to the quarantine regulations which interrupt the ordinary channels of communication.

COMMISSIONERS OF IRISH LIGHTS—SALARIES OF LIGHTHOUSE KEEPERS.

Mr. BIGGAR asked the President of the Board of Trade, If it is the case that keepers of Irish lighthouses are paid on a lower scale than persons in similar employment in England; and, if so, can he give any reason for the difference?

Mr. CHAMBERLAIN, in reply, said, the hon. Member for Cavan (Mr. Biggar) must have been misinformed if he thought that keepers of Irish lighthouses were paid on a lower scale than persons in similar employment in England. The scale of pay was the same under the three Lighthouse Boards.

BURIAL ACTS—LEGISLATION.

Mr. RICHARD asked the Secretary of State for the Home Department, Whether, in view of the difficulties experienced by local authorities in providing new cemeteries, he would next Session introduce a Bill for needed alterations in the existing Burial Acts?

Sir WILLIAM HARCOURT: Sir, there is no one more conscious than I am of the difficulties of attempting to deal with this question, or more anxious to have a settlement of it. Those difficulties come before me every day. I hope, after the debate we had on the Bill introduced by my hon. Friend, that something in the course of next Session will be done to bring about a settlement of a question which, as everybody feels, is now in a most unsatisfactory state. I will carefully consider the matter during the Recess, and will see how far the Government can endeavour to deal with it.

ARMY—RE-APPOINTMENTS—LIEUTENANT HON. A. F. G. HAY.

Colonel ALEXANDER asked the Secretary of State for War, Whether it is true that Lieutenant the honourable Archibald Fitzroy George Hay, of the 1st Battalion Black Watch, retired on temporary half-pay shortly before the embarkation of the battalion for active service in Egypt; and, whether, on restoration to full pay a few months ago, he was placed above three subalterns who had served throughout the campaign; and, if so, whether he can assign any reason for the exceptional favour shown to this officer? The hon. and gallant Member added: I must express my deep regret at the form in which this Notice appears on the Paper of the House, for which I am entirely responsible, and for which I recognize that I am very much to blame. I do not impute that Lieutenant Hay went on half-pay to avoid foreign service; on the contrary, I know that such was not the case. I would merely ask why, when he was restored to full pay, he was placed above other officers who had served through the campaign?

The Marquess of HARTINGTON: Sir, for purposes of exchange and re-appointment from half-pay, lieutenants on the lowest rate of pay are regarded as a distinct class. Consequently, on a lieutenant who went to half-pay from the higher rate of pay—as is the case with Lieutenant Hay, who went on half-pay in June of last year—being re-appointed to his regiment, he would come in below all on the higher rate, and above all on the lowest rate. No exceptional favour has been shown to Lieutenant Hay.

SUPPLY—CIVIL SERVICE SUPPLEMENTARY ESTIMATES.

In reply to Mr. Sclater-Booth,

Mr. COURTNEY said, that no more Supplementary Estimates for the Civil Service would be presented this year, with the exception of a small Estimate in connection with the Duke of Wellington's Statue.

EGYPT—ARMY OF OCCUPATION—PRESBYTERIAN CHAPLAINS.

Mr. BUCHANAN asked the Secretary of State for War, Whether he will state the number of Presbyterian Chaplains attached to the Forces in Egypt; where they are stationed; and, whether, considering that three of the regiments mainly consist of Scottish soldiers, he will, in view of the outbreak of cholera, increase the number of Presbyterian Chaplains?

The Marquess of HARTINGTON: Sir, there are two Presbyterian Chaplains in Egypt, at Cairo and Alexandria respectively. The General Officer commanding has asked for the services of a third, and one leaves to-day for Egypt in answer to his request.

SOUTH AFRICA—ZULULAND.

Mr. O'KELLY asked the First Lord of the Treasury, Whether Her Majesty's Government has information showing that many white men openly instigated Zibebu to attack Cetewayo; whether a Mr. Calenbrander, a well-known agent of Zibebu, was allowed to organize an armed party of white men in Natal, and lead them into Zululand under the pretence of hunting; whether Sir Henry Bulwer refused this pretended hunting party permission to purchase 2,000 rounds of ammunition, but afterwards granted them permission to take 1,000 cartridges into Zululand; whether his attention has been called to an article which appeared in the "Natal Times" of April 11th, published at Maritzburg, showing that the interference of white men was already organized; whether any precautions were taken to prevent the invasion of Zululand by white adventurers, and to preserve the peace between the Chiefs; and, whether, in view of the results of the policy adopted by the Government of dividing Zululand into a number of independent divisions, Her Majesty's Government will consider the advisability of allowing the Zulu nation to be reconstituted under one King in order to put an end to the existing anarchy?

Mr. GLADSTONE: Sir, I will answer the Question by referring to the paragraphs contained in it; and with regard to the first three, I find no official information on the point to which they refer, and no answer can be given except a general answer, which is to the effect indicated more or less in the Question itself—that is to say, that there is no doubt that Europeans have been mixed up in these affairs, and have rather stimulated them in certain cases. With regard to the fourth paragraph, there is a statement of the kind that the hon. Gentleman indicates. With respect to the fifth paragraph, it is not possible for Her Majesty's Government to prevent the intervention of White men carried on, not in a military way, nor with any external signs of organization, but by their passing individually into the country. That we are not able to stop. With regard to the last paragraph, though I fully recognize the excellent intention with which it is conceived, I confess that it is our impression that although we might be very glad to see Zululand perfectly united, and, therefore, should readily allow the Zulu Nation to be reconstituted, yet it is probable that any premature action on our part in the selection of a particular person might only be a cause of additional discord and division.

Mr. O'KELLY further asked, whether Her Majesty's Government would take the same steps to prevent White adventurers from bringing arms and ammunition into the country as they had done to prevent the Zulus from obtaining arms?

Mr. GLADSTONE: I am not sufficiently cognizant of the facts; and I could not, without reference to my hon. Friend the Under Secretary of State for the Colonies, undertake to say what are the supplies of arms carried into Zululand at present, and by what method they are introduced.

LOCAL GOVERNMENT BOARD (SCOTLAND) BILL.

Sir H. DRUMMOND WOLFF asked the Secretary of State for the Home Department, Whether he intends to go on to-night with the Local Government Board (Scotland) Bill? Although it had been understood yesterday that the Bill would not be taken last night, he found that a Resolution had been passed.

Sir WILLIAM HARCOURT, in reply, said, he could not help expressing his surprise at the hon. Member's want of acquaintance with the Forms of the House. The Resolution taken last night was but a purely formal proceeding. He believed that even if the Government desired to take the Bill to-night, it would be impossible to do so.

PARLIAMENT—PRIVATE ESTATE BILLS.

Mr. ARTHUR ARNOLD asked the First Lord of the Treasury, Whether his attention has been called to the increase of Private Bills dealing with settled land, as to the provisions of which the House has no information or Report; and, whether, having regard to the public interests involved in these transactions, he is prepared to advise the House that in future Sessions it would be desirable to refer all Private Estate Bills to a Select Committee?

Mr. GLADSTONE: Sir, this Question of my hon. Friend is one of considerable interest. In nothing is the overwork of this House more manifest than in the way in which measures of the nature and importance of the Bills to which my hon. Friend refers have been allowed to pass through, and obtain our definitive sanction, without our bestowing upon them an amount of attention at all proportionate to the great importance of their provisions. I am afraid, Sir, that I cannot look with any confidence to the adoption of the remedy proposed by my hon. Friend with respect to referring these Bills to a Select Committee; because what I am afraid will happen will be this—that it will be the duty, according to usage, of such a Select Committee to view the Bills mainly in the light of their being opposed or unopposed. Now, these Bills would be practically unopposed, because the parties concerned and immediately affected would be all agreed in promoting them. I am afraid, therefore, that reference to a Committee would not secure the full investigation of the Bills, or the consideration, on their provisions, of how far they deviate from what may be considered the established rule of legislation with regard to land. I think this is a matter in which we ought to look to the aid of the House of Lords, for these Bills are made the subject in the House of Lords of a regular reference to Judges. From that source we possibly may obtain some assistance which will be a guide to the House of Commons, and which, at any rate, will secure our giving due attention to these important measures. Probably the attention of my noble and learned Friend the Lord Chancellor has been called to the subject, and I am sure he will be ready to consider whether anything can be done in that direction.

Mr. RAIKES: Does the right hon. Gentleman know, as a matter of fact, that there has been an increase in the number of Private Estate Bills; and, whether they are considerable in number?

Mr. GLADSTONE: I am not cognizant either of the fact how far they have increased of late years, or as to their number.

PARLIAMENT — PUBLIC BUSINESS — RIVERS CONSERVANCY AND FLOODS PREVENTION BILL, &c.

Colonel ALEXANDER (for Viscount Hinchingbrook) asked the First Lord of the Treasury, Whether he will give any assurance that the Rivers Conservancy and Floods Prevention Bill will be introduced and pressed forward by the Government at an early period of next Session?

Mr. RYLANDS asked whether the Government would not, next Session, consider the propriety of conferring upon County Boards the powers of dealing with the question, and so postpone the Bill until after the discussion of the scheme of Local Government in the Counties?

Mr. DODSON: Sir, as I have had charge of this Bill in several Sessions, my right hon. Friend the Prime Minister has asked me to answer the Question. It would be rash to anticipate the demands upon our time which may arise next Session; but those, both in the House and out of it, who are interested in this question, may rest assured that I regret, as deeply as any Member of the House, not being able to proceed with the Bill, and the Government remain as anxious as ever to pass it. If the Bill has not been put forward more this Session, it was only because it has already passed the House of Lords, it has been read more than once a second time in this House, and it has passed through a Select Committee, both in this and in the other House; and, under those circumstances, we did not think it worth while to press its earlier stages, unless we saw our opportunity of obtaining the judgment of the House on the Bill in its final stages. This we have, unfortunately, not had an opportunity of doing this Session. With regard to the Question of my hon. Friend (Mr. Rylands), we are not insensible of the advantages there might be in conferring this power on County Boards; but, at the same time, my hon. Friend will see that rivers by no means fall within the limits of a county—in fact, they often form the boundary between counties; and, therefore, the two matters are not necessarily connected.

LITERATURE, SCIENCE, AND ART—THE BRITISH MUSEUM—RESEARCHES AT SIPPARA.

MR. W. H. SMITH asked the First Lord of the Treasury, If Her Majesty's Government will exert their influence with the Sublime Porte to obtain permission for the agents of the British Museum to continue the researches at Sipparà, the ancient Sepharraim, from which most valuable records relating to ancient history have already been obtained, and are deposited in the British Museum? The right hon. Gentleman said, he would point out that hitherto the representatives of the Museum had been unsuccessful; and he trusted the urgency of the representations made by the Government would be successful.

MR. GLADSTONE, in reply, said, he quite agreed with that view; and he hoped the Government would be successful as to the purpose to which the right hon. Gentleman referred.

INDIA—POLICY OF THE MARQUESS OF RIPON.

MR. ASHMEAD-BARTLETT asked the First Lord of the Treasury, Whether he will give facilities for a discussion upon Lord Ripon's proposed changes in the Criminal Law of India?

MR. GLADSTONE, in reply, said, he was afraid, if the Question meant that the Government were to postpone any Business that was now immediately before the House, for the sake of giving time for the discussion of that subject, he must reply in the negative. They were now reaching a period of the Session when the Legislative Business of the Government would begin to decline; and the hon. Member might find an opportunity himself for his Motion.

PARLIAMENT—BUSINESS OF THE HOUSE—BANKRUPTCY BILL, PETROLEUM BILL, &c.

MR. RITCHIE asked, Whether the Bankruptcy Bill would be taken on Friday next; and, if not, when it would be taken; and also, looking at the late period of the Session, whether the Government proposed to proceed with the Petroleum Bill this Session?

MR. GLADSTONE, in reply, said, he was not aware whether his right hon. Friend the President of the Board of Trade (Mr. Chamberlain) had yet completed the inquiries he was to make, as to the state of opinion and the view of the House, on which would depend their disposition to go forward with those clauses in the Bankruptcy Bill that were most likely to create difficulty. He would endeavour, to-morrow, at 12 o'clock, to put himself in a position to answer the Question; and with regard to the Petroleum Bill, he must refer the hon. Member to his hon. Friend the Representative of the Home Department.

MR. HIBBERT said, by way of explanation, that, as to the Petroleum Bill, it was now before the House of Lords, and had been referred to a Select Committee. He was unable to say whether it would be proceeded with this Session.

SOUTH AFRICA—THE TRANSVAAL—BECHUANALAND AND GRIQUALAND.

MR. W. E. FORSTER said, he had one or two Questions which he wished to ask his hon. Friend the Under Secretary of State for the Colonies, and of which he had given private Notice, respecting an important telegram which was read yesterday, and which his hon. Friend said he had just received. He begged to ask the hon. Gentleman whether he would lay that telegram on the Table; whether he (Mr. W. E. Forster) was right in supposing that that was a telegram which had arrived at the Cape on the 13th July, and had been forwarded here by letter; and, also, whether he was right in believing that there had been telegraphic communication between this country and the Cape for the last two or three weeks at least; and, whether there had been any information confirming that telegram, and especially regarding a very important statement, which he should be glad to believe was true—that Mankoroane and the other Chiefs were really making head against the people who had robbed them of their land? Also, whether he knew if the person from whom this news originally came was or was not in official employment?

Mr. EVELYN ASHLEY: Sir, if I had known, before I came down to the House, that I was to be asked these Questions, I would have taken care to bring the despatch and telegram with me. The telegram in question was received on the 13th of July at Capetown, and was sent on here on the 16th, mail day, in a despatch from the officer administering the Government. The telegram came from the Civil Commissioner at Kimberley, and he gave in the telegram information which he had received from a Mr. Rose. Whether Mr. Rose is an official or not I must leave it for the House to decide. He is a Member of the Legislative Assembly of Capetown, and at present he is engaged on a Government Commission, in drawing a boundary line between Bechuanaland and Griqualand West. As to the telegraph being open or not, I am not able to answer that Question. I believe that it was so; but I should be afraid to say it has been during the whole of the time since the 13th of July. We have received no corroboration of the information contained in the telegram.

Mr. W. E. FORSTER gave Notice that on Thursday, to give time for communicating with the authorities at the Cape, he should ask his hon. Friend, whether the Government had received any information in confirmation especially of the successful efforts of Mankoroane?

EGYPT—PROGRESS OF RE-ORGANIZATION—STATEMENT OF THE EARL OF DUFFERIN.

MINISTERIAL STATEMENT.

Mr. GLADSTONE: I stated yesterday, Sir, that I had had a communication from Lord Dufferin, which was somewhat of a formal character; and, as I thought that Lord Dufferin had a better cognizance of the actual progress that had been made in Egypt than anyone else, I asked him to give me, in a very few words, a note of the progress which he conceives to have been attained with respect to several of the most interesting questions in the re-organization of the country. With respect to the Army, he considers that work to be almost completed, and in quite a satisfactory condition with reference to the plan on which it is devised. With respect to the Constabulary, that is not so forward. The Constabulary proper is re-organized; but, with respect to the police, there is still a good deal to be done, though a good deal has been accomplished. With regard to the Judiciary, be believes that a fair body of Judges, presumably competent, have been secured; but it has been found necessary to translate the Judicial Code into Arabic, and that has caused some delay. With respect to the Legislative Bodies, Lord Dufferin is not now aware how far nominations have been made with regard to a portion of them that are to be nominated; but all the arrangements with reference to the elective body have been made, and have been published. With respect to irrigation, a plan has been made by Mr. Moncrieff, the engineer for the irrigation of the Delta, and Lord Dufferin believes that that is favourably regarded by the Government; but no positive decision has been taken in respect to it. And, lastly, with respect to the taxation of foreigners, a plan had likewise been submitted for the attaining of that very important matter. These are the points on which I asked Lord Dufferin to give me such information as he could.

Sir STAFFORD NORTHCOTE: With regard to the plan for the taxation of foreigners, can the right hon. Gentleman say what he means by "plan?" Has a plan been submitted to the Egyptian Government, or the Foreign Governments?

Mr. SCLATER-BOOTH: I should also like to ask whether Lord Dufferin is to be entrusted with the duty of watching the development of the plans to which the right hon. Gentleman has referred?

Sir WILFRID LAWSON: Will Lord Dufferin's statement be laid on the Table?

Mr. GLADSTONE: Certainly not. I have mentioned that this information is conveyed in a private letter; and it is the best information which Lord Dufferin can give. What he says with respect to the taxation of foreigners is stated very briefly; but what, I apprehend, he means is merely that the question is in its first stage. I conceive the plan cannot be carried out without the cognizance of foreign countries.

SIR STAFFORD NORTHCOTE: On Thursday I will put a Question with regard both to that and as to the difficulties which have arisen in the administration of justice where foreigners are concerned. In regard to that, I will ask whether those difficulties have been or are in the course of being dealt with?

MR. BOURKE also gave Notice that on Thursday, on the Vote for Major Baring's salary, he would call attention to the whole subject, as the points mentioned by the right hon. Gentleman formed only an infinitesimal part of the great subject connected with the administration of Egypt.

Subsequently,

MR. ASHMEAD-BARTLETT asked whether Lord Dufferin's letter contained any reference to the Debt of the Egyptian Fellaheen, which, he understood, amounted to £30,000,000?

MR. GLADSTONE: No, Sir.

MR. RAIKES: A question, Sir, arises out of the statement of the right hon. Gentleman; and I therefore wish to ask if you will inform the House whether the Rule, which requires that any official document cited by a Minister in debate shall be laid before the House, does not apply to communications addressed by official personages to Members in this House, to be used by them for purposes of informing the House in reply to Questions?

MR. GLADSTONE: Before the Question is answered, perhaps you will allow me, Sir, to make a little more clear what I thought I had made sufficiently clear before, as to what my answer was with respect to Lord Dufferin. Before Lord Dufferin left London I desired to see him, to inform myself as well as I could, from conversation, on the points which he has given me roughly in a private letter. But Lord Dufferin unfortunately had left, and therefore I sent after him; and, informally, he said in a private letter what he would have given me in conversation; and I am afraid the question will arise whether it is lawful to have conversations with officials for the purpose of obtaining information, inasmuch as conversations cannot be laid upon the Table.

[MR. SPEAKER did not reply to the Question of the right hon. Member for the University of Cambridge (Mr. Raikes)].

PEACE PRESERVATION (IRELAND) ACT, 1881—ARMS' LICENCES.

MR. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is a fact that at the Limerick Assizes last month a person named Heffernan pleaded guilty to a charge of firing a revolver at a party on the public road near the city of Limerick; and, if so, to further ask if the authorities still continue to allow this man to carry arms?

MR. TREVELYAN: Sir, Heffernan pleaded guilty to firing a shot, but not with intent to kill. He was returned for trial; but the Judge directed the jury to acquit him, saying it was a case that should not have come before them. It is considered necessary for Heffernan to carry arms for his protection, and accordingly he has been allowed to retain his licence.

INLAND REVENUE — DISPARITY OF AMOUNT PAYABLE FOR GROCERS' SPIRIT LICENCES IN SCOTLAND AND IRELAND.

MR. O'SULLIVAN asked the Financial Secretary to the Treasury, Whether it is true that some spirit grocers' licences are issued in Scotland as low as four pounds four shillings per annum, while in Ireland the lowest spirit grocers' licence is nine pounds eighteen shillings and fivepence per annum; and, if so, will the Government take any steps to redress this remarkable inequality between the two Countries?

MR. COURTNEY: Sir, I have ascertained that this disparity does exist. It has been explained to me that the class of traders differs considerably in the two countries. The subject appears to require further investigation, and I am not sure that we ought to level up, and not to level down.

SUPPLY—CIVIL SERVICE ESTIMATES —THE SUEZ CANAL DIRECTORS' VOTE.

MR. BOURKE said, that, as Thursday next was to be devoted to the consideration of the Vote connected with Egypt, he wished to know whether the

Vote for the Suez Canal Directors would be taken at the close of the other Vote, or in the ordinary course?

Mr. COURTNEY, in reply, said, he thought the most convenient course would be to take the two questions together; therefore, the Vote for the Suez Canal Directors would be taken after the Egyptian Vote.

ORDERS OF THE DAY.

NATIONAL DEBT BILL.—[Bill 182.]

(*The Chairman of Ways and Means, Mr. Chancellor of the Exchequer, Mr. Courtney.*)

SECOND READING.

Order for Second Reading read.

The CHANCELLOR of the EXCHEQUER (Mr. Childers): I rise, Sir, to move that the National Debt Bill be now read a second time; and, considering how many weeks have passed since I made a Statement with reference to the Debt, and also considering the great interest that is taken in this subject, perhaps it will be convenient to the House that I should now say a few words by way of explanation and information on the subject of the Bill. There are, I observe, several Amendments to the second reading proposed in different quarters of the House. One hon. Member thinks the measure premature; another thinks we ought to have less taxation on articles of consumption; another that there ought to be less taxation on land and property; and it is also suggested that, instead of reducing expenditure, it would be expedient to increase it, in order to give aid to local authorities. All these Amendments are aimed at the reduction of the National Debt; and the effect of these divergent and inconsistent lines of objection will be that when you, Sir, at the proper time put the Question that the words, "That the Bill be now read a second time," stand part of the Question, all who are in any way opposed to the Bill will vote "No" to that Motion. Therefore, it is necessary that I should, in the first instance, explain, with the view of meeting such a variety of opposition, what the Bill really proposes. And I will, first of all, state what the Bill does not do. Practically, the Bill does not propose to alter the charge for the Debt now established by a permanent law. I must qualify that, however, by saying that it does propose to reduce the charge by £60,000 a-year; but that is a very small and almost accidental matter. The Bill, then, does not propose to alter the aggregate charge for the Debt. What the Bill does, in general terms, may be stated to be this—that in view of the Terminable Annuities which have been created at various times, all running out in 1885, it proposes to substitute for them other Terminable Annuities, with, as I hope to show, a somewhat improved action. But, except in that respect, the Bill, so far as the charge for the Debt goes, makes no change whatever. Let me state what is the present state of the law governing the annual charge for the Debt. Under an Act which was passed on the proposal of the right hon. Gentleman opposite the Member for North Devon (Sir Stafford Northcote) in 1875, £28,000,000 is permanently appropriated as the annual charge for the Debt, that £28,000,000 containing not only the interest on the Debt, but also the amount which Parliament decided as proper to be appropriated for paying off or reducing the Debt. In addition to the permanent charge of £28,000,000, there is a temporary charge of £800,000 a-year, ending in 1885, to meet part of the cost of the preparations at the time of the Russo-Turkish War, and the cost of the Cape War. There are also a few small charges, which I need not enumerate now, amounting to £203,000 a-year, raising the whole charge for the Debt to £29,003,000. This is, however, irrespective of the charge for the Debt raised either for the purchase of the Suez Canal Shares or for Local Loans, as to which the receipts more than meet the charge. We need not mix up these with the charge of £29,003,000. That charge may be conveniently divided into four heads. In the first instance, there is the charge for the interest and management of the Funded and the Unfunded Debt, amounting to £21,464,000 a-year. Then come the certain Terminable Annuities, ending in 1885, which, including the £800,000 a-year I have just mentioned, amount to £6,061,000. In the third place, come the Life and other Annuities, which extend beyond 1885, amounting to £1,242,000; and the balance of the £29,003,000 constitutes what is known as the New Sinking Fund set up by the right hon. Gentleman in the year 1875, and its amount for the present year is £237,000. I will ask the House to follow me while I describe shortly what will happen in 1885-6. First, the £800,000 a-year charge, set up in connection with the Russo-Turkish War, and the War in South Africa, will come to an end, and to that extent the taxpayer will get relief. In the second place, the other Terminable Annuities I have described will fall in; and, unless Parliament should otherwise provide, the New Sinking Fund, by the operation of the law which makes the charge of £28,000,000 permanent, will, instead of being £237,000 a-year, rise to £5,498,000. Now, in our opinion, the time has come when we should anticipate that serious increase of the New Sinking Fund, and that we should re-construct a sufficient amount of Terminable Annuities, leaving the New Sinking Fund at about the amount originally intended. In our opinion, also, it would be unwise to leave this operation to the last moment. My right hon. Friend (Mr. Gladstone) proposed, two years ago, to carry out a plan anticipating, in the same way, the change which must take place in 1885. Unfortunately, the pressure of other Business left no time in 1881 for the discussion of this plan; but we ought not to lose the present opportunity. If it is necessary to give one among many reasons for immediate action, it is that the accumulation of Stock in the hands of the National Debt Commissioners is now larger than it was in 1881, so that a wider measure may be adopted, and one of a more permanent kind. The present Bill, then, in the first place, as I said before, makes no alteration in the charge on the taxpayer, except so far as it authorizes us to pay off, out of the balances, £1,000,000 of the £2,000,000 which was borrowed in connection with the annual grant of £500,000 a-year to India on account of the Afghan War, and so reduces the permanent charge by £60,000 a-year. That being the only effect of the Bill on the taxpayer, its main operation is to create fresh Annuities in the place of those that will fall in next year but one. We shall cancel, in the first instance, about £70,000,000 of Stocks held by the Court of Chancery and by the National Debt Commissioners—namely, of the former £40,000,000, and of the latter a little over £30,000,000; and, besides the Annuities representing these £70,000,000, we shall constitute a small Annuity equivalent to the two last years' payment of the present £5,135,000 Annuities expiring in 1885. We do not intend to leave the Sinking Fund at the small amount at which it is this year; but, as contemplated by the right hon. Gentleman, who was its author, at something more than £800,000 a-year. I will now give the House the exact result of these operations in figures—that is to say, the items making up the whole charge for the National Debt in the year after the new state of things will have come fully in force. In 1886-7, the interest of the Funded and Unfunded Debt, and the charges connected with it, will amount to £19,185,000, as compared with £21,446,000 now; the New Terminable Annuities will amount to £6,957,000; the Life and other Annuities of the same character are estimated at £1,167,000; and the balance going to the New Sinking Fund will be £835,000, the total being £28,144,000, as compared with £29,003,000, the total permanent charge at the present time. The New Terminable Annuities, amounting in all to £6,957,000, will be as follows:—The £40,000,000 of Stock standing to the credit of the Chancery suitors will be converted into a 20 years' Annuity of £2,674,000; somewhat over £30,000,000 of Stock standing to the credit of the Savings Banks with the National Debt Commissioners will be converted into three Annuities of £1,200,000 each, for 5, 10, and 15 years, the total being £3,600,000 a-year; and the two remaining years of £5,135,000 Annuity will be converted into a 20 years' Annuity of £683,000. I pass over small details as to the latter conversion, for, as the House knows, the series of Annuities, making in all £5,135,000 a-year, does not all fall due at the same time of the year; but a single Annuity of £683,000 a-year will be their equivalent. I ought, however, to explain the peculiar and novel method we propose to adopt in dealing with the Savings Bank Stocks. I said that we proposed to divide the Annuity, the result of the cancellation of something over £30,000,000 of Savings Bank Stock, into three separate Annuities of £1,200,000 each for 5, 10, and 15 years respectively. What we propose is, that as each Annuity runs out there shall be substituted for it a fresh Annuity, which, including the interest on the Stock cancelled, should produce the same charge upon the £28,000,000 a-year. Accordingly, after five years, when the first £1,200,000 Annuity fell in, £22,500,000 more Stock standing to the credit of the National Debt Commissioners in connection with the Savings Banks would be cancelled; after 10 years, another £22,500,000; and after 15 years, another £22,500,000; but after 20 years the amount requiring to be cancelled would be increased to £35,200,000; so that the operation in the first 20 years would result in the cancellation of £133,000,000 of Stock, besides the £40,000,000 of Stock standing to the credit of the Court of Chancery. These figures verify the general Statement I made in moving the Budget—that there would be a cancellation of £173,000,000 of Stock through two operations on the Stock standing to the credit either of the National Debt Commissioners, or of the Court of Chancery. Upon this point, however, it has been asked, why pledge Parliament for 20 years? My answer is, that the charge of £28,000,000 a-year for the service of the Debt is a permanent charge; and t is, in my opinion, far better, under those circumstances, to make arrangements within that charge for a moderate fixed period, than to be continually coming to Parliament for fresh powers on the subject. In this connection, let me remind the House that the taxpayer is on the eve of receiving no small relief in addition to the £60,000 a-year provided by the Bill. As I said, in the year 1885, the War Annuity of £800,000 falls in; and in 1887, what I may call the last Annuity payment to India of £500,000 for the Afghan War falls in, making a total of £1,300,000. On the other hand, there will be a slight increase in the charge for Local Loan Sinking Funds of £200,000, and this, perhaps, should be set off against the relief of £1,300,000 a-year; but the taxpayer will be relieved to the extent of something like £1,100,000 a-year in connection with Annuity payments between 1885 to 1887. Should that not be sufficient; should a great war derange our finances, it will be in the power of Parliament to revise the charge of £28,000,000 a-year; and, in that extreme event, the amount of Stock to be cancelled after each five years would be diminished. But if those things do not happen, if Parliament retains, as I trust it will long retain, this charge of £28,000,000 a-year, we had better provide permanently for the method in which it will be applied. This leads naturally to the question, how much Debt will be actually paid off by the method which we propose in 20 years? I have already explained to the House that the cancellation of the Chancery Stock and of the Savings Bank Stock will extend to £173,000,000. It is necessary, however, to bear in mind the difference between cancellation and redemption, because redemption is the measure of reduction. The £40,000,000 of Chancery Stock will be entirely redeemed in 20 years. Of the £133,000,000 of Savings Bank Stock cancelled, £73,000,000 will be redeemed. There is on the Table a Paper which shows the exact amount which the new 20 years' Annuity, in substitution of the two years' instalments, will pay off; in round numbers it is £10,000,000. Then there are the two other operations, of which we must not lose sight. I have reminded the House of two items in the total of £28,000,000, each of which has the effect of making a considerable impression on the National Debt. The first is the amount of Life and other Annuities, the second is the New Sinking Fund. The operation of the Life and other Annuities will be to pay off about £23,500,000 of Debt. The New Sinking Fund, in the same way, will pay off £26,800,000 of Debt. Thus, altogether, the amount of Debt paid off by means of the five operations —the cancellation of the Chancery Stock, the successive cancellations of Savings Bank Stock, the substitution of a 20 years' Annuity for those which expire in 1885, the operation of the Life and other small Annuities, and the New Sinking Fund, will be £173,300,000 within 20 years; and in this calculation I have not included the operation of the Old Sinking Fund, because no one can make a reasonable estimate as to how far the Old Sinking Fund—that is to say, the annual surplus of Revenue over Expenditure—will operate. In all these calculations, I have taken Consols at par. If the Funds rise again above par, of course there will be some small diminution of the £173,300,000; but, if the Funds fall, that sum will be increased. It is safe, I think, on the whole, to base our calculations upon Consols at par; and the House will see that on that assumption we shall be able in 20 years to pay off Debt to the extent of £173,300,000. It has been suggested that, in estimating that the National Debt Commissioners will have at their disposal in five, 10, 15, and 20 years, a sufficiency of Stock for these successive conversions into Annuities, we may have made an extravagant estimate. As a matter of fact, we have made a very careful estimate, and one very much within the mark. The suggestion has come from a financial journal of great authority, and therefore I think I ought to answer it. I will state to the House a few figures to show how careful we have been in making this estimate. During the last 10 years the payments made by the Savings Banks to the National Debt Commissioners have amounted roughly to £22,600,000; the payments made by the Commissioners to the Savings Banks have amounted to £18,600,000. The improvement from year to year in the Savings Banks deposits has thus enabled them to pay the proper interest to their depositors, and also to remit to the Commissioners for investment no less than £4,000,000. I may say that in this respect the progress in the latter half of the 10 years has been greater than in the earlier half. In making a calculation of what will be the probable assets of the National Debt Commissioners on Savings Banks accounts during the next 20 years, we have here assumed that the £400,000 a-year will be increased to £550,000—that is to say, that on the average £550,000 a-year will be the difference between the payments from the Savings Banks to the Commissioners and from the Commissioners to the Savings Banks; and on that basis the excess of Stock in the hands of the Commissioners beyond what they will have to find for the proposed cancellation of Stock to form the new Annuities will, at the end of the 20 years, be no less than £72,000,000. Even if we had assumed that the National Debt Commissioners, instead of receiving from the Savings Banks £400,000 a-year, had received nothing, there still would be an enormous margin at the end of 20 years, so I think that the estimate may be taken as perfectly safe. Now, Sir, having thus described what the Bill proposes to do, let me say a word or two about the Amendments which have been placed on the Paper.

MR. W. H. SMITH: Will the right hon. Gentleman state what the amount of the Chancery Funds now in hand is?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS): It is stated in the Treasury Minute at something over £60,000,000 a few months ago; but I have not got the exact figures for to-day. Now, with respect to the Amendments, the noble Lord the Member for Middlesex (Lord George Hamilton) proposes a Resolution, the effect of which will be not to hold out any prospect of relief to the taxpayer, but to prepare us for additional expenditure, in the shape of grants in aid of local institutions. The only criticism I would now pass upon the Resolution of the noble Lord is, that he speaks of the decrease of the Revenue from Excise. But the Revenue from Excise for the last two years has not been decreasing; at the worst, it is merely stationary. My hon. Friend the Member for Glasgow (Mr. Anderson) takes a very different view to that of the noble Lord. He also proposes an Amendment to the second reading of the Bill; but his Amendment is based upon the proposition that we ought, at the present time, to do something in the way of relieving the consumer from taxation on certain articles of consumption. He does not propose to leave things as they are, and spend more money; but he proposes to reduce the receipt side of the account by taking away a certain amount now received in taxation. There was, until lately, another Amendment on the Paper to the same effect, standing in the name of my hon. Friend the Member for Burnley (Mr. Rylands), and I remember the murmurs which arose from the other side when Notice was given of it. "Reduce the taxes on the consumer? You should reduce the taxes on property." My hon. Friend the Member for Galway (Mr. Mitchell Henry) takes an entirely different line of argument. He says the present generation has paid enough, and he, on this account, would reduce the amount of taxation. I have never been able to understand precisely what, in arguments of this kind, is meant by the "present generation," because the generation in which we live consists of persons of all ages. It is impossible to say that all the persons now living are of any one generation, or that taxes now paid fall alike on the old and the young, in this sense. All these Amendments, however, combine in proposing that the present reduction of Debt shall not continue. I trust, however, that it will not be so; for it would be, in my opinion, an unwise thing if we were to break down the system of providing for a substantial diminution of the Debt. Let me ask the House to compare the present charge for the National Debt with the charge of not many years ago. I will take the three years 1857-8, 1858-9, and 1859-60. If hon. Gentlemen will turn to the statistics of those years, they will find, first of all, that the wealth and the trade of the country since that time has, if not doubled, at least increased by something like two-thirds; they will find the population of the country has increased by one-third; they will find that the wages enjoyed by the working classes, whether agricultural or manufacturing, were far less than now—probably not two-thirds of the present purchasing power.

Mr. MITCHELL HENRY: To what country does the right hon. Gentleman refer?

The CHANCELLOR of the EXCHEQUER (Mr. Childers): I am speaking of the whole of the United Kingdom; and I have taken the averages for the whole Kingdom. What was the amount which we were setting aside at that time in connection with the Debt, and what is the amount which we propose to set aside in connection with the Debt this year? The permanent charge this year for the Debt, with the amount representing temporary additions, and the interest on money raised for Local Loans, is £29,700,000. The receipts from investments are £1,200,000, so that the net charge for the Debt this year is £28,500,000. In 1886-7 the permanent charge for the Debt will be, under this Bill, £28,000,000, the charge in respect of temporary additions will be £100,000, and the interest on the amount raised for Local Loans £900,000, giving a total of £29,000,000. The receipts from investments will amount to about £1,000,000, so that the net charge will be, at the outside, £28,000,000. But, in 1857-8, the net charge was £28,500,000; in the following year, 1858-9, it was £28,300,000; and in 1859-60, it was £28,500,000. Now, I appeal to the House, with these facts before it, whether we should be justified in setting aside less for the payment of the Debt than we did in the period from 1857 to 1860? There is one great example in this respect, which this country and this House should bear in mind—I mean the example of the United States. Does the House know how much of their Debt was paid off by the United States last year? The amount was £25,000,000 sterling. And during the last 17 years, from June, 1866, to June, 1883, we have these remarkable results—In June, 1866, the Debt of the United States was £537,000,000; in June, 1883, it is £310,000,000. In June, 1866, the interest on the Debt was £29,200,000 a-year; in June, 1883, it is £10,100,000 a-year. So that the Debt in that time has been reduced by 42 per cent, and the interest by 65 per cent. I would call special attention to this reduction of interest. In 1866, the rate of interest was, on the average, 5½ per cent; the interest paid to-day is 3½ per cent—a reduction of 2 per cent. And I will undertake to say, without fear of contradiction, that that reduction of interest from 5½ to 3½ per cent is mainly the result of the unremitting efforts which the Government of the United States have made to reduce their Debt. And if that reduction in the rate of interest from 5½ to 3½ per cent paid by the Government of the United States on their Debt has been the consequence of paying off Debt, may we not look forward to a similar result in this country? Let me remind the House that ¼ per cent upon a Debt of £700,000,000 means a charge of £1,750,000 a-year; and a diminution of charge in this manner is not like a casual surplus of income over expenditure, but is the permanent effect of a deliberate policy. I contend that if this Bill should by some misfortune be rejected, it would be evidence to the country and to the financial world that we are indifferent to paying off the Debt; and, on the other hand, I say that, if this Bill is carried, we shall be within a measurable distance of dealing with the rate of interest on our Debt; and that is the point of view from which I ask the House to look upon my proposal. The rejection of the Bill, if it is followed by an inroad upon the £28,000,000 a-year set aside by my right hon. Friend opposite for the payment of Debt, may possibly produce some temporary relief from taxation. But the adoption of the Bill will, to my mind, be the first step towards the permanent relief of the taxpayers from a portion of the charge for former wars. The taxpayer should, undoubtedly, have the benefit of any reduction in the rate of interest; and on his behalf, therefore, I ask the House to pass the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

Sir STAFFORD NORTHCOTE and Mr. MITCHELL HENRY rising together, Mr. SPEAKER called upon the former.

MR. MITCHELL HENRY, before resuming his seat, said, that he had an Amendment standing first on the Paper, which he had kept alive for the last four months; and he would now, as a point of Order, ask for the ruling of the Chair on the point whether, as that was the case, he was not entitled to the possession of the House; and whether, if he gave precedence to the right hon. Baronet opposite the Leader of the Opposition, his doing so should not be regarded as a matter of courtesy, and not as a matter of right?

MR. SPEAKER said, the hon. Member (Mr. Mitchell Henry) had no positive right to precedence in consequence of his Notice of Amendment being first on the Paper. The right hon. Gentleman (Sir Stafford Northcote) rose; and he felt it his duty to call upon him. In doing so he did not deprive the hon. Member of any right whatever. It rested entirely with the Chair to call upon the Member who should first address the House.

SIR STAFFORD NORTHCOTE: I apprehend, from my experience of debates, that the ruling, Sir, which you have now given is the same as has been given on several occasions. But I can assure the hon. Member opposite (Mr. Mitchell Henry) that, as a matter of courtesy, I should be very unwilling to interfere, if I thought I was interfering, with his freedom in bringing forward the Amendment. I will, however, stand but a very short time between the hon. Member and the House; but the few observations which I intend to make are of a very general character, and would be very inappropriate to the particular question which the hon. Gentleman wishes to raise. Therefore, I think it would be a very inconvenient course to pursue to introduce them on the Amendment. My reason for rising thus early in the debate is because it seems to me that there has been a great deal of misunderstanding among the public, and even, to some extent, among hon. Members of this House, with regard to the nature of this Bill and the exact effect of the proposal and the course which some hon. Gentlemen may wish to take with regard to it. The observations of the right hon. Gentleman opposite the Chancellor of the Exchequer have, however, I am bound to say, very greatly cleared away the doubts and misunderstandings to which I have referred. The right hon. Gentleman has given a most able and clear account of the position in which our National Debt arrangements stand; and he has shown very clearly what the effect of this Bill will be, if it is adopted, and what it will not do. I only wish, as far as that part of his speech goes, to confirm the view he has laid before the House. The Bill does not propose to carry the charge which we now bear for the payment of interest and redemption of the Debt beyond the amount at which it now stands, and has stood for some time. I, of course, put aside the £800,000, which stands upon a different footing. But ever since 1877, I think, we have voted at the rate of £28,000,000 a-year for the purpose of paying the interest of the Debt, and devoting the balance to its redemption by a New Sinking Fund. It is not intended to add to that £28,000,000, or to extend the limit of time, because, as the Chancellor of the Exchequer truly said, the money is made payable by an Act of Parliament which is of a permanent character, and remains in force until Parliament may decide otherwise. That being so, what we have to deal with now is, not whether we ought, or ought not, to make any greater exertions towards the payment of the Debt, as some people suppose, or reduce the exertions we are actually making. The question is, whether we shall adopt a certain change in the machinery under which we act. I do not know that it goes so far as a change in the machinery; because, to a certain extent, we employ a system of Terminable Annuities now, and it is proposed we shall carry on Terminable Annuities hereafter. There is, however, a certain proposal made which, I think, is of a novel character, and which deserves consideration; but it is one which does not affect the general system on which we proceed, or the amount we have to pay. That being so, this remark, at all events, is obvious—that this is not a case in which we are specially bound to proceed at the present moment with any alteration in the system now in force. Whether we pass this Bill, or do not pass it; whether we adopt this machinery, or do not adopt it, the matter remains safeguarded by the former Act of Parliament, which has been enforced and put into use, and it cannot be changed until the existing Act of Parliament is repealed or altered. It may be a question whether it is, or is not, convenient to bring forward this proposed change at the present time; but the matter is certainly not of that absolutely urgent character that we are bound to deal with it at once; and if the House should be of opinion that we require more time for the consideration of the principles and right details of this scheme than can conveniently be given to it at this period of the Session, having regard to the great pressure of Business, and to the fact that the House is already melting away, before it has got through one-third of the programme of the Session, I can see no inconvenience that can result from the postponement of this measure. At all events, in dealing with a subject of this kind, it is always better to wait rather than hastily to plunge into an unsatisfactory arrangement which cannot hold water in the long run. I say this, notwithstanding the fact that the right hon. Gentleman has held out the most gloomy anticipations to the House in the event of our rejecting this Bill upon the present occasion. The right hon. Gentleman says that, if this Bill were lost, we should be aiming a heavy blow at the principle of paying off the National Debt, and that the consequences would be most disastrous. But, in my opinion, it would be equally disastrous if, without due consideration, we were to adopt a system of an artificial and of a complicated character, in order to find that, after all, that system was one that would not work. With regard to the principle of paying off the National Debt, I must venture to point out that, although I entirely agree with the principles which have been laid down by the Chancellor of the Exchequer, and which are, for the time, in favour with the Government, those principles are not to be taken so absolutely and certainly for granted, as being applicable in all circumstances, as the right hon. Gentleman seems to think that they should be, because there have been, in former times, many very high financial authorities—including the Prime Minister himself, as to whom I would refer to his Budget of 1853—holding very various theories with regard to the systematic exertions requisite to be made for the purpose of paying off the Debt. I must remind the right hon. Gentleman that the principles upon which, in former times, our Predecessors—and, indeed, upon which some of those who are still with us—proceeded with regard to the payment of the National Debt were expressed in the phrase that, I think, was used by the late Mr. Joseph Hume, that there were many ways of employing our money that would be more profitable than buying Consols at 90 or 94. By that phrase Mr. Hume meant that our system of taxation was still of such a character that it would be of greater advantage to the country at large that changes should be effected in that system, in order to give relief to our industries, than that so much of the National Debt should be paid off by special exertions. Our Predecessors, acting upon that view, proceeded to reduce taxes in such a way as to render it impossible to pay off the Debt. And, indeed, the Prime Minister himself, when his ideas had arrived at maturity, and when he was in the zenith of his fame as a financier, had declined to avail himself of the opportunity that was afforded him of taking effective steps towards paying off the National Debt. In bringing in his first great Budget of 1853, there was a great question raised with regard to the abolition of the Income Tax; and the right hon. Gentleman himself made a proposal which pointed to this—that it should be in the power of Parliament, seven years from that time, to take advantage of the falling in of the £5,000,000 of Long Annuities in order to get rid of the Income Tax. In 1860, when these Annuities did fall in, the right hon. Gentleman had an opportunity, not to take off the Income Tax, which had then gone too far to be abolished, but to do that which is now proposed to be done—namely, keeping the charge on the Debt at the figure at which it stood, and applying it further in consequence of the falling in of the Long Annuities. The right hon. Gentleman, however, made no proposal of that kind. He said they ought to take advantage of that great opportunity, in order to give some general relief to the industries of the country in the way of the remission of taxation. I do not question that, in taking that course, the right hon. Gentleman was acting wisely; but I desire to point out that in adopting that course, the right hon. Gentleman was actuated by a desire to do what was best generally for the country in the circumstances, rather than by that of paying off the National Debt. I merely refer to this fact for the purpose of showing that the principle of paying off the National Debt is not applicable to every state of circumstances. Let us consider for a moment what are the circumstances of the present time. The Chancellor of the Exchequer referred just now to what was being done in the United States in the way of paying off the National Debt; but, as was well pointed out, on a former occasion, by the hon. Member for Preston (Mr. Ecroyd), who takes a very great interest in financial matters, the United States are paying off their National Debt by means of protective duties. The right hon. Gentleman in 1860 adopted exactly the opposite course, because, instead of keeping on protective duties for the sake of getting a large Revenue and paying off the National Debt, he disregarded the Debt, but took off the duties. I have referred to these matters, because when we have doctrines like those to which I have referred laid down to us *ex cathedrâ*, we should exercise our own judgment with regard to them. Even with regard to the present proposal, the right hon. Gentleman the Chancellor of the Exchequer himself affords a striking instance of a great change of opinion in a short time. I remember that, when I made a proposal by which a certain portion of the Debt should be extinguished in 1904, the right hon. Gentleman said that we had no right to bind our successors. The right hon. Gentleman added that I was endeavouring to get credit for a proposal that involved no present sacrifice or cost to the Government or the country at the time. That assertion is true of the present proposal, but it was not true of the proposal I then made; because I called upon Parliament to make an immediate sacrifice by raising the charge from £27,200,000 to £28,000,000, whereas we are now asked to make no sacrifice whatever. We are simply asked to adopt a certain piece of machinery in order to effect a desired object, and which may be a very good piece of machinery for the purpose; but when we are desirous of testing its principle, we ought to be allowed to do so, and it should not be charged against us that we are endeavouring to throw cold water upon the principle of paying off the Debt. I admitted, at the time I made that proposal, that Parliament would have the power at any time of revising the scheme—as, indeed, the right hon. Gentleman now admits that Parliament would have the power of revising the present proposal. But it did appear to me that the year 1885 would be a moment at which it would be natural to take the whole state of our financial arrangements into consideration, and to consider with ourselves what was the proper view to take of our National Debt arrangements. It would, however, I venture to say, be perfectly legitimate before 1885 to take into consideration the whole question, and in connection with it the whole circumstances of our financial position, and no more important subject could be laid before Parliament. Sir, I do not myself adopt the Amendments, or, indeed, approve of some of them, which I see placed upon the Paper. I am very reluctant, indeed, to give countenance to any inroad upon the scheme and arrangements which we have made, and which are already in existence, for the purpose of paying off the National Debt. But I say that this particular arrangement which you are going to make may possibly not strengthen, but weaken, the arrangement which we have at present in force. There is one object, at all events, in which I must be interested—the maintenance of my own child, the New Sinking Fund. The right hon. Gentleman and others say that this measure is in the nature of a guard to the New Sinking Fund. The right hon. Gentleman, who was not at all favourable to it, now seems to take quite a parental interest in it, or, at all events, the interest of a step-mother. It is by no means certain that the New Sinking Fund is quite as safe as the right hon. Gentleman seems to have been led to think. It is obvious that it is a Fund which will increase and will challenge attention, and it is one upon which the efforts of those who wish to reduce taxation and the expense of our National Debt arrangements are likely to fasten; and therefore it is that I am very jealous indeed of this arrangement, because I cannot help thinking that the fund which bears that name is not likely to be altogether so safe as it might be. As far as I understand—I do not know whether I am right—the present scheme goes beyond the scheme of 1881, introduced by the right hon. Gentleman the Prime Minister. The proposal of the right hon. Gentleman was one which was limited to the creation of Annuities which would suffice to redeem a fixed amount of the Chancery Funds. The amount fixed was £30,000,000, which was to be taken from the funds of the National Debt Commissioners. But this proposal goes beyond that, because it introduces a sort of rolling Annuity, which is to go on increasing every period of five years. It will go on increasing. It is not simply that when a certain sum has been redeemed by the effect of an Annuity lasting for 15 years, a new Annuity of the same amount is to be set on foot to redeem a like amount; but the new Annuity is to be larger than the old Annuity by the amount of the interest on Stock cancelled. Therefore, each Annuity will be larger than its predecessor. It is also obvious that this scheme will make a very serious demand upon the National Debt Commissioners. The right hon. Gentleman says that, at the present time, there is a great amount of Stock in their hands; and not only so, but that, from calculations made, there are likely to be more and more deposits in the hands of the Trustees of Savings Banks, and that there is no fear that we shall not always have a sufficient amount of funds there to be able to carry on this operation. That may be so; but it is a delicate work, when you have to calculate upon the large amounts which are coming in from the depositors in the Savings Banks for 20, or 30, or even a larger number of years. I think we ought carefully to examine how far that statement will hold water; but it is not a matter which we can discuss upon the second reading of this Bill, though it may be at a subsequent stage. Then, the use proposed to be made of the National Debt Commissioners seems to me to require great care. The first idea of a Terminable Annuity is a very simple one; it is to convert a Perpetual Annuity into a Terminable Annuity for a larger amount to last a shorter time, in such a way that, at the end of the period, exactly the amount which has been taken out has been replaced—neither more nor less. That is rather difficult to calculate, and is subject to disturbance of a character which might lead to inconvenient results. I know there is a clause in the Bill dealing with that point. But the whole proceeding is of an artificial character. At first sight, nothing could appear easier than to go into the market and say—"I offer you this Annuity to last for so many years. How much Stock will you give me for it?" Or—"I wish to cancel so much Stock; how much by way of Annuity can you give me for it?" But the fact is, you cannot get these Terminable Annuities taken; therefore, you have to go a roundabout way, and have recourse to the National Debt Commissioners, over whom the Chancellor of the Exchequer exercises almost unbounded power, and tell them they must take your Terminable Annuity in exchange for the Perpetual Annuity, and then you have to make a calculation as to the price at which that transaction can be effected without either cheating the depositor in the Savings Bank or the public. That is a delicate matter, which has rendered necessary the introduction of a clause which arranges the amount of the Annuity from time to time. Then the National Debt Commissioners and the Trustees of Savings Banks have to separate from each other that which is repayment of principle from that which is interest, and then reinvest the principle. But how can they do that, except by buying Stock in the market? At present, all your purchases of Stock are made through the National Debt Commissioners. Why cannot you go yourselves and do it, without the intervention of those Commissioners? Would it not be simpler and better to do so? But that is what the New Sinking Fund did, as it was applied in the direct purchase of any kind of Debt which it might be desirable to buy up—it might be Exchequer Bills, or any other kind of Debt; it was equally for the relief of the public. Then, again, as to this operation of the National Debt Commissioners proceeds, in process of time and in a short time, the price of Consols rises so as to make the investment less profitable. But the National Debt Commissioners, as guardians of the Savings Banks, will be anxious to make the best interest, and will not be very pleased to take Consols at a high price, when they have other means of applying their funds. They may lend to public Bodies, and can make a better interest than Consols give; but that will interfere with your operations, because they turn upon the investment and re-investment of funds by the Commissioners. I have noticed these things not as wishing to express, or expressing, any conclusive opinion against the scheme which we have before us. To a very great extent I agree that the substitution of Terminable Annuities must form a part of any scheme for the redemption of the National Debt; but I doubt very much whether the present scheme is the best, or whether it is not open to the objection of being "too clever by half." It is looking too far ahead to establish this system—though I am not obstinately opposed to it—and the point which weighs with my mind is that I think there is a disposition to press this matter forward at a time when it will not be as fully and carefully considered as it ought to be. I regret that it should be pressed forward in that way, and I think it would be better if the scheme were allowed to stand over for further consideration. It has developed already in the hands of the present Government during the past two years—being considerably in advance of the scheme of 1881, and, perhaps, by 1885, we might find something better still. I think, therefore, it would be a very desirable thing that we should have more time to consider it. I do not deny that there is always an opportunity for Parliament to alter a scheme which it may have hastily adopted, and which does not work well; but any alteration of that kind would, in my opinion, do more harm than to postpone consideration of the question till another Session. Undoubtedly, the scheme is one of the highest importance, and I hope will receive the very full consideration of the House.

Mr. GLADSTONE: Sir, my right hon. Friend opposite (Sir Stafford Northcote) has done me the honour of making me the hero of a large part of his argument, by making references for a purpose which I do not think was politic, and in a manner which I conceive to be wholly inaccurate. My right hon. Friend, however, has not told us what vote he intends to give on the present occasion. Now, interesting as any argument may be which the right hon. Gentleman offers us on a financial question, such as the one under notice, a statement as to the vote he intends to give would have been to me, at least, of still greater interest, and it would have been so on this account—that on a former and a recent day I said, in respect to this Bill, that our belief was that it had the assent of a very large majority of the House in principle. It was on that account that we were going to take the judgment of the House upon it; but I then signified that it was a measure in respect to which it was impossible for us, unless we were substantially correct in the opinion we had formed, to think of forcing it on the acceptance of the House. As many other votes will go with the vote of the right hon. Gentleman, it is to me a matter of great regret, and no small amount of marvelling, that he should have made a lengthened series of remarks on this Bill without conveying that intimation. To those remarks I listened with great anxiety, in order to find out in what way he was going to vote; but the right hon. Gentleman went first one way and then the other, and, between this way and that way, I was never able to arrive at the point either of an affirmative, or of a negative vote. That, to me, is a great defect in a financial speech, for it was desirable that, in matters of this kind and gravity, we should know our own minds. The judgment of the House this evening, however, will, I hope, enable us to form an adequate conclusion as to whether we were correct or not in believing that this Bill expresses the very general sentiment of the House. We must still look to obtaining light upon that conclusion, though the light does not come from the quarter which I hoped would have supplied it to me and to us in considerable abundance. The right hon. Gentleman thinks fit to say that my doctrines and practices with respect to the reduction of the National Debt have been very different at different times; and he quoted my laxness in former days against my strictness at the present day, seeking to use my authority against myself in support of more lax doctrines. If the right hon. Gentleman were correct in his facts, I should still lament that practice. It appears to me that financial purism and financial rigour are not things so common that they can afford to be despised, but that they ought to be held in respect; and I think that those who are most of all bound to hold them in respect are persons who have been responsible for managing the finances of the Kingdom. While independent Members commit a very minor offence even in holding less strict and less prudent opinions on this subject, it is much to be lamented when a Gentleman of great authority and knowledge seeks to lower what I may call the tone of opinion in respect of the cardinal and fundamental principle of good finance—namely, a steady effort for the repayment of Debt. Therefore, even if it were true that I had given countenance on a former or remote occasion to lax views of the obligations of Parliament, it would have been bad policy on the part of the right hon. Gentleman to quote them against me now. He ought rather to have been anxious to draw a veil over such errors and infirmities, or, if he had referred to them at all, he should have welcomed me as a returning prodigal, and said that he was glad to find, at length, that I had arrived at a doctrine of such strictness as was likely to meet the wants of the country. Besides offending against the not unreasonable principles I have laid down, the right hon. Gentleman has entirely misunderstood me. He says that in 1853 I held out to Parliament that they would have an opportunity, in 1860, of repealing the Income Tax by means of the falling in of the Long Annuities. What is the fact?—that, in 1853, the whole question was whether there should be any Income Tax at all. The right hon. Gentleman was not in Parliament at the time, and, therefore, knows nothing, except historically, of the circumstances in which we stood. He has forgotten that, at that time, Mr. Disraeli, the Leader of his Party, proposed a plan for dealing with the Income Tax, which, in the opinion of Mr. Pitt and Sir Robert Peel, and in the opinion of myself, not worthy to be named by the side of either of them, was considered utterly ruinous, and destructive of the Income Tax—namely, the establishment of different rates of duty for the different Schedules. Mr. Disraeli, who was then Chancellor of the Exchequer, had engaged himself to a payment of 7*d.* on Schedule A, and 3*d.* on Schedule D. At the time Mr. Disraeli did that, he commanded, to my great surprise, the acquiescence of the Party called the Conservative Party, and he had, as he very well knew, the assent and approval as well of a very large proportion of the Liberal Party. What I did upon that occasion was to make a desperate effort to save the Income Tax. A proposal of that kind was, in my opinion, ruinous to the Income Tax; and, therefore, in order to save £6,000,000 to the Exchequer, even if I had been actually sacrificing £2,000,000 falling in by Annuities, it would have been worth while sacrificing those £2,000,000. How can the right hon. Gentleman quote me, when I was making this desperate effort in the face of opposition, as having given, in these circumstances, a deliberate opinion that the Annuities might justifiably be sacrificed for the purpose of giving ordinary relief from taxation? I was obliged to do everything in my power, to seek resources in every quarter, for the purpose of inducing Parliament not to sanction the change, but to pass the old Income Tax on its old basis; and, in spite of the leaning of many Liberal Members to what we thought a destructive plan, we did succeed in saving the Income Tax. Yet now the right hon. Gentleman comes forward with his petty criticisms—["Oh, oh!"]—on the methods we adopted. It is petty criticism to say I pointed out, in circumstances like those, the fact that £2,000,000 of Annuities would fall in seven years after, and that Parliament would then have the option, if it thought fit, to fill up part of the deficiency. I never committed myself as to what the right judgment of Parliament would be. Again, the right hon. Gentleman says that, in 1860, I availed myself of the falling in of £2,000,000 of Annuities for the purpose of giving protective duties. I deny that. This is not the first time that question has been debated. The right hon. Gentleman, in one of his Budgets, made that statement before. I confess I thought the right hon. Gentleman would have been satisfied with a former explanation upon it. He made that statement in one of his Budget speeches. I rose, and stated that the statement was totally incorrect; but it was impossible at the moment to go back and show that it was so. On a subsequent occasion, however, I did show that it was incorrect, and the right hon. Gentleman got up, and candidly confessed that he was wrong; and I am a little surprised now at the revival of a statement which he himself abandoned. I showed that, in the mind of a very large portion, what Parliament did, in 1860, was undoubtedly to remit a certain tax; and, after putting on one side the remission of that tax, he imposed a very much larger amount of taxes. That confession was made by the right hon. Gentleman, though he had for the moment been led into making such a statement. I shall now dismiss all those uninteresting references to myself, and come to what is to be said on the question before the House. If I understood aright, the main argument of the right hon. Gentleman adverse to the Bill of my right hon. Friend the Chancellor of the Exchequer was this—that not 1883, but 1885, would be the proper year for considering this matter—that that was the time to consider whether or not Parliament ought to continue to appropriate a large sum for the purpose of the annual payment of the Debt. No doubt, it is a very important question, whether Parliament should regulate these operations for the payment of the Debt from year to year, or whether, by a decision taken one year, it ought to bind future years—perhaps for a long period of time. The right hon. Gentleman now seems to lean to the doctrine that he will not allow us to deal in 1883 with financial matters, which, he says, can stand over to 1885. I am going to quote the right hon. Gentleman against himself, but in a totally different manner from that in which he quoted me. He quoted my supposed present laxity with my former strictness; and I am going to quote his present strictness against his former laxity. If 1883 is an unfit year to dispose of legislation of 1885, with respect to finance, certainly 1875 was a much more unfit year; and yet the right hon. Gentleman, in 1875, bound the Parliament up to 1885 to apply £28,000,000 to the payment and reduction of the National Debt. What does the right hon. Gentleman mean by the argument that we should postpone till 1885 dealing with this matter? What does he mean by saying that, in 1883, we ought not to bind Parliament for two years? He has completely changed his opinion since he proposed his own Sinking Fund. He has tied the hands of Parliament for 10 years, and now he says—"I will not allow you to tie the hands of Parliament for two." [Mr. R. N. Fowler dissented.] The hon. Member for the City of London comes to the rescue, and shakes his head. But the fact remains. In 1875 the right hon. Gentleman spoke of a great windfall in 1885. He said they would have a great temptation in that year, and the wise thing in 1875 was to provide against that temptation. Now, that is all that my right hon. Friend does. He strengthens the safeguards taken in 1875 against the temptation of 1885, and he does that in 1883. At that time I was one who objected to the course taken by the right hon. Gentleman, on the ground that we had three times over attempted to set up a Sinking Fund by positive legislative provisions, and on each of these occasions the provision had failed. I expected that hon. Gentlemen would come forward with plausible arguments to sap and undermine this provision. I own that I did not anticipate that amongst those who seemed inclined to undermine the provision would be the author of the provision himself. We have now said we believe his plan to be ineffectual; but we are here to maintain and fortify his plan. The right hon. Gentleman says his plan—his Sinking Fund—is in danger. We agree in that opinion; and, because it is in danger, we want to introduce into the law additional provisions, which will tend to fortify it. It is rather singular, under these circumstances, to find the right hon. Gentleman denouncing and criticizing our proposal, and apparently disinclined to give his support to those who are carrying out his proposal. There is no doubt the Bill of my right hon. Friend is one not of very proud pretensions. It does not make large appropriations of public money *de novo*, or any appropriation at all for the purpose of effecting a reduction of the National Debt. We are content to appear on this occasion as auxiliaries of the Sinking Fund of the right hon. Gentleman—we are endeavouring to strengthen the defences of that Sinking Fund. As that Sinking Fund stands now, the mere alteration of one word in an Act of Parliament may cut it down to zero. My right hon. Friend proposes to build up and fence round the system of Terminable Annuities, so that it cannot be affected by the alteration of one word in an Act of Parliament. The question is, whether or not the right hon. Gentleman will join in preventing us from endeavouring to supply, perhaps, a sufficient defence for that which is recommended as an excellent provision for securing the reduction of the National Debt. Some time or other, we shall know whether the right hon. Gentleman intends to vote for or against this Bill. I hope, in his reference to mothers and step-mothers, he will recollect that there have been occasions, although they have been rare, in which the mother and the step-mother have changed places. We have heard of mothers feeding on their own children. That was, I believe, in the siege of Jerusalem at the time of Titus. I hope the right hon. Gentleman will not perform a similar operation on the present occasion; when he has no such pressure or palliation to offer in excuse. Whether we are to be regarded as mothers or step-mothers, we are endeavouring, as well as we can, to supply the part of mothers; and, in our endeavours, we think we are entitled to call upon every Member of this House to support us in our poor and feeble efforts. But there is one person in particular whom we are entitled to call upon for support, and that is the right hon. Gentleman opposite. I ask the right hon. Gentleman this—I will not say that the rejection or loss of the Bill means that Parliament does not intend to prosecute, with firm purpose, the reduction of the National Debt. That would be an overstatement to put it so high; but I will say this—and the right hon. Gentleman knows that it is true—that the rejection of this Bill is a step in that direction. I ask him what he thinks will be the effect, suppose this Bill were rejected by a majority of this House? Suppose there was a minority such as to show us that, considering the character and the time of the year, we could not go forward with it, does he believe that those interests in this country which are conversant with transactions in money, and which are set upon the passing of this Bill, not from any Party motive, but because they consider the financial interests of the country bound up with steady efforts to pay the National Debt —does not the right hon. Gentleman know, as well as I know, that they would regard the rejection of this Bill, and the failure of this Bill, as a blow, perhaps not a fatal one, but as a real blow aimed at that system? It is known that what we are asking is to keep in certain operation that machinery by which, heretofore, and by which alone, the reduction of the Debt has been effected; and £140,000,000 or £150,000,000 has been paid off since the Debt reached its maximum about the year 1815. Since the war, during the past 60 or 70 years, £150,000,000 have been swept away, and that was done through the Terminable Annuities. Take away the Terminable Annuities from the history of the last 60 or 70 years, and you will have had no reduction of the National Debt. During that time, it must be borne in mind that £150,000,000 represents the net result, because we have largely added to the Debt, partly through loans for the Crimean and other Wars, which have amounted to about £100,000,000, and our proposal is that, acting upon the lines and opinion of the right hon. Gentleman in 1875, it is better not to wait for the moment of the windfall, but allocate the money beforehand. Our proposal is, that we should keep alive, by reviving the mechanism and organization, that system of Terminable Annuities under which, practically, alone any impression can be made upon the National Debt. We are walking in the train of the right hon. Gentleman. We are not asking for new measures to be taken. We are founding ourselves upon the Act of 1875. The right hon. Gentleman seems to waver in his allegiance to it. I hope we shall succeed in relieving his fainting spirit, and bring him up to the firm determination to uphold this Act. I am reminded that £160,000,000 is the amount paid off by Terminable Annuities. That that system should be trifled with by persons of great authority is perilous to the highest interests of the country. The system embodied in the Bill is amply commended to us by experience, and, speaking generally, it enjoys the confidence of the public. Gentlemen here and there may be disposed to impair and destroy it; but any tampering with the allegiance of Parliament will be sure to produce injurious results. It is a good principle in politics to resist the beginning of evil, and if the principle be good in matters of general politics it is of essential value in finance. It is through financial difficulty and discredit first in small measure and amount, that nations have been led down the path of ruin. They have tampered with the difficulty because it was small, saying—"It will not be understood as a repudiation of the sound principle of the payment of Debt." Let there be no misgiving or belief that we are moving in that direction. Do not let us wait until public evils have grown into vast dimensions. Let us plant our foot, and resist the beginning and approach of anything that would tend to lower the high standard of public credit in England. By maintaining that system we shall follow in the steps of all great and sound financial authorities in the country, especially Sir Robert Peel. There was nothing more than this, except, perhaps, the frankness of his adhesion to Free Trade when he perceived its soundness, that lay so near the root of Sir Robert Peel's high reputation; and I trust that the House will not be induced by any criticisms, however plausible, on details to allow themselves to be drawn off from this great cardinal principle of the Bill, and of public policy. The right hon. Gentleman the Leader of the Opposition said that my right hon. Friend the Chancellor of the Exchequer has gone beyond former proposals, which, in dealing with Terminable Annuities, have, as far as I know, undoubtedly contemplated a certain limit. The Chancellor of the Exchequer has been bolder in this one point—that he has provided for a self-working system to continue in operation until Parliament shall interfere; but he has distinctly conformed to the Act of 1875, which has no limit to its operation; and if objection were taken on this ground only, it ought, probably, to carry along with it the limitation of the Act of 1875. I do not say we shall find it necessary to make that point an article of life or death to this Bill; let that be understood in any further discussion. At this period of the Session, it is material to the comfort of the House collectively, and the welfare of its Members individually, that a great deal of time should not be spent in unnecessary discussion on the measure. The Government wish the Bill to be discussed; but they wish it to be understood, at the same time, that they will not push their views to an extremity if, by abating them somewhat, they can facilitate the passing of a useful measure, and one, at the same time, conformable to their opinions. The Government have promised not to introduce or push legislation which threatens to extend enormously the length of the Session; and I hope it will be thought that, in speaking as I have done, I am acting in a fair and equitable spirit. I trust that the House will show a disposition to meet the Government in the same spirit, by not declining to examine the question before us; but I am satisfied that the more they do so, the more they will find that they will be committing a serious error, and taking the first step in a wrong direction, were they to intercept the effort made by my right hon. Friend to procure the passing of this Bill.

MR. MITCHELL HENRY, in rising to move the following Amendment:—

> "That the National Debt having been reduced during the last three years by £20,500,000, the present generation of British taxpayers, who have contributed to that result, are entitled to some relief from their burdens; considering also the backward state of Ireland, and the miserable condition of a large part of its population, it would be in the highest degree impolitic and unjust to re-create, partly at their cost, terminable annuities calculated only to relieve posterity of taxation in the year 1905,"

said, he had to complain that, although it was exactly four months since the right hon. Gentleman the Chancellor of the Exchequer (Mr. Childers) had introduced his Budget, yet it was not until now, on the 7th of August, when many hon. Members had left town, that the House was called upon to discuss this important question, and to consider the Bill founded upon the recommendations of the Budget. So far, the discussion had merely resolved into a contest between the two Front Benches as to which of them had done most for the taxpayers, or had deviated most from their professions; but, in his opinion, all such discussions were as nothing, and did not affect the interests of the taxpayers in the Bill. His Amendment was framed solely with regard to their interests, for he did not believe, although the Prime Minister had said that they were in favour of it, that they understood the Bill; and he felt convinced that it had been adroitly postponed till the last days of the Session in order to avoid the possibility of a debate or of any real discussion taking place. Personally, he favoured, as much as anyone, the reduction of the Debt which had been put upon us by the folly or the patriotism of our ancestors, as people chose to consider it, provided the country was in a position to bear the extra cost of the reduction; but as the question touched those who had to pay, it was entirely a question of how much and by what means. There was only one mode of paying off debt, and that was by putting our hands in our pockets and producing the cash. To get rid of £3 of annual claim for interest, the taxpayer must put his hand into his pocket and take out £100 and pay it away. What taxpayer, except a rich man, would care to perform such an operation? He denied that the Debt was a mortgage, based, as it was sometimes said, upon the realized property and upon the industrial income of the country; because the man who held Stock could only demand interest; and he protested against the idea that those who opposed rapid and enormous reduction of the Debt were in favour of repudiation, or were unwilling to fulfil their obligations. There was no obligation to redeem the debt, except according to convenience and in consonance with the moral sense of the community; and it was the State itself, and not the creditor, who had anything whatever to say to the question. The peculiar terms in which the fundholder spoke of his investment gave rise to much misapprehension. A Frenchman would logically say that he held £30 a year of *Rente;* but an Englishman says he holds £1,000 in the Funds, whereas he only holds a perpetual annuity of £30, and cannot claim to be paid the principal at any time. What they had to ask, therefore, was this —What, at this moment, was the real pressure of the Debt on the nation, and what efforts had they made to reduce the *corpus* of the Debt? Now, the exact amount of Unproductive Debt on the 31st March last was £723,768,087 4*s.* 6*d.* (Parliamentary Return, 291—1883.) The Productive Debt—such as Local Loans, Suez Canal, and Telegraph Shares, &c.—are not Debt proper, but are, in fact, national investments, and produce profits, not loss, to the nation, and they need not now be considered.

Adopting, therefore, the figures he had quoted as the true amount of Debt, he denied that, as some great financiers said, the people of this country had made no considerable effort to reduce the National Debt, for in the last 20 years they had paid off no less a sum than £100,000,000 of Debt; and the Chancellor of the Exchequer, in his Budget Speech, which was the most controversial he ever heard, contrasting Conservative finance of six years with three years of Liberal finance, showed that the Liberals had paid off nearly double what the Conservatives had paid. During those nine years £39,000,000 was paid off the Debt. Independently of that, the country had been engaged in many wars, such as the Afghan War, the Zulu War, and the Egyptian War; but instead of throwing this burden on posterity as was formerly the case, either in whole or in part, they had called on the taxpayers to pay at once. The taxpayer had thus had to pay £23,000,000 for war in addition to the £39,000,000, making in all £62,000,000 extra taxation in nine years. It was not, however, so much on behalf of English and Scotch taxpayers that he appealed, but rather for the Irish. Out of the £62,000,000 paid off in the last nine years, a ninth part had fallen upon Ireland, so that, during that period, the Government had abstracted from that unfortunate country, which had known nothing but suffering, misery, and famine nearly all that time, about £7,000,000 extra and gratuitous taxation to pay off a Debt borrowed at 3 per cent. The money would have been worth to the Irish people 5, 10, or perhaps 15 per cent, if only devoted, as they would wish it to be devoted, to the development of the internal resources of the country. It would, in fact, have been worth to them as high a percentage as even the Suez Canal Shares were expected to bring in. Again, in estimating the real pressure of the burden of the Debt on the resources of the nation, it should be remembered that we borrowed at 3 per cent, whereas the National Debts of other nations stood at a larger interest. To make a fair comparison we must calculate our Debt on a 5 per cent basis, when it would be found to be a burden of only £425,000,000, or little more than one-third of the annual income of the country. The Bill before the House was really in favour of, and desired by, the great capitalists and bankers, and of all those who desired that the Funds should attain an abnormal value; but it was asked for by no other classes of society. It was in no way in favour of the small investor.

As to the £6,000,000 of Terminable Annuities, about which so much had been said, and which were to fall in in 1885, where did that money come from? It had emanated from the extra taxation of the people, and from nowhere else; while our expenditure on wars, during the past few years, had all been met from the same source. He would further ask—what had the people been promised at the time the present Government came into power? They were promised at the General Election what he now asked for them—a free breakfast table. Where were the professions in favour of the poor and temperate man, and of those who had few luxuries? Where were their hopes of the abolition of the Tea and Coffee Duties? They were all gone—swept away by this scheme for the glory of high finance, and for the increased value of the Funds in favour of the rich investor. Again, he defied anybody who was not an expert to understand all the distinctions between Long Annuities and Short Annuities and Terminable Annuities. The Chancellor of the Exchequer had played with these expressions in a manner which reminded him (Mr. Mitchell Henry) of a juggler in the street who skilfully threw golden balls in the air. The spectator stood gaping at the skill with which the conjuror threw first one and then several more, keeping them all in the air in constant succession, without allowing one to touch the other; but when the spectator got home he found that somebody in the crowd had taken the opportunity to pick his pocket. That was precisely what the Chancellor of the Exchequer was doing. While amusing the country with his financial manipulations, he had so juggled with these Sinking Funds that the people altogether forgot that, at the same time, he was picking their pockets of £6,000,000 a-year. It was not, as many supposed, a sum of £6,000,000 of a windfall which was to be skilfully invested when it fell in in the year 1885; but the taxpayer was to go on producing another £6,000,000 every successive year for 20 years to come, and all that time he was not even to be allowed the benefit of the interest of the cancelled Stocks. Now, what was the real object sought to be attained? Nothing more nor less than to hoodwink the people into providing money for purposes unintelligible to them. If the £28,000,000 for interest and redemption secured by the Act of 1875 was allowed to go on it would eventually produce exactly the same effects as the Chancellor of the Exchequer proposed to produce by his very remarkable financing; but that scheme had the disadvantage of being plain and intelligible to the people, who were reminded every year of the extra taxation they were paying for the purpose of reducing Debt. The less hocus-pocus there was in matters of finance the better it would be. In his opinion it was a grossly immoral practice for the Government to wrap up their financial proposals and formulate them in an Act of Parliament in such a way that they could not be understood by the people. In his view that was the surest way to breed financial deceit in other matters, and a sure way besides to make the poor man, when he found how he was done, to rise up against the rich man. The people were entitled to know what taxation they were submitting to, and they had a right to know what was done with the taxation; and, moreover, to demand that any surplus should be applied in the most judicious and paying way.

The Chancellor of the Exchequer, however, in Office and out of Office were two different persons, as plainly appeared from his speech in opposition to the Budget of 1875, of which he would venture to quote two extracts. In criticizing the proposals of the right hon. Baronet the Member for North Devon, in 1875, the present Chancellor of the Exchequer said this—

> "The plan required that in 1885 and 1886, when the Terminable Annuities fell in, the Chancellor of the Exchequer should not apply any part of it to the relief of taxation under this permanent Act. He must apply the whole to the reduction of Debt, and would be debarred from doing what Mr. Gladstone did in 1860, use the £2,000,000 of Terminable Annuities to effect great financial reforms. Surely it was better to deal with their surplus from year to year as it arose, and to leave the year 1885 to be dealt with as 1860 and 1861 had been dealt with by the right hon. Member for Greenwich."—(3 *Hansard*, [224] 1538.)

Again—

> "An argument which had great weight with Members of the House was that the proposed Terminable Annuities would, by a sort of hocus-pocus, delude the public, and that the best way would be to apply any money which might come in directly to the reduction of the Debt by the purchase of Stock."

So much for consistent finance; and now about the relief of taxation. Tea, almost the one luxury which modern civilization had brought to the doors of the poor, was raised in value to nearly double, or at least to 75 per cent over its proper price, in consequence of the duty it had to pay. Did they suppose that the poor, who bought their tea in pennyworths and two pennyworths, would not feel aggrieved when they came to understand that the price was so increased, and that they were to continue to bear this heavy weight, in spite of all the professions of a free breakfast table, simply in order that the price of Consols might be raised, and great financiers have desirable investments for their funds? Instead of devoting this £6,000,000 to paying off some of the National Debt, he would advise the Government to devote it to the purpose of sweeping away a class of duties, which were nothing more or less than a disgrace to the country, and necessitated the keeping up of an army of Custom House officers. We collected something less than £4,000 a-year upon plums, and £4,700 a-year upon prunes. Figs were taxed to the amount of £34,000; and the other day the Custom House officials confiscated some small boxes of bon-bons containing chocolate, which some lady friends of his were bringing over with them from Paris. He would suggest the sweeping away of the duty on tea, which amounted to nearly £4,000,000 a-year; and, in doing so, would pause to ask where was the honesty of preaching the doctrine of temperance, and, at the same time, retaining a high duty upon the only temperance beverage which the majority of the people drank, and which, in the greater part of Ireland, was the one luxury the poor had learned to use of late years? He would advise, also, the repeal of the duty upon coffee, cocoa, currants, raisins, and upon carriages, which would be as great a boon to persons of small income in this country as it was in Ireland. If these duties were remitted, the Chancellor of the Exchequer would have disposed of £5,299,000 of his surplus, and would still have £700,000 which he might convert into Annuities for 20 years. If, however, the right hon. Gentleman should happen to think that that was not a sufficient sum for conversion into Annuities, he had only to alter his Spirit Duty and tax alcohol at the rate of ½*d.* per alcoholic degree, and he would find he would get all the revenue he wanted, without imposing an unequal burden on the beverages of the poor.

He would now turn to the latter part of his Amendment, and lay before the House the case of Ireland, with which it dealt. The National Debt, then, had been reduced, during the past 20 years, by a sum of £100,000,000. Now, it was a vital question to ask, where did the money come from which enabled successive Chancellors of the Exchequer so largely to reduce the National Debt? His answer would, probably, startle the House. It came out of the extra taxation placed upon the Irish people of late years, and from no other source. That was a bold and broad assertion; but he would proceed to prove it, and would entreat the House to listen to the story. In 1847 they had the Irish Famine, which swept away 1,500,000 of the Irish people. That Famine was partially relieved by contributions from all the civilized countries of the world, and England, in its private and individual capacity, contributed very largely to the relief. The Government of England, moreover, lent the Irish people, for the purpose of dealing with the prevailing distress and keeping the population alive, £4,500,000 sterling; that £4,500,000 sterling being secured upon local Irish taxes. In the year 1851, Ireland was still, of course, in a critical condition, and a Committee of the House of Lords, after inquiring into the state of the country, recommended that the Debt of £4,500,000, which had been commuted for an Annuity of £260,000, should be remitted, on the ground that the calamity of the Famine was national in its character. In 1853 the present Prime Minister (Mr. Gladstone) was Chancellor of the Exchequer, and, having a surplus, he proposed to take off a number of taxes from the English people, and to effect some of those financial reforms which had done so much good to this country. With regard to Ireland, the right hon. Gentleman said that he had considered the Report of the Lords' Committee, and he agreed with the recommendation that they should make a clean sweep of the Debt incurred for the Famine, which, at that date, had been reduced to about £4,000,000, involving an annual payment by Ireland of £245,000 a-year; but he added that he thought the time had come when the Income Tax should be imposed on Ireland. Sir Robert Peel had always refused to do this, because, he said, money was drained rapidly enough from Ireland as it was, and there was left only a small amount of property among the people. But the right hon. Gentleman (Mr. Gladstone) thought differently. He said that he would not only impose the Income Tax on the Irish people, but he would increase the Spirit Duties by 8*d.* a-gallon, calculating that the Income Tax would produce £460,000 a-year, and the increase of the Spirit Duties £198,000, making a total of £658,000 a-year of new Irish taxation. He said he would set against that the £250,000 a-year which the Irish people had to pay for the Famine Debt, and in that way he would gain a sum of £413,000 a-year. The Irish Members, of course, objected, and then the right hon. Gentleman said—

> "I admit the taxation that we propose will be higher; but let hon. Gentlemen bear in mind that the Income Tax is only temporary; and, if we look at the time the tax will extend, Ireland will receive in the long run a larger remission than if the Annuity were continued."

The Irish Members protested against that argument, and were joined by one English Member, a great financial authority, and himself previously in Office as Chancellor of the Exchequer. Sir Francis Baring, father of the present Lord Northbrook, had honesty and independence enough to stand up and earnestly protest against the relief from taxation which England was about to receive at the expense of the poverty-stricken people of Ireland. Sir Francis Baring's words ought to be quoted and remembered. He said—

> "The relief given to Great Britain by the immediate operation of the Budget of that year would be £1,443,000, and the taxes imposed new and peculiar to Great Britain £403,000, making the amount less to be paid by England £1,040,000. He submitted, for the fair consideration of his fellow-countrymen, whether it was quite fair, when they would be immediately receiving a relief of £1,040,000, to place a new Income Tax on Ireland and a whole amount of additional taxation of £413,000?"—(3 *Hansard*, [126] 732.)

Well, that was not the only way that England found herself able, at the expense of Ireland, to reduce her National Debt. When the Chancellor of the Exchequer discovered that he got money by this process, he was not slow to do it again, and in the very next year (1854) the Spirit Duty on Irish whisky was again raised by the right hon. Gentleman by 8*d.*, making the duty 4*s.* a-gallon; in 1855 it was raised by 2*s.* 2*d.* a-gallon, making it 6*s.* 2*d.* per gallon; in 1858 it was raised to 8*s.*, this time by Mr. Disraeli, for where money was to be squeezed out of the Irish orange Whig and Tory were convertible terms; and the very next year the Spirit Duties of England, Ireland, and Scotland were equalized by Mr. Gladstone, who was again in Office, and made 10*s.* per gallon. He believed that so rapid an advance of taxation was unparalleled. Hon. Members might say that additional duty was put on Irish spirits in order to discourage intemperance in Ireland; but that was all stuff and rubbish. Additional duty was put on whisky because the Government wanted to get more money out of it. The general result of the operations that were carried on with regard to Irish financial matters was that, while in 1851 Ireland paid only £4,000,000 in taxes, it now had to bear a taxation of between £7,000,000 and £8,000,000 sterling annually. He (Mr. Mitchell Henry) had written several letters on this subject, and his statement regarding the £8,000,000 was questioned by his hon. Friend the late Member for Edinburgh (Mr. M'Laren), who pointed out that he (Mr. Mitchell Henry) was in error in stating that sum, inasmuch as £1,000,000 of it was borne by Scotch distillers. Up to that time, he (Mr. Mitchell Henry) was too innocent of the ways of Scotch distillers to be aware of the fact; but he believed their practice was to buy Irish whisky, place it in bond in Dublin for a time, and then take it over to Scotland, smoke it, and sell it as Scotch whisky; and in that way they bore a part of the taxation of Ireland. Taking it, then, at £7,000,000 only, they would find that if they multiplied the £3,000,000 a-year—extra taxation—which they had placed on Ireland since 1853, by the 30 years which had since elapsed, it would come to £90,000,000, or within £10,000,000 of the £100,000,000, by which the National Debt had been reduced. Let it be borne in mind also that the extra taxation was levied on a smaller number of people now than ever inhabited Ireland during the whole of the present century. The English Government had actually raised the taxation of the Irish people from 9*s*. 6*d*. per head in 1853 to £1 6*s*. 2*d*. per head at the present moment. The taxation of the English people had been reduced, and that of the Irish people increased, and what did the Chancellor of the Exchequer now propose? He proposed to continue that abominable injustice, of which no explanation had ever been given. Were the Irish people better able to pay £7,000,000 a-year in Imperial taxes now than they were to pay £4,000,000 in 1851? Well, if it was proposed that the Irish people should continue to pay these taxes, the least they might have was a voice in the disposition of the money. If they were to continue to pay their share of the £6,000,000 a-year of extra taxation, which they would have to do under this system of Terminable Annuities, and as they would have to under the Act of 1875, surely they ought to have a right to say what they thought should be done with their share of the surplus of £6,000,000 that would accrue in 1885, and which was, according to the proportion of their taxation, £750,000 a-year. They had petitioned the House, and they claimed that the money should be capitalized, and be devoted to the development of the resources of the country—to drainage, to making railways and harbours, and to the reclamation of land, which would enable them to cherish some hope of alleviating the great strain of unjust and excessive taxation which was now imposed upon them. In India railways were being made to avert famine, and increase prosperity. Why could not the same be done for Ireland? A more just claim than he had just put forward had never been presented to the House of Commons; and, in so presenting it, he would ask such hon. Members as were present to consider why it was that the policy of successive Governments in Ireland had failed, why it was that, at the present moment, there was in the breasts of the Irish people deeper feelings of hatred against the English than ever existed since the days of Cromwell. Could they wonder that there should be such hatred of England, when there was so much cause for it? They persisted in linking the fortunes of the Irish people financially with their own, caring nothing for their poverty. They took the results of the hard work of the Irish people to pay off immense sums of National Debt, and persistently and obstinately refused to develop the resources of the country, so that they could the more easily bear their burdens. The whole financial arrangements of this country as regarded Ireland was wrong, iniquitous, and unsuccessful. He believed that the poverty of the Irish people was principally due to the burdens laid upon them by an excessive financial drain, and this was the principal source of the hatred and disaffection that prevailed. What Chancellor of the Exchequer, no matter to what Party he might belong, when he made out his annual Budget, ever condescended to cast his eye across the Channel and consider the effect it would have in Ireland? None; he only thought of what English financiers desired, and of the views of great capitalists. Never a thought was cast on the miseries that so-called brilliant proposals would inflict upon Ireland; but he (Mr. Mitchell Henry) would warn them that, until they endeavoured to separate the financial interests of Ireland from the financial interests of England, they would never have a tranquil Ireland, and never a United Kingdom. The hon. Gentleman concluded by moving the Amendment of which he had given Notice.

Mr. MARUM seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the National Debt having been reduced during the last three years by £20,500,000, the present generation of British taxpayers, who have contributed to that result, are entitled to some relief from their burdens; considering also the backward state of Ireland, and the miserable condition of a large part of its population, it would be in the highest degree impolitic and unjust to re-create, partly at their cost, terminable annuities calculated only to relieve posterity of taxation in the year 1905,"—(*Mr. Mitchell Henry,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. ANDERSON, who had the following Amendment on the Paper:—

"That, in the opinion of this House, as the present taxpayers have been so patiently bearing an excessive burden of taxation, looking forward to relief through the expiry of the terminable annuities in 1885, it is inexpedient to deprive them of that well-earned relief by continuing the taxation beyond the term of its natural cessation, instead of using it for reducing the Duties on tea, coffee, and fruit, or in some other way for the immediate benefit of the taxpayer,"

said, that, after the extremely able speech to which they had listened from the hon. Member for Galway (Mr. Mitchell Henry), there was not a great deal for him to say. The hon. Member had taken part of his (Mr. Anderson's) Amendment as well as his own; and he had defended that part of it with very great ability, as well as the portion relating to Ireland. The right hon. Gentleman the Chancellor of the Exchequer had made two statements in the course of his speech that he would take exception to. The right hon. Gentleman said that, if the House refused to sanction the Bill, it would be a proof that England, or the Parliament of England, was indifferent to the principle of paying off our Debt. Well, he (Mr. Anderson) denied that entirely. It would prove nothing of the kind.

The CHANCELLOR of the EXCHEQUER (Mr. Childers): I did not say it would be a proof. I said it would be said so.

Mr. ANDERSON said, that, if it were so said, it would be said most untruly, and there could be no ground for such an assertion. It would not mean that Parliament would be indifferent now to pay off the Debt, any more than it had been during the last 30 or 40 years; but that they considered that they could turn their money to better account in some other way. That was the policy they had been pursuing for many years past. They had been paying their Debt very fairly; but they had not been paying it when they had an opportunity of putting the money to better account by relieving the taxation. The other statement to which he took exception was the right hon. Gentleman the Chancellor of the Exchequer's reference to America, as if the action of that country in this respect was something which they ought to copy. A great deal of nonsense had been talked about America on this point. The Americans paid their Debt simply because they were driven to it, because of the exertions of the Protectionist Party there, and because of the existence of hostile tariffs from which they derived large sums of money. They taxed all imports to such an extent that they did not know what to do with the money that they got, and so they paid their Debt with it; and, at the present time, there was much dread among the Protectionists as to what was to follow when the Debt was paid. The Protectionist Party would have no excuse to raise a Protective Tariff any longer, and they would have to go in for Free Trade, of which they had a very great dread. Then the United States had no great Army or Navy to spend large sums upon, and that also made a great difference. In this country, on the other hand, we had a large Army and Navy; and if we spent our money upon them, we could not so easily spend it in reducing the Debt. The Americans, in fact, were doing no more than we were doing. Parliament now was only acting on the same lines and the same policy as they had acted on for many years past, and that was that they paid their Debt as they went along. They were not adding to their Debt. Moreover, in 20 years they had reduced it by £100,000,000, which was a very fair amount of reduction. If their forefathers had acted on the same principle, they would not have had that enormous Debt to pay; but they went in for a high foreign policy, which cost a great deal of money, and they left us to pay the bill. The policy now was, however, that the generation that spent the money ought to make a point of paying it. The right hon. Gentleman said he did not know what a generation was. A generation was generally held to be

30 years, and the Americans expected to be able to pay all their Debt off in 30 years. Our forefathers did not do that; but left a Debt which we had been paying off at a rate greater than he saw any particular occasion for. We had been paying £3,000,000 a-year since 1873 more than we had been paying previously. Why did we do that? In view of the relief that was to come to us in 1885. But of that relief the Chancellor of the Exchequer now proposed to rob us. Why, he asked, should the people, who had been paying extra taxation so long, in order to get relief in 1885, forego it entirely for the benefit of a further away generation? Why should we go on paying £6,000,000 a-year after 1885, which we did not need to pay at all? The hon. Member for Galway had pointed out the exact duties of which he (Mr. Anderson) would like to be relieved. He saw no good reason for the proposal of the Government, if they could turn their money to better account, as he submitted they could, in another way, by relieving the people of £4,000,000 a-year duty on tea, £700,000 on dried fruit, and £250,000 on coffee. A large amount of relief could be secured on these three items; while there were smaller matters, such as the duty on silver plate, the duty on marine insurances, and a great many other things, which were improperly levied and ought to be swept away or reduced, and which the opportunity of 1885 ought to be taken to reduce. The Chancellor of the Exchequer told them that the Excise Duties were rising again. In his Budget Speech, he told them that the increased sobriety of the people was having a very sensible effect upon the Excise Duties; and if the sobriety increased, no doubt the effect would be still greater in future years. In that respect, the country was in a sort of transition state. They had also been, and were spending a great deal of money on education. That was gradually making the people more sober; and it was having an immediate effect upon the Revenue. It told upon the Revenue adversely first; but, in future years, it would tell in another way—upon the pauperism and crime of the country—and future generations would get back in reduced cost of these what the present generation had spent upon education. But, meantime, when 1885 came, the Chancellor of the Exchequer might find his Excise Duties not yield so much as he expected; and then he would, no doubt, be glad to have had some of these dropped Terminable Annuities to help him with his Budget. This country had been paying its Debt fast enough of late years, and he did not wish to give up paying it off to a reasonable extent. But, when they derived these great sums from the necessities of the people, there ought to be some modification of taxation, if not abolition of the taxation, before they began to be so very anxious about paying the Debt. The fact was that they were enriching the rich and doing nothing for the poor. The main object of this scheme was to tie up the industry of this country more completely to the payment of the National Debt; whereas, in his opinion, the Debt should be paid by the property of the country. The Debt finance ought to be something entirely apart from the general finance; and there ought, he contended, to be special property taxes alone devoted to the payment of the interest and the reduction of the National Debt. He objected to the scheme as one which nobody who did not go into it closely could understand. The industrial population could not possibly understand it in the least; and they would feel, when they found out that these £6,000,000 a-year of Terminable Annuities were to be thrown upon their shoulders again for an indefinite period, without any hope of any relief—they would feel that they had been deceived in the matter by a policy of finance which they did not, and could not, possibly understand. He should heartily support his hon. Friend's Amendment, which almost made his own unnecessary.

Mr. J. G. HUBBARD said, he hoped it would not be thought that in placing on the Paper the Notice of Motion which stood in his name, and in asking the House to express its opinion upon it, he had been prompted by any feeling of hostility to Her Majesty's Government, or to the Finance Minister; but, after careful consideration, he had come to the conclusion that, considering the magnitude and perplexity of this subject, it would be impossible adequately to discuss it at present, and that, therefore, the Government would do well to postpone the consideration of the Bill until next Session. He maintained that there was not a single point that could be obtained by passing the Bill now that would not be equally attained by passing the measure at the beginning of next Session. In regard to the main proposition, no one could be more thoroughly convinced than he was, that it was the duty of the country to make a determined effort to reduce its Debt; but, before we determined to fix and perpetuate a particular scheme for accomplishing that purpose, we ought to be sure that that scheme would be the best and the most practicable which could be devised. In these respects, he ventured to impugn the scheme now presented to the House. To his mind, it was by no means the best that could be devised; and he held, besides, that it was impracticable. The question was, what was the sum which this country ought to devote annually to the reduction of the Debt? Having determined that, we ought next to settle whether it should be an increasing, a permanent, or a decreasing sum. Then we ought to consider how perpetuity could be given to the scheme. On a retrospect of the last seven years he found that the average net reduction of the Debt was £4,700,000, and that the highest amount of reduction in any one year was £6,900,000. The conclusion he had arrived at, from calculations he had made upon the subject, was that £7,000,000, being 1 per cent on the present entire amount of the National Debt, was an adequate and a sufficient amount to appropriate annually for the reduction of the Debt. That amount ought, in his judgment, to be permanent —that was to say, a system should be devised which would make the application of £7,000,000 yearly a certainty in our financial arrangements, and neither to be diminished nor increased. This was, in a few words, the view he took of the duty of this country with regard to the National Debt. The Chancellor of the Exchequer started from the same platform as he did, inasmuch as the right hon. Gentleman proposed to appropriate about £7,000,000 by investing in the form of Permanent Annuities such an amount of Stock for the first year or two as would eventuate in the production of that sum annually to be applied to the reduction of Debt. But, not satisfied with doing that, the right hon. Gentleman wanted to supplement the amount by further reductions of Stock into Terminable Annuities. Thus the sum would be brought up in 20 years to £14,000,000, and in 30 years to £17,000,000, and so on, to be taken from the taxpayers of this country. This process would go on at an accelerated pace until the patience of the taxpayers was exhausted and the scheme came to a violent collapse. He held that that scheme was impracticable, unworkable, and essentially wrong in principle, and that it would bear most harshly and unjustly on the taxpayer. Let it be remembered that the Debt could only be reduced by taxation. £7,000,000 sterling per annum meant an Income Tax of 3½*d.*, and if the Chancellor of the Exchequer's scheme of expansion were carried out, in 30 years they would be making a reduction equivalent to more than the whole of the present Income Tax. No system could ever work safely and successfully which was not homogeneous. Now, the scheme of the Chancellor of the Exchequer was complex. It was made up of two principles absolutely distinct and diverse—the system of Terminable Annuities on the one side, and of fixed Debt on the other. One or other of these systems was superfluous. In his (Mr. Hubbard's) opinion, Terminable Annuities were the preferable course, as being by far the most clear and effective scheme. He sincerely protested against the modern system of unhealthy sensational schemes of finance, which had been introduced, no doubt, by the eloquence of the Prime Minister; and every Financial Minister who followed him seemed to think it was necessary to have a picturesque and sensational Budget. But Downing Street was not Drury Lane. Downing Street had nothing to do with eloquence and picturesqueness, and what they wanted in finance was quietness and caution. It was all nonsense to talk of redeeming the Debt by a Sinking Fund. Nothing would redeem the Debt but taxation. The Chancellor of the Exchequer said he did not want this generation to pay more than the last. The figures were correct; but what did they mean? The right hon. Gentleman asked them to pay the same amount, although in the interval £100,000,000 of Stock had been cancelled. Was no allowance to be made for this? The right hon. Gentleman was like the Russian General who continued to draw rations for the dead men. He brought up phantoms of creditors, and made the country believe that it was as deeply indebted as it was 20 years ago. That was really tasking their credulity too much. It was, in fact, an attempt to deceive the nation. It was a mistake to connect the redemption of Debt with the reduction of the charge for it. If they forced up the price of the Funds they would make re-purchases less desirable. No good could result from raising the price unless a fresh loan were in view. If we were not going to borrow, then it was evident that the high price of the Funds while the reduction of the National Debt was in progress, so far from being an advantage to the country or the Exchequer, would be exactly the reverse. There was, moreover, no advantage in resorting unnecessarily to the Chancery Funds. They would be necessary to the scheme for the reduction of Debt; and the conversion of Perpetual into Terminable Annuities would complicate and confuse the Chancery Accounts. The Resolution of which the hon. Member for Burnley (Mr. Rylands) had given Notice was so much to his mind that he had determined to support it; but, as the hon. Member had retired from the front of the battle, he (Mr. Hubbard) had put on the Paper an Amendment to the effect that the Bill was not entitled to the acceptance of the House, and that at this time of the Session it could not be adequately discussed. Postponement was the more desirable, seeing that the withdrawal of the Bill for one year could not in any way embarrass the Government or disturb the finances of the country. He ventured to ask the House to give a distinct declaration in favour of one or other of the two schemes—whether they would pay off £7,000,000 a-year, or adopt a scheme by which they would increase that sum up to £17,000,000 within 30 years. The latter was really the proposition of the Chancellor of the Exchequer; and he ventured to think such an important question ought not to be hastily affirmed on the 7th of August, when there were many previous occasions on which the subject could have been discussed had the Government been inclined.

Mr. ILLINGWORTH said, the question was one of great importance, and the right hon. Gentleman the Chancellor of the Exchequer must feel that the manner in which the present Bill was brought forward was attended with some inconvenience, and that some consideration was required for such a proposal as the present, especially when the real question at issue was, whether they should keep up taxation at £6,000,000 a-year beyond the requirements of the country. The discussion, so far, only showed that there was no infallibility or constancy on either Front Bench. He, however, did not complain of right hon. Gentlemen changing their minds; but he thought it afforded some justification to independent Members like himself exercising their own judgment on such a scheme as the one now proposed. He thought they ought to hold before the people this fact—that, in reality, it was an extraction from the pockets of the taxpayers in exact proportion to the amount that it was proposed to reduce the National Debt. He did not look upon it as a matter of high moral consideration; we discharged every moral duty if we provided the necessary 3 per cent for the payment of the interest upon it, and its reduction was a question of prudence and expediency, and governed by the question how far the taxpayer was able to bear the additional taxation. Although the scheme might be very ingenious and possibly the best, the proposed reduction meant the extraction of a sum from the pockets of the people in exact proportion to the amount of reduction. The case of America had been made much of; and, though the Chancellor of the Exchequer did not know what a generation was, it was the present generation of Americans who were responsible for the great war, and they had rightly taken upon themselves the obligation of paying their Debt. But we were not responsible for the creation of our own Debt, for it was incurred more than 70 years ago; and he did not reproach any Government for not reducing it more quickly, while he affirmed that the Prime Minister had made good use of his great opportunities. If it could be proved to the great majority of the taxpayers that it was better worth their while to pay 3 per cent on the amount of the Debt, and make from 5 to 7½ per cent with the money in their business, than it was to pay off the capital of the Debt, it was desirable that they should be allowed to do so. Although he did not agree that Ireland was unequally taxed, he could not help feeling that there was much force in the observations of the hon. Member for Galway (Mr. Mitchell Henry); and he thought the present impoverished condition of the people of that country furnished a strong argument in favour of relieving them from unnecessary taxation. The people of this country had some faith in the free breakfast table; but he observed, with regret, that the hon. Member for Burnley (Mr. Rylands) had not only removed his Notice on that subject from the Paper, but had removed himself from the House. Had he not taken that course, he (Mr. Illingworth) would have supported him. The present Prime Minister had made his great reputation by relieving industry and commerce from the burdensome taxation which hampered them; and he believed that the right hon. Gentleman the Chancellor of the Exchequer also would create for himself a lasting renown if he would devote himself to assailing our system of Customs and Excise instead of spending his energies in endeavouring to reduce hastily the National Debt. What he (Mr. Illingworth) desired to see was this country made the free port of the world; but when that happened, if it ever did, the Chancellor of the Exchequer would have to fall back on a more scientific method of taxation than that which now prevailed. He was an advocate of direct taxation, and his right hon. Friend the Chancellor of the Exchequer would, no doubt, say that if they accepted the Amendment, they would confine indirect taxes to alcoholic drinks and tobacco, and the total abstainers would escape; but, so far from regarding that as an objection, he would go further, and save the cost of collecting the Customs and Excise, which was about £3,000,000 a-year. That was a most extravagant cost, compared with the cost of collecting the same amount of local rates and direct taxes. It was sometimes urged that the taxation of spirits and tobacco was exacted on moral grounds. He doubted that statement; but, if it were so, it must be highly impolitic to tax ordinary tea 75 per cent on its value, when it was well known that it was one of the most successful competitors of alcoholic drinks. Such a tax was manifestly indefensible. For his part, he would have been glad if the opposition to the Bill could have been manifested sooner, so that the right hon. Gentleman could have deferred the consideration of the Bill for another year, so as to give the Chancellor of the Exchequer an opportunity of devising some more scientific plan; and his only fear was that, by pressing this matter forward instead of promoting the reduction of burdensome taxation, he was tying his hands behind his back, and postponing the abolition of Customs and Excise to a very remote period indeed.

MR. ECROYD said, he supposed they were all agreed that it was a national duty, in times of peace and prosperity, to reduce the Debt; but the question before the House seemed to him to be not so much the reduction of the National Debt, as the rapidity of the process, the particular sacrifices to be made, and the manner in which the reduction was to be effected. Those, however, were grave questions; and to his mind the House of Commons, on the 7th of August, was not in a position to undertake the solution of them. If his right hon. Friend the Member for the City (Mr. Hubbard) had had an opportunity of submitting his Amendment to the House, he (Mr. Ecroyd) should certainly have felt it his duty to support him; but as his right hon. Friend could not now move it he should support the Amendment of the hon. Member opposite (Mr. Mitchell Henry). At the same time, he yielded to no man in his desire to see a steady, determined effort made to reduce the National Debt. Any special step, however, might be extremely wise at one moment, and extremely unwise at another. When the country formed the definite resolve to burden itself with the system of Terminable Annuities, our industries were expanding, and showing an amount of vitality and energy which had never been surpassed; but, at the present moment, all our great industries, whether agriculture or manufactures, were in an extremely despondent and stagnant condition; and the people were not in a position to bear any avoidable strain and burden. As matters stood, it was perfectly possible that, if this subject could be fully debated, it might appear unwarrantable, at the present moment, to impose a heavier burden than necessary upon the industries of the country; but, on the contrary, it might be better to relieve those industries than to make an investment which would return interest only at the rate of 3 per cent. Those industries were the great sources of the national wealth, and they ought to be fostered as much as possible. No benefit derived from the reduction of the Debt could be comparable to that which would be derived from the restoration of industrial prosperity. The right hon. Gentleman the Chancellor of the Exchequer had put before them the example of the United States with regard to the reduction of Debt; but the right hon. Gentleman entirely forgot to tell them that the United States accomplished that by placing enormous protective duties on imports, whilst this country had adopted a very different policy. He (Mr. Ecroyd) would like to know whether the right hon. Gentleman intended to imply that the United States had taken the wiser course? He thought, on the contrary, that we had, upon the whole, taken the wiser step, though he had no doubt this country would benefit very greatly by imposing a moderate amount of taxation upon certain imported luxuries and manufactures, and upon some other articles. He did not, however, advise a senseless system of enormous protective duties upon almost all commodities, such as the United States practised. In conclusion, he desired to guard himself from giving the least support to any Amendment which should have for its purpose the denial of the pressing duty of reducing the National Debt in prosperous times. He was one who would support to the utmost what he believed to be a safe and fair course to endeavour to reduce the National Debt; but he thought that the question as to whether it ought to be done by the precise methods, and to the full extent proposed in the Bill, was a very important one, and demanded such a complete, deliberate, and full discussion as could not be entered upon at that late period of the Session.

Mr. W. FOWLER said, he most cordially supported the proposals of the right hon. Gentleman the Chancellor of the Exchequer as embodied in the Bill. The enormous increase in the wealth of this country during the last 20 and 30 years made it incumbent upon us to diminish the amount of our National Debt. It was sometimes said that the taxation of the country was still so very heavy upon the labouring classes that we could not afford to pay off Debt as we had been doing. If the matter were carefully examined, however, it would be found that the proportion of taxation was nothing like so great on us as it was on our forefathers. The taxation of the necessaries of life was made another ground of opposition to the Bill. With regard to tea and coffee, he would admit that they were necessaries, and he should like to see the duties on them lowered as soon as his right hon. Friend the Chancellor of the Exchequer found himself in a position to lower them. But the case was different with regard to beer, spirits, and tobacco, which he must decline to consider as necessaries of life, though by the consumption of the latter article by some hon. Members he was half inclined to think he was mistaken. It might also be necessary to those who had but few of the luxuries of life, and for that reason he would vote for the reduction of the duty in times of prosperity; while, with regard to tea and coffee, he thought the duty should be reduced whenever it was possible. He would not deny tobacco to persons of any class of the community; but beer and spirits he regarded as superfluities, which he did not regret to see taxed, and as being, in fact, the greatest curse of the country. It was said that we had nothing to do with the exertions made by our forefathers in bearing taxation; but, at all events, we had to meet the interest on our Debt, and the simple question was, whether we ought not to take every opportunity of reducing the capital on which we paid interest? He looked forward to the time when our Debt would only bear 2½ per cent interest; indeed, he believed we were within a measurable distance of borrowing at 2½ per cent, if a great scheme such as this were carried out; but he thought it would be better to confine it to a 20 years' operation, instead of letting these Annuities go on for ever, or until stopped by Parliament, and he would commend that idea to the consideration of the right hon. Gentleman. He would admit that great difficulty surrounded Terminable Annuities; indeed, he regarded the whole system as a kind of Parliamentary *hocus pocus*. Here was a certain sum of money which they had to pay, and they were afraid to trust themselves. The right hon. Gentleman said—"If we get this Bill passed, you cannot alter it; whereas, if we leave the matter to the chance vote of the House of Commons, we cannot trust the House. We shall have the hon. Member for Galway and other hon. Members trying to get taxation taken off." It seemed to him rather strange that Parliament was so much afraid of itself that it could not trust itself to do this thing. If the Chancellor of the Exchequer said he had no confidence in Members of the House, he was ready to take the right hon. Gentleman at his word and vote for the Bill. But he thought that if the Chancellor of the Exchequer bought the Stock every year instead of getting the National Debt Commissioners to buy it, the result would be exactly the same. Whoever bought the Stock it mattered not. If they bought Stock they reduced the Debt. If they did not buy Stock they did not reduce the Debt. But as this was a question of machinery and detail, he would vote for the Bill. While he regretted the continuance of some of the taxes, he thought, on the whole, it was highly expedient, for the credit of the nation, that we should go on paying off the Debt; and, although there were a number of taxes which required reforming, yet it would be a very retrograde step to relax our efforts, and pay off less of the National Debt than we had been in the habit of doing.

SIR JOSEPH M'KENNA said, the right hon. Gentleman the Chancellor of the Exchequer issued, on the 21st of last month, a Memorandum or Minute, which he intended as an argument in favour of passing this Bill. He (Sir Joseph M'Kenna) had carefully examined the document, and could not accept its conclusion—that they ought to pass the Bill. He took no exception to the mere statements in the Memorandum; but, if he accepted every one of them without reserve, it did not follow that the Bill was a good Bill; or, even if it were a good Bill, that that was the proper time, on the 7th of August, 1883, to ask Parliament to adopt it. The Bill intended to deal with a fund which would commence to accrue two years hence, of the capital value of £150,000,000 or £160,000,000 sterling—accruing thenceforth at the rate of upwards of £5,000,000 sterling a-year; and he should say, if there were no other objection in his power to urge, save the lateness of the period of the Session they had arrived at, before any discussion of the subject in either House of Parliament, it appeared to him (Sir Joseph M'Kenna) to be an objection strong enough in its nature to induce the Government to withdraw the Bill. The right hon. Gentleman the Prime Minister had stated, a few nights since, that, if he had found there were many objections in various quarters of the House, he would withdraw the Bill; but he now made light of the objections, or the number of the objections then on the Paper, and pressed on the Bill. There was no possible urgency in the matter. The right hon. Gentleman the Chancellor of the Exchequer prepared his recommendatory Memorandum at his leasure, and deliberately—it, therefore, required deliberate reply. The object of the document—indeed, its only object—was to make out a case to show that, whoever else was free to oppose the Bill, the right hon. Baronet who led the Opposition (Sir Stafford Northcote) was not, but was irretrievably committed by his Act of 1875 to this Bill, which the Memorandum contended was an inevitable sequel to that Act. He (Sir Joseph M'Kenna) did not take that view of the case so far as the right hon. Baronet was concerned; but, if it were even so, and that he was committed to the principle of the Bill, that was no argument in its favour from the Treasury Bench. When the Bill of 1875 was passed, nothing was clearer than that the House did not accept it as the basis of perpetual legislation. It would be very instructive for the Members of Her Majesty's Government to read the debate of 1875—the moral of it was, to his (Sir Joseph M'Kenna's) mind, that, when out of Office, they did not scruple to assail the policy of which now they were anxious to avail themselves. The Preamble of the present Bill treated the word "permanent" as if it were of the same import in the Act of 1875 as the word "perpetual." No such force was ascribed to the word by the right hon. Baronet when he introduced his Bill in 1875. What did the word permanent mean? It signified a quality of endurance, through some course of events, or over some space of time, sufficient to negative the idea that the arrangement so qualified was merely *pro hâc vice*, or temporary. In that sense the arrangement under the Act of 1875 had been permanent, and was permanent then; but that fact afforded no earthly reason why the Government which happened to be in Office two years before the further permanence could be reasonably questioned should desire to convert the permanence into a perpetuity disavowed by the framers of the Act of 1875, and bitterly opposed by the present Prime Minister and Chancellor of the Exchequer at that time. The attempt to deal, then, with this question in the sense of the Bill of 1883, with an Income Tax saddled on the people of the United Kingdom—for he (Sir Joseph M'Kenna) was not speaking for Ireland alone—was, in his view of the case, a positive breach of faith. It was, of course, a greater breach of faith with Ireland than with Great Britain, for reasons he would adduce; but still he put the case as one of breach of faith with the whole people of the United Kingdom. These were the right hon. Gentleman's words on the 18th April, 1853—

> "We wish, in the first place, to put an end to the uncertainty respecting the Income Tax. We think it unfortunate that political circumstances have for the last two or three years led to a state of doubt in regard to the continuance of the tax, and have even begotten by degrees a feeling on the part of the public that the country is about to be entrapped unawares into its perpetuation. . . . There is a certain class of transactions with regard to which the uncertainty about the Income Tax operates most unfavourably, such as the Terminable Annuities for example. It is very desirable that certainty should be restored on account of these transactions, and also on grounds more enlarged and general. I think it also most desirable that effectual measures should be taken to mark this tax as a temporary tax. By this I do not mean merely or chiefly that I would commit the Government to an abstract opinion to be acted on in future years. My own opinion is decidedly against the perpetuity of the tax as a permanent ordinary portion of our finances."—(3 *Hansard*, [125] 1384-5.)

There could be nothing clearer from this than that the right hon. Gentleman was pledged to the abolition, unless circumstances rendered it impossible to get rid of the Income Tax. But these were very faint indications indeed in comparison to what was to be found further on in the report of the same speech. The right hon. Gentleman asked the question—

> "How are we to attain a rational prospect of being able to part with the Income Tax in 1860?"

And then the right hon. Gentleman went on to say—

> "The country, after so many announcements that have been made to it from time to time that the Income Tax was to be parted with, has become, doubtless, incredulous on the subject, and may, perhaps, conceive that we are aiming at a fictitious and undeserved popularity when we seek to show that, together with our remissions of indirect taxation, we can enable the House to surrender the Income Tax; but the statements shall be put plainly before the Committee—the Committee and the country can form their own judgment on them."

The right hon. Gentleman then proceeded to show how he would be able to redeem his engagement to get rid of the Income Tax in 1860; he recapitulated the sources from which he calculated an increased Revenue—namely, legacy duty, spirits, and licences, making a total of £2,549,000. Attention should be paid to the right hon. Gentleman's words—

> "Making a total of £2,549,000 towards the fund which we must provide in order to put Parliament in a position, if it should so think fit, to part with the Income Tax."—(*Ibid.*, 1419-20.)

But all that money would not go half way to get rid of the Income Tax, which was set down in the right hon. Gentleman's speech as about £6,000,000. Therefore, the question that bore on the discussion of the Bill now before the House was—what was the other great source from which he was to make up £6,000,000? [The hon. Member then proceeded to read copious extracts from the same speech, showing that it was to come chiefly out of the resources which he expected in 1860 from the expiration of Terminable Annuities in that year.] Resuming, he said he had not made these citations from the speech of the right hon. Gentleman in 1853 to upbraid him with his failure to carry his promises into effect in 1860. He made the best explanation he could in 1860 as to how he failed to realize the hopes held out in 1853. This answer and excuse might be summed up in the phrase *force majeure*; but having such an excuse in 1860 did not hold good in 1883, and would not hold good in 1885. His obligations to carry out his avowed policy in respect to the Income Tax were not discharged by his inability to realize them in 1860. They were simply postponed till circumstances would enable the policy to be fulfilled, and there was every prospect that in 1885 Parliament would be free to abolish the Income Tax, and yet to continue to apply towards the reduction of the National Debt from £2,000,000 to £3,000,000 a-year. It was the most astounding of all assumptions that the right hon. Gentleman could get rid of his engagements of 1853, because the right hon. Baronet (Sir Stafford Northcote), happening to be Chancellor of the Exchequer in 1875, brought in and carried a Bill bitterly opposed by the present Prime Minister and Chancellor of the Exchequer, which took no account one way or other of the present Prime Minister's engagements to the country; and yet not a vestige of other reason or suggestion was there for the introduction of the Bill, which ignored *in toto* the object to which 30 years ago, when the country was considerably heavier in Debt, he had consecrated the Annuities which were to expire in 1860. Why should not the right hon. Gentleman the present Prime Minister, even after such a lapse of time, when he would have the power to do so, fulfil in 1885, if he would be then in power, his engagements of 1853? Had Ireland no claim for remission of taxation? He (Sir Joseph M'Kenna) could scarcely summon patience sufficiently to go into her cruel case. So far as Ireland was concerned, the financial policy of the Government for the last 30 years had been one long series of injustice and exactions, occasionally assuaged by doles from the Funds of the Disestablished Church or the reduction of rents, many of which, it was confidently maintained, could and would have been cheerfully paid by solvent tenants, if the legislation of 1853 had not exhausted the community of its means, and forced some of the most active and intelligent of the tenant class to exhaust the fertility of the soil—as they had heard the other day had happened in Egypt—or to descend to the rank of labourers, or to emigrate. There had never been a proposal made to Parliament more in oblivion of engagements than in the case of introducing this Bill. No matter what doubt there might be as to the date at which the Prime Minister would be bound to effect the abolition, there could be no doubt as to what was the occasion whenever it arose, in 1860 or later, on the occurrence of which he would be bound to submit the abolition of the Income Tax to the consideration of Parliament. The occasion did not, in fact, arise in 1860, nor had circumstances concurred from that year to the present in such force as they did then in prospect of 1885. But, at the end of the Session of 1883, they forced on a Bill to deprive themselves in advance of the power to keep faith with the country, and sought to render perpetual a measure passed in 1875, on which they poured out the vials of their wrath when it was before Parliament. He put it to both right hon. Gentlemen, who opposed this legislation in 1875, to withdraw the present Bill until they had time to reconcile the House and the country to that remarkable change of front of which they had made no sign until a fortnight ago, when the right hon. Gentleman the Chancellor of the Exchequer issued his famous Minute. On the grounds he had stated, and on the special ground that the Bill before the House was one which would, if it became law, throw difficulties in the way of obtaining redress for the injustice inflicted on Ireland by the legislation of 1853, he would give the Bill his most uncompromising opposition.

Sir JOHN LUBBOCK said, he supported the Bill. There were only two ways of getting rid of the National Debt. One was by repudiating it, which the honesty of hon. Members would not allow them to adopt; and the other was by paying it off. With respect to the statement of the hon. Gentleman who had spoken last (Sir Joseph M'Kenna), as to the alleged hardship of calling upon Ireland to contribute to the Income Tax, he had only to observe that she had not been called upon to do so until England and Scotland had for many years been subjected to it; besides which, Ireland was still exempt from several imposts which the other portions of the United Kingdom had to pay. No doubt, there were parts of Ireland which were in a state of great misery; but, taking the country as a whole, there had been a great improvement in its material prosperity, as shown by the Income Tax Returns. In proof of that assertion, he would advert to the circumstance that the assessment to the Income Tax in Ireland, which was only £26,000,000 in 1870, had now increased to no less a sum than £36,000,000.

Sir JOSEPH M'KENNA pointed out that there was a technical error in the system of the Returns.

Sir JOHN LUBBOCK said, it had been argued that this was a Bill in the interest of bankers. In fact, however, it was contrary to the interest of bankers, as one effect of it must be that the rate of interest on the National Debt would be diminished. It was their interest that the price of Consols should be as low as possible; and the probable effect of this Bill would be to increase the price of Consols. He was glad that, even at that late period of the Session, Her Majesty's Government had determined to persevere with the Bill; and he must say that he was surprised at the opposition it had met with. The hon. Member for Galway (Mr. Mitchell Henry) asked the House to declare that the "present generation of British taxpayers are entitled to some relief from their burdens;" but they were the Representatives of the taxpayers, and, of course, could do what seemed to them wisest. His belief was that they, the taxpayers, would most effectively relieve themselves of their burdens by paying them off. The hon. Member for Glasgow (Mr. Anderson) talked of the excessive burden of taxation; but that, again, if it were true, would be a strong reason against additional expenditure, but not, surely, against the repayment of Debt. He (Sir John Lubbock) should have expected that this Bill would have received the hearty support of the Front Opposition Bench, and that they would have felt it desirable to settle in advance what should be our policy with reference to the Annuities expiring in 1885. To leave the question open would surely be very undesirable. The policy of this Bill was the same in substance as that of the Act passed by the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) in 1875; and he (Sir John Lubbock) was therefore surprised to find the right hon. Gentleman was not able to support it. The Act of the right hon. Gentleman provided that—

> "For the payment of the annual charge on account of the National Debt, there shall be issued for every subsequent year—that was, subsequent to 1877—the sum of £28,000,000;"

and it went on to provide that such portion of this annual charge as was not required for interest should be devoted to the redemption of principal. That Act was passed by the Government of which the noble Lord the Member for Middlesex (Lord George Hamilton) was a Member; and he (Sir John Lubbock) had, therefore, read the noble Lord's Amendment to the present Bill with surprise, for it was, in reality, a Resolution in favour of the repeal of the Act of 1875. This Bill, indeed, dealt specially with Terminable Annuities; but on that subject the right hon. Baronet opposite (Sir Stafford Northcote) expressly said—

> "The difficulty in regard to Terminable Annuities arose when the Annuities ceased. A large sum was then thrown on our hands, and there was a natural temptation to apply it to some other purpose than the extinction of the Debt. He trusted Parliament would maintain the payment of the really moderate amount of £28,000,000 a-year for the discharge of Debt."—(3 *Hansard*, [224] 1532.)

The right hon. Baronet continued—

> "In the present year we were reducing the Debt by some £3,700,000. Why? Not in order that the Chancellor of the Exchequer in 1885 might have a good surplus, but for the national benefit, because we thought it a good thing for the country that at a time of peace and prosperity it should make a steady effort to reduce Debt."—(*Ibid.*, 1534.)

Perhaps it would be said that the circumstances were now different; but the right hon. Gentleman very properly and prudently explained in the same speech under what conditions he thought his proposals would require reconsideration. "There were," he said, "undoubtedly two limitations to the Government proposal. One was, if a time should arrive when it would be impossible, with advantage, to get Stock; the other was, if a time came when our circumstances were greatly altered, and we were called on to make far greater exertions than at present." Neither of these two events, however, had happened, and the right hon. Gentleman was bound, in all consistency, to support the present proposals; and if they went to a Division, he (Sir John Lubbock) should expect to find the right hon. Gentleman in the same Lobby with the Government. Those who were unfavourable to the reduction of Debt often asked, why should we pay off Debt which costs us so little in interest? But though the nominal rate was only 3 per cent, if we calculated the whole expense to the State, the cost of raising the funds, and other incidental consequences, the real rate could not be put at less than

3½ per cent. Now, that was scarcely more than the usual rate of interest on mercantile bills; it was not much less than the rate at which the large railways and municipalities could borrow; it was more than the average rate paid to depositors in banks; and it was much above the rate paid by land. He would not occupy the time of the House by enlarging on the very strong argument derived from the consumption of coal, which had been urged with so much force by Mill, Jevons, the Prime Minister himself, and other great economical authorities. No doubt, our coal would last a long time, though the difficulty of winning it would gradually increase; but that did not affect the fact that we were annually consuming a large amount of national capital, and that, as Professor Tyndall put it, "the very life-blood of the country was flowing away." We treated all this as income; we should call any landowner improvident who cut down his timber and spent the proceeds annually. Yet that was just what we were doing, for what were our coal supplies but ancient forests preserved for our use by the munificence of Nature? As a nation we owed much of our prosperity to our commerce, and our relations with other countries were very extended. That fact made our position one of great delicacy. It increased the chance of war and the danger of war, and in any great struggle we should suffer from indirect results, which would probably be far more weakening than the actual expenditure or loss of life. Commercial competition, too, was very severe, and a slight turn of the scales might divert a very large proportion of our trade. History, in fact, taught us lessons we should be foolish to neglect. While the country had increased immensely in wealth and population, the amount devoted to the service of the Debt in 1860 was £28,600,000, and the present amount was £28,300,000. In the meantime our wealth had made great strides. If we compare 1870 with last year, our shipping had increased from 5,700,000 tons to 7,000,000 tons; our exports and imports had risen from £547,000,000 to £720,000,000; the annual value of gross estimated rental assessed to the poor rate from £126,000,000 to £165,000,000, and our assessment to the Income Tax had risen from £445,000,000 to £585,000,000, showing the enormous increase of £140,000,000. Although the amount devoted to the service of the Debt was very much the same as it was, the pressure on our people was much less. The agricultural interest was suffering. But that was an additional reason for this Bill. If, notwithstanding eight unpropitious seasons, we had on the whole made considerable accumulations, we might reasonably hope to do still better hereafter. Paying off Debt would enable us to reduce the interest on the remainder, and thus effect a still further saving. If this Bill were allowed to operate we might in a few years reduce the interest on the Debt by something very near ½ per cent. No doubt, the greater amount of the taxes was raised from income; but the death duties—the legacy and succession duties—amounting to over £7,000,000, might be said to be deductions from capital, and ought surely not to be used as income. When local authorities borrowed we insisted on the Debt being repaid within 50 years, and what was good for them must be wise for the country also. For his own part, he should have been glad if larger sums had been applied to the reduction of Debt, for while he agreed with those who said there was no moral duty upon them to do so, yet that course was one which gave the country great moral strength, and added weight to its voice in the Councils of Europe and the world at large. But the Bill simply proposed to maintain the limit of £28,000,000, which was surely a very moderate provision for a purpose which, he believed, had the general assent of the country. His complaint of the Bill was that it did not go far enough. He should like to see £10,000,000 devoted to the reduction of Debt. Adam Smith, when our National Income was only £10,000,000, proposed to raise it to £15,000,000, and devote £6,000,000 yearly in reduction of Debt. Sir George Cornewall Lewis was of opinion, many years ago, that £5,000,000 was little to allot to the repayment of Debt, and Viscount Sherbrooke thought we should impose a 1*s.* Income Tax, and devote the proceeds to the reduction of Debt. He trusted, therefore, the Bill would have the support of the House, and that the result of the Division might be to encourage the Government to persevere with it, so that they might feel that if they had not got all they could have wished, they would at least be making a substantial provision for the reduction of Debt, and we should transmit to our children a burden less heavy than that which we had ourselves inherited.

Mr. W. H. SMITH said, he desired as much as the hon. Baronet opposite (Sir John Lubbock) to see the Debt reduced; but he desired to see it reduced in a manner which, while it was consistent with the credit, should be conducive to the prosperity of the country. He must confess he could see no reason for the introduction of the measure; because provision was made by a law, which was in force until it was repealed, and which was as effectual as any provision of the Bill, for the continued and persistent reduction of the Debt, by the allocation of a sum of money which was not altered or increased. By the measure before the House, they were asked to enter into the consideration of a mere arrangement of figures. Consols and Three per Cents were saleable in the market; they were convertible securities known and recognized; but Terminable Annuities were absolutely unsaleable in the market. What did the Chancellor of the Exchequer seek to arrive at? He sought, by converting the one into the other, to produce an account which seemed to imply an annual charge, behind which he expected the taxpayer would not go, so that he was not to find out that he was paying from £7,000,000 up to £17,000,000 a-year in reduction of Debt. But public discussion would surely expose any "hocus pocus" of that kind. He (Mr. W. H. Smith) understood one method only of paying off Debt, and that was of applying to that purpose the surplus over the annual expenditure. He preferred to do that in a straightforward and simple manner, and by the method which the hon. Baronet opposite would pursue in relation to his own private affairs. The same rules should be applied to public as to private business, and no man would encumber himself with securities that were inconvertible, or seek to deceive himself or his family as to his annual expenditure, including a considerable sum for the reduction of debt. He held that he was amply justified in asking the House to postpone the consideration of this measure until that period when it could be more thoroughly discussed. In the Bill now before the House there was one expression on which he laid some stress, and that was that the right hon. Gentleman the Chancellor of the Exchequer had to produce in the Terminable Annuity the equivalent value of the Perpetual Annuity from which he converted it. But what was the equivalent value? The value of a thing was what it would fetch. But he was convinced that the value of a Terminable Annuity of this character, paying the same rate of interest as the Perpetual Annuity, would be considerably less than that of the Perpetual Annuity which was converted. In other words, if the Chancellor of the Exchequer went into the market, and asked bankers to take Terminable Annuities, they would require a higher rate of interest on the money invested than they would ask for on Perpetual Annuities. Therefore, if the Court of Chancery were to require an equivalent value, the Chancellor of the Exchequer must pay a higher price than he had to do now. The right hon. Gentleman, it must also be borne in mind, was a trustee; he was bound to care for the interest of his clients, and he was not justified in running any risks. It was not at all sufficient to say that there had been no risk. In the conditions of our trade, he was bound to take precautions against future contingencies, by adhering to rules, which would exclude the possibility of doubt in the mind of any man. Neither was it sufficient to say that the Chancellor of the Exchequer pledged himself to himself; that the Terminable Annuities were to be held by the National Debt Commissioners, or by the Court of Chancery, by direction of the Chancellor of the Exchequer, and would be dealt with as Parliament decided. He saw no additional security in that scheme; and while he agreed with the hon. Baronet opposite that it was the duty of the Government, when the circumstances of the country admitted of it, to pay off the Debt, he saw no advantage in the provisions the House was now asked to sanction. The Chancellor of the Exchequer was a banker, and had to answer on demand for £85,000,000 of money deposited in the Savings Banks; but he differed from other bankers, inasmuch as he was a banker without any specie reserve of any kind whatever. His reserve consisted entirely of Consols and these

Terminable Annuities. The right hon. Gentleman the Chancellor of the Exchequer said there had been an average annual increase in the deposits in the hands of the National Debt Commissioners from the Savings Banks, for the last 10 years, of £400,000. Well, looking at the prosperity of the country during the last 10 years, he should say that he thought that increase ought to be very suggestive to the right hon. Gentleman, and point out to him that there was not that vast elasticity in the Savings Banks business. The prosperity which the country had enjoyed for so many years could not be expected to continue for ever. It was not impossible that there might be a demand in excess of what was paid in; and he must confess he had always felt a certain degree of uneasiness that the Chancellor of the Exchequer was liable to be called on at any moment, and without notice, for £85,000,000. Our financial system was a marvellous one. It was an excessively economical one; but it must not be assumed that the prosperity of the country would continue without a check. No doubt, there had been a large expansion of trade during the last few years; but now, wherever he went, he heard the same story—that the business transacted was large, and that the amounts passing from hand to hand were considerable, but the profits were small, and he was told they were decreasing. In the City he heard of stagnation, resulting from the fact that the profits during the last few years were inconsiderable. There was another consideration which entered into all these financial operations. At present there was a large property wholly unsaleable; a large quantity of land was unsaleable in Ireland and also in England. It might be that the depression was only temporary; but the immediate effect was greatly to reduce the means of a very large number of persons, and to diminish their powers of giving employment, and so to interfere with trade. Going further, he heard that the shipbuilding trade was threatened with stagnation, that shipbuilding had been overdone, that the tonnage was in excess of the requirements of the country. He was told, moreover, that house property, in common with other things, was depreciating in value, and that the only compensating circumstance in connection with these unpleasant indications was that at present there was good employment for the working classes. But it should be remembered that employment depended largely on the profits of trade, and when those profits fell below a certain point the employment would cease. Then the men who were the least satisfactory workers would be discharged, and in course of time the pressure would come upon the country which was expressed in the Budget by a decrease in the Excise and the Income Tax returns, and a reduction of the deposits in the Savings Banks. Therefore, he thought it would be a matter of very grave risk indeed to part with securities which were easily convertible, and to change them for something which would remain locked up in the box of the Chancellor of the Exchequer, simply for the sake of the "hocus-pocus" spoken of by the hon. Member for Cambridge (Mr. W. Fowler), and which merely amounted to a system of changing certain figures in account, without making a single additional charge upon the income and resources of the year in order to reduce Debt. It would give rise to a certain amount of doubt and uncertainty as to whether the resources would be forthcoming when the demand was made upon them. The circulation was placed upon a gold standard, and it was capable of depreciation from a fall in the value of property. The circumstances and conditions of the circulation, therefore, rendered it of the highest importance that the confidence which existed at present in the financial system should be maintained. He believed that the change from a convertible into an inconvertible security was one that was full of danger and destructive of confidence, and that it would prove injurious to commerce. He did not in the slightest degree think the evil had yet come upon us; but prudence, judgment, and caution would suggest the necessity of taking steps which would avert the possibility of doubt and danger. As he had already said, the Chancellor of the Exchequer was carrying on a vast trade without a reserve of any kind, and the least the right hon. Gentleman could do was to maintain the securities he held in the most readily convertible form, and in one which would command the confidence of the people. He agreed that we ought to do everything we could in times of prosperity to pay off the

Debt and discharge the obligations of the country; but he could not believe it was necessary to pass a measure which added nothing whatever to the security for the payment of Debt, but which merely supplied a series of financial puzzles and arrangements known thoroughly and intimately to the Chancellor of the Exchequer, but which were intended to cover a system which ought to be perfectly open and plain.

Mr. R. BIDDULPH MARTIN said, he was unable to accept the doctrine which had just been enunciated by the right hon. Gentleman opposite (Mr. W. H. Smith). The right hon. Gentleman began by saying it was a very common doctrine that Public Business ought to be conducted exactly upon the same footing as private business, and then he reproved the Chancellor of the Exchequer for doing what any commercial man would do. Debt ought to be paid off, as was proposed, upon a fixed plan, and he (Mr. R. B. Martin) ventured to think that the fixed method proposed by the Chancellor of the Exchequer was the proper way in which we should pay off our National Debt. No Government was, in his opinion, justified in establishing Perpetual Annuities, and burdening the country for an everlasting term of years. We ought, at least, to discharge our liabilities at the same rate of interest as that on which we borrowed money. The right hon. Gentleman the Chancellor of the Exchequer had stated that if the House passed the Bill, we should come within a measureable distance of the reduction of the interest upon the National Debt. The absorption of so much Stock to replace what belonged to the suitors in Chancery must, in a very short time, send up the price of Consols to such a figure as would enable the right hon. Gentleman to reduce the interest. He would like to know the amount which the right hon. Gentleman thought he could purchase, without absorbing all the floating Stock in the market, so as to begin the operation of reducing the interest? If he could absorb some £30,000,000, he might begin. If the Chancellor of the Exchequer were to institute a 3 per cent Stock, iredeemable for 30 years, and then, *ipso facto*, to become a 2½ per cent Stock, he would have no difficulty in placing it in the market. The right hon. Gentleman had pointed out that a ¼ per cent on the Debt would amount to £1,750,000. Therefore, ½ per cent would amount to £3,500,000, a sum which would have a very important effect upon the Budget. With reference to the remarks of the hon. Member for Youghal (Sir Joseph M'Kenna), he hoped this scheme for the reduction of the National Debt, which, in his opinion, commended itself to the goodwill of the country in general, would not be mixed up with any sentimental consideration for any particular portion of the United Kingdom, however badly it might be thought that taxation pressed there.

Sir GABRIEL GOLDNEY said, he did not regard the question as a Party one, because both sides of the House were agreed, up to a certain point, that the reduction of the National Debt was, in one form or other, a desirable object which they all ought to endeavour to obtain; and they were further agreed—for an Act of Parliament had been passed to the effect—that £28,000,000 a-year should be set apart for the purpose. The question was, what was the best application of the £5,000,000 or £6,000,000 which would fall in in 1885? He must say, boldly and fairly, that the proposition of the right hon. Gentleman the Chancellor of the Exchequer, as far as he was able to judge, was the right one. In the first place, he proposed to cancel a portion of two sums, neither of which was likely to be called upon, and to carry still further a process which had been adopted for a great many years by both Governments—namely, the system of Terminable Annuities. When the right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) said that the Chancellor of the Exchequer was a banker who might be called upon at any time, at two or three days' notice, for the whole of these millions in the Chancery Fund, he must remind the right hon. Gentleman that the State was answerable for that money, and that the Court of Chancery ought to be very well content to have this security. [Mr. W. H. Smith said, that there were also the Savings Banks Funds.] He would deal with the Chancery Funds first. He believed those Funds amounted to something like £61,000,000, of which the Chancellor of the Exchequer proposed to take £40,000,000 and to cancel the sum in 20 years. But, as he had said, the State was answerable for the money, and the Court of Chancery ought to be quite content with the security; and it seemed to him to be a very simple process for cancelling the Debt. With regard to the Savings Banks Annuities, some hon. Members were opposed to Terminable Annuities in any shape. But hardly a fortnight ago, when they were engaged in considering the Agricultural Holdings (England) Bill, it was suggested that they should create Terminable Annuities, and he believed it was proposed to bring up a clause to give the House the advantage of considering that question. The Chancellor of the Exchequer had shown that the amount of the Savings Banks Funds had been increasing from time to time, until it amounted to £4,000,000, and by a process of Terminable Annuities since 1874, when the National Debt amounted to £776,000,000, it had been reduced to £712,000,000. With that example before them, he thought they would agree that it was a wise policy to endeavour to further apply the same system of cancelling the Debt. The Prime Minister had said that if the House objected to the new process of Annuities for 5, 10, and 15 years, he did not wish to make it a vital point of the Bill, but that it was a matter for Committee. What, therefore, the House had to determine now was, whether the principle was a right one, and that they should take the same process for reducing the National Debt? No person had the temerity to propose that the Bill of 1875 should be repealed. They were to deal with the £28,000,000 as fixed by Statute for the interest upon the Debt and for its reduction. Looking at the general accord with which the proposal had been received, and the fact that, as a nation, they ought, like other countries, to do everything they could to reduce their Debt on behalf of the public, then they ought to agree to the second reading of the Bill. If there was any fear of the country getting into a worse state of commercial prosperity, what could give greater stability than showing that the Debt had been reduced when they were in a better position? If commerce was not going on well; if the shipbuilding trade was going down, and other trades were not prospering, at all events they could show that they had wisely agreed to adopt the same policy which they had adopted during the last nine years under the Administration of his right hon. Friend below him (Sir Stafford Northcote), with a view still further to reduce the Debt.

The CHANCELLOR of the EXCHEQUER (Mr. Childers): Sir, I think the House will expect me to say a few words, after the very interesting debate we have had on this subject. And, first of all, with reference to what has fallen from the hon. Baronet opposite (Sir Gabriel Goldney), I may at once say, in answer to his appeal, and also to the appeal made, as I understand, by the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) and other hon. Members who sit on that side of the House, to whom my right hon. Friend the Prime Minister has given a short reply, that I do not consider as at all being of the essence of our plan the perpetual rolling-up of the Annuities after each term of five years, and I shall be quite prepared, between the present time and the Bill going into Committee, to consider after how many years that rolling-up might cease. I should be sorry, at this moment, to say at what date that arrangement ought to terminate; but I think it is reasonable that that part of the Bill should not be perpetual, and therefore I will propose an Amendment in the clause, which will provide that that system, of what is called "rolling up" the Annuities, shall only last for a certain number of years, so that Parliament shall be in a position to deal, after a certain time, not only with the £40,000,000 Chancery Funds—the conversion of which into Annuities is not perpetual and need have no rolling operation, but would come to an end in 20 years—but also with the cancellation of the Savings Banks Stocks. I hope the House will now see that the main objection that has been taken, as far as I understand it, to our proposal by the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote) has now been fairly met. I also thank my hon. and learned Friend behind me (Mr. Biddulph Martin) for the suggestion he has made; but I cannot say—indeed, it would be very rash to say—how many millions of Stock we think we can take off the market in a limited time, or to what extent we ought to make use of that provision of the law under which, if notice be given to only a proportion of Stockholders, they must submit either to a lower interest or receive the capital value of their Stock. I think the House will be satisfied when I say that that point has been for a long time in the mind, not only of myself, but of others who are concerned. And now I come to the Amendment moved by my hon. Friend the Member for Galway (Mr. Mitchell Henry). My hon. Friend boldly demands that, instead of the proposal we have made to the House, we should determine, to use his own words, at once to wipe away the whole £4,000,000 of duty on tea, besides those on cocoa, currants, dried fruits, and other articles, amounting altogether to £5,300,000. Of course, I cannot accept that Amendment, and I hope that the body of the House will not accept it; because it means neither more nor less than the stoppage of paying off Debt. My hon. Friend has gone into a long discussion as to the relative taxation of Ireland and Great Britain, and he has introduced, I am bound to say, one or two new facts into that very old controversy. That controversy was gone into some years ago before a Committee which was moved for by the late General Dunne, and on which sat the right hon. Gentleman the Member for North Devon (Sir Stafford Northcote), Viscount Sherbrooke, and many other financial authorities; and, certainly, the results arrived at by that Committee were not at all such as to justify the extreme view taken by my hon. Friend. My hon. Friend went very minutely into the relative taxation of Ireland compared with that of other parts of the Empire; but he quite left out of view the relative expenditure of one kind and another in Ireland. My hon. Friend said one thing to which I am bound to take exception. He used these words—"That no Chancellor of the Exchequer ever looks across the Channel." Now, I have only had the opportunity of making one Financial Statement to the House, and my proposal was one of an extremely simple character, confined almost entirely to a remission of a temporary increase of Income Tax and one or two small changes already entertained by Parliament. Nothing could have been less ambitious than that Budget; but I repudiate altogether the idea that a Chancellor of the Exchequer is not bound, when it is in his power to make considerable changes, to consider the taxation of Ireland quite as much as the relative taxation of Great Britian. Certainly, I shall not be governed by the very narrow views attributed to my Office. My hon. Friend was supported by the hon. Member for Glasgow (Mr. Anderson), who took practically the same view—namely, that we should remove what are known as the "Breakfast Table Duties," and who also laid down the doctrine that the money applied to the payment of principal and interest of Debt should be money raised in a special way from acquired property, to be set aside for that purpose. I do not think that that would be a safe principle of finance, and I trust that the House will not be prepared to accept it. Next, my right hon. Friend the Member for the City of London (Mr. Hubbard) made it one of the charges against the present policy that I had used different language in 1875, and implied that I had said something then which compelled me, in common consistency, to repeal the Act of 1875. But on other occasions we are also being told that Governments should not use their majorities to upset the acts of their Predecessors, and that a certain continuity in policy as between successive Governments is a characteristic of English practice. But I am bound to say that while I did not approve, in all its detail, of the Sinking Fund plan of 1875, I did not object in principle to the proposal of the late Government. My objection was to the preference of a Sinking Fund, which might become inconveniently large, over an extension of Terminable Annuities. But to-night my right hon. Friend's main grievance is that it will be hard on some classes of the people to reduce the interest on the National Debt; and with this doctrine I can have no sympathy. He was followed by the hon. Member for Bradford (Mr. Illingworth), who went even farther than the hon. Member for Galway, because he proposed to take off all duties on articles of consumption, and to substitute increased duties on property in order to make good the amount. Now, the proposal of the present Bill does not touch taxation at all, it only deals with funds actually in existence; and a proposal to abolish all taxation on articles of consumption and substitute increased duties on property seems so very wide of the question, that

I hope my hon. Friend will excuse me from discussing it. As to the remark of the hon. Member for Youghal (Sir Joseph M'Kenna), that if the Income Tax were removed from Ireland it might be removed from England and Scotland, "and so much the better," I may reply that if you are to have no Income Tax there will be £10,000,000 to make up; and this, also, it is a little foreign to discuss now. The right hon. Gentleman the Member for Westminster (Mr. W. H. Smith) has made a speech which, for courage, I think never was surpassed. He sits next to the right hon. Baronet the Member for North Devon, and the only method he proposes for paying off the Debt is to apply to it the surplus of Income over Expenditure—in other words, to fall back on the old Sinking Fund and the policy of 1829. Nothing, in his opinion, is worse or more dangerous than the plan of Terminable Annuities, which he called on us to abandon; but he made an attack upon the Terminable Annuities, and called upon the Government to give up the dangerous system of Terminable Annuities.

Mr. W. H. SMITH: What I said was that the measure of my right hon. Friend the Member for North Devon (Sir Stafford Northcote) would render this Bill absolutely unnecessary.

The CHANCELLOR of the EXCHEQUER (Mr. Childers): But the maintenance of Terminable Annuities was part of the policy of his right hon. Friend (Sir Stafford Northcote); and his speech was an appeal to us to give up what he called the dangerous method of Terminable Annuities, which, he said, only complicated the Public Accounts. I would appeal, however, from the right hon. Gentleman to the experience of all those, except himself, who have been concerned in the management of the financial affairs of this country for the last 20 years, whether it is possible to secure the application of a considerable Sinking Fund for the payment of Debt to a large extent, except through the operation of Terminable Annuities? I will not enter upon the question which the right hon. Gentleman discussed at great length, whether bankers hold sufficient reserves, because I do not see what it has to do with the present Bill. We do not deal with anything in the hands of bankers, but with funds in the hands of Public Departments; and whether these are Perpetual or Terminable Annuities cannot affect bankers. I hope the House, having the matter fully before it, will now, after the declaration I have made, as to the changes in one clause, agree to read the Bill a second time.

Lord GEORGE HAMILTON, who rose amid cries of "Divide!" said, he was sorry to obtrude himself upon the attention of the House, and to postpone the Division which many hon. Members seemed anxious to have; but he had an Amendment which had been for some time on the Paper which raised questions of the utmost importance, and which, he thought, ought to be kept in the view of the House, before they arrived at any decision on the second reading of the Bill. The Amendment related to the subject of local taxation, and his own excuse for raising the question was that his hon. Friend the Member for South Devon (Sir Massey Lopes), who had made the subject his special study, had had a Notice on the Paper for some time, as an Amendment to the Motion of the hon. Member for Burnley (Mr. Rylands), on the same question. But, for reasons best known to the hon. Member for Burnley himself, the hon. Member's Motion was withdrawn at the last moment; therefore, the Amendment of his hon. Friend the Member for South Devon had also fallen to the ground, which he regretted, because he thought he should have been better able to speak upon that Amendment than he would upon the Resolution now before the House. The Amendment which he (Lord George Hamilton) had himself placed upon the Paper was as follows:—

> "That, considering the Government are pledged to give relief in some shape or other to local burdens, and that the Revenue derived from Excise is annually decreasing, it is impolitic for this House to hastily pledge itself to proposals which may hereafter necessitate either an increase of taxation or a postponement of the promised relief to the ratepayers."

He thought that nobody would deny that it was more than probable that within the next 20 or 30 years, if this Bill became law, and if it was in no way repealed, it might be necessary to impose additional taxation, or indefinitely to postpone the promised relief which the Government had undertaken to give to the ratepayers, Perhaps the House would allow him to lay before them, very shortly, the figures on which he based his statement. The Chancellor of the Exchequer very cautiously alluded to one of the statements contained in this Amendment "that the Revenue derived from Excise was annually decreasing." That statement was perfectly correct. Although the Excise had not decreased during the past year or two, nevertheless, the Revenue derived from alcoholic liquors was annually decreasing. Hon. Members had had placed in their hands, during the last few days, a statistical abstract for the last 15 years, and he had taken out some figures from that abstract which were quite unimpeachable. He would take two periods of three years. First, the three years ending 1880, which formed a period of great depression, when the consumption was unusually low, and he would compare the average consumption during these three years with the corresponding period of three years ending 1883, which was a period of comparative prosperity. The Customs Returns, under the head of Spirits, for the first three years, showed an average of £5,180,000, as against an average of £4,340,000 in the three years ending 1883. That was a decrease of £840,000. Under the head of Wine, for the first three years the amount was £1,470,000; but it was only £1,340,000 on the last period of three years, showing a diminution of £130,000. The figures showed another remarkable fact — namely, that the amount paid for licences was almost identical during the two periods; but instead of there having been an increased consumption, owing to the increased population and increased prosperity, the amount consumed had been actually less than in any year during the last 10 years. He thought that nobody who looked at the great strides which were being made by the Temperance Movement now going on would deny that, in subsequent years, the Revenue derived from alcholic liquors would rather tend to diminish than to increase. The Excise and Custom Duties, under the head of Alcoholic Liquors, formed two-thirds of the total Revenue coming from that source; and yet, during the past three years, they had fallen off by more than £1,000,000 as compared with the previous three years; and that fact formed strong presumptive evidence that the diminution would probably continue. He had no wish to weary the House with figures; but there was a certain aspect of the question which had not yet been presented, and, no doubt, he was placed at a disadvantage in attempting to bring on such a question at that period of the Session. It was not his fault, however, that he was compelled to lay before the House now certain facts, and a certain view of the question, which would undoubtedly have been listened to with much greater interest early in the year. Taking the Expenditure of the year 1873 for the Army, Navy, and Civil Services, other than that for the collection of Revenue, he found that it amounted to £35,800,000; whereas, in 1883, it amounted to £45,300,000. Therefore, these two facts were clear, that the cost of the Army, Navy, and Civil Services, not connected with the collection of Revenue, was increasing and must increase. As the price of labour increased, so must the cost of the Navy and Army; and side by side, therefore, with a falling Revenue, especially as far as the main staple and support of the Revenue was concerned, they had an increasing Expenditure. And what was the state of local taxation? A number of deputations had waited at various times upon the Prime Minister; and invariably the answer to such deputations, on the part of whatever Government was in Office, had been that Her Majesty's Ministers were anxious to give some relief, if possible, but that the Ways and Means were wanting. On the last occasion of a deputation waiting upon the Prime Minister, the right hon. Gentleman said he could not give a remission without imposing new taxes. The Prime Minister had more than once stated that the rates really fell upon labour; and when last year his hon. Friend the Member for South Leicestershire (Mr. Pell) brought forward a Motion in respect to local taxation, an Amendment was moved to that Motion by the hon. Member for South Northumberland (Mr. Albert Grey), which Amendment was accepted by the Government as the principle upon which they proposed hereafter to deal with local taxation. The Amendment amounted to a declaration that the relief should be by the transfer to the local authorities of a certain amount of control over particular taxes. Of course, if they transferred a certain portion of taxes now paid to the Imperial Exchequer by the local authorities, they must necessarily diminish the Imperial Income; and it was self-evident that if they absorbed for an indefinite period so large a sum as £28,000,000, and, at the same time, had the prospect of a falling Revenue and an increasing Expenditure, no remission of taxation to the ratepayers was likely to take place for some years to come. The House had had figures placed before them which, no doubt, were rather startling in their magnitude. The Chancellor of the Exchequer informed them that if the Bill passed into law, under its operation a reduction of Debt would take place amounting to something like £120,000,000 in the next 20 years. The sum to be reduced by this operation would be £173,000,000; but, of that sum, £53,000,000 would not be entirely wiped off until some years subsequently. Now, the fact was—and whether this Bill passed or not it was perfectly immaterial—that £120,000,000 or more would be wiped off during the next 20 years; and it would be entirely due to the Bill which was introduced and passed into law by his right hon. Friend the Member for North Devon (Sir Stafford Northcote). Under that Bill £28,000,000 would not only be applied to the reduction, or rather to the service, of the Debt, which now stood at £700,000,000, but, applying that sum of £28,000,000 to the service of the Debt, the Debt itself would cease to exist in 47 years. It was, therefore, just as true for him to assert that if the Bill of his right hon. Friend had not been interfered with, in 50 years there would be no permanent Debt at all, as it would be to assert that under the operation of this Bill £120,000,000 would be paid off during the next 20 years. Hon. Gentlemen were evidently voting upon this Bill in ignorance of the real facts. If, in three years, the National Debt were less than £700,000,000, they would have applicable to the services of that Debt £28,000,000 a-year, which was 4 per cent interest; but, as they were paying only 3 per cent interest, they would have a Sinking Fund of 1 per cent. But the question would naturally arise, whether anybody would suppose that this country would consent to vote a sum of £28,000,000 annually to the service of the Debt, when it knew that in 50 years the Debt would be paid off? In point of fact, nobody was paying off their Debt so fast as this country, except the United States. There was no analogy, however, between this country and the United States, because it was well known that one of the main objects of a certain Party in the United States in making so large an annual reduction of Debt was to keep up the Protective Duties at present imposed, for, if there was no Debt which could be taken off, those duties would have to be reduced. At the present moment we were reducing our Debt at at enormous rate; and, whether this Bill passed into law or not, it would make no difference in the reduction of the Debt. In point of fact, the passing of the Bill would, in his opinion, rather retard the reduction of the Debt than otherwise. There were two sentences, one of which fell from the Chancellor of the Exchequer, and the other from the Prime Minister, with which he thought everyone would agree. The Chancellor of the Exchequer pointed out that it was unwise to postpone the operation until the last moment, and he used that as an argument for introducing the Bill now; but that was exactly the reason why they were opposing the Bill that night. The Bill had been postponed until they had reached the fag-end of the Session, when it could not be adequately considered. The Prime Minister capped that excellent sentiment by another—that it was their duty to resist the beginning of evil. With that we agree, and we contend that having given the whole time of the House to the Government, to enable them to accelerate the transmission of Public Business, we ought not now to have hustled down our throats a Bill of the utmost importance which had been lying for so many months upon the Notice Paper. The Prime Minister said the vast financial interests of the country were at stake, and that they would receive a great shock if this Bill were postponed until next Session. He did not believe one word of it. He did not believe if the Bill were postponed until next Session that Consuls would fluctuate one farthing. But if it were the case, then what a reflection it was upon the Government so far as their conduct of Public Business was concerned. Was it not their duty, if that enormous financial evil was at stake, to have brought forward the Bill at a time when it could be properly discussed? So far from these financial evils being at stake, it was only a fortnight ago that the Prime Minister, when asked what it was proposed to do in regard to the Bill, said that it was proposed to put it down to-night for discussion, in order to ascertain what the views of the House were in regard to it. But now it appeared to be of such paramount importance that they must pass it, or some great financial interests were to receive a severe shock. The principle the Bill proposed to assert was the application of Terminable Annuities for the reduction of the Debt. He would make a statement which he challenged anybody on the Treasury Bench to deny—namely, that if they postponed the Bill until next year, and brought in exactly the same scheme as they did now, in 20 years they would bring £5,000,000 more to the reduction of Debt than they could do this year. The reason for that was obvious. The proposal of the Chancellor of the Exchequer was to substitute for Annuities terminable in 1885, other Terminable Annuities for a longer period. The value of the Terminable Annuities which ceased in 1885 would be £5,000,000 less next year; and, therefore, the Government would have Annuities to the extent of £340,000 available to add to the new Terminable Annuities. That was a mathematical certainty there could be no dispute about.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, the noble Lord did not appear to observe that this was as broad as it was long, for the Annuities would run a year later, unless they were made for 19 instead of 20 years.

LORD GEORGE HAMILTON begged the right hon. Gentleman's pardon; that had nothing to do with it, and he adhered to the statement he had made. The amount, instead of being £10,000,000 next year, would be £5,000,000; and if they were to set up 20 years' Annuities next year they would be able to redeem £5,000,000 for half the sum they could now redeem £10,000,000, and if they did not interfere with the Terminable Annuities now existing, the Chancellor of the Exchequer next year would have £5,000,000 less Debt to reduce. Therefore, it seemed to him (Lord George Hamilton) that every argument pointed against the hasty adoption of the Bill. The Chancellor of the Exchequer said there would be a remission of taxation in the years 1886 and 1887 of something like £1,300,000; but the remission to the taxpayers would consist of a return to them of a sum raised for a certain purpose and for a specific object, and when the time for realizing that temporary purpose and specific object had terminated, as a matter of course the taxation would be removed. It was a cardinal maxim of finance that wherever exceptional efforts were made to reduce Debt, the taxation imposed to meet these exceptional efforts should not continue; but, where it was only raised for a temporary purpose, then that it should cease when the purpose was accomplished. There seemed to him to be another serious objection to the attempt to force this Bill through the House that night. It had hitherto been the practice, no matter what might be the personal views of Members of the House, always to respect any statement arrived at after full discussion, which was supported by the majority of the House. Now, would anybody pretend that if the Government forced this measure through Parliament during the present Session, any such respect could be paid to this Bill? For his own part, and he was expressing the opinion of others with whom he had conversed, he thought the House would be justified hereafter in endeavouring to oppose the arrangement which, without adequate discussion, they had been forced to adopt at the fag-end of the Session. There was another and, to his mind, a still stronger objection. He thought that nobody could deny that, in the course of a very few years, a great re-adjustment of taxation, or an entire re-modelling of our financial system, must become necessary. If the consumption of alcoholic liquors went on decreasing to the extent it had decreased of late years, they might anticipate the greatest difficulty in making both ends meet. Great financial reforms had been carried on by Mr. Pitt, Sir Robert Peel, and the present Prime Minister; and, in carrying them out, great difficulty had always been found at the beginning of a financial reform in retaining an equilibrium between Income and Expenditure. The difficulty was to balance the Expenditure and the Revenue for the first two or three years of the so-called great reforms; because, in the first years, the taxes were less productive, and the taxes which might be imposed instead did not make up the deficiency. So nicely adjusted at the present moment were our Taxation and our Revenue, that when the Prime Minister made the gift of £5,000,000 to India, and distributed it over six years, the small annual payment of £500,000 had almost in every subsequent year necessitated additional taxation. Consequently, he considered it more than probable that if we chose to tie our hands, as it was proposed to-night, by assenting to a Bill the operation of which was almost indefinite, we might prevent some great financial scheme or other in the course of a few years from taking effect. His hon. Friend the Member for Chippenham (Sir Gabriel Goldney) expressed what he (Lord George Hamilton) thought was the general feeling of the House, when he said that if this principle of reducing Debt by Terminable Annuities was unpalatable to the House, then the Government ought to be prepared to introduce some other system in lieu of this Bill. The right hon. Gentleman the Chancellor of the Exchequer had himself admitted so much. [Mr. Mundella: No.] The right hon. Gentleman the Vice President of the Council said "No;" but the right hon. Gentleman was not present, and he (Lord George Hamilton) had heard the statement made. The House had been assured that the Government were quite ready to consider the objections which had been raised to these Annuities. Then, if they were quite ready to make alterations, and if these Annuities were not to roll up, then it seemed to him that they were laying down an unfortunate principle, when they declared that £28,000,000 should be placed at the service of the State for the reduction of Debt.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, that what he had stated was, that he was willing to limit to a certain number of years the "rolling up" arrangement which, under the Bill, would be perpetual.

Lord GEORGE HAMILTON said, he was obliged for the explanation, and he was bound to say that he had somewhat misunderstood the original remark of the right hon. Gentleman. He would not detain the House with further remarks. The Prime Minister had held out a great inducement to them to vote for the Bill, that it would place a solid obstacle against the repeal of the Bill of his right hon. Friend the Member for North Devon; but it must be borne in mind that up to the present moment not a word had been said about repudiating that Bill. He sincerely hoped the considerations he had mentioned would have some weight with the House in arriving at a decision upon the present measure.

Mr. R. N. FOWLER said, he wished to say a few words in support of the Amendment of his right hon. Friend and Colleague (Mr. Hubbard). The Prime Minister had, in a very eloquent speech, argued that those who opposed the Bill were, in effect, opposing the scheme for the reduction of the National Debt introduced by the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) some years ago. That seemed to him (Mr. R. N. Fowler) an entire misconception. They were not opposed to the policy inaugurated by the right hon. Baronet eight years ago; they were all agreed as to the desirability of reducing the Debt, although, undoubtedly, there was a difference of opinion as to the way in which that reduction ought to be effected. It was true that the right hon. Baronet introduced the policy, the effect of which must be the reduction of the National Debt, and which had been referred to by previous speakers as being now the law of the land; but the Bill, although in one sense it embodied that policy, tied the hands of future Chancellors of the Exchequer as to the way in which it was to be carried out. The question was, whether the Chancellor of the Exchequer in 1893 should apply the funds in his hands to the reduction of Debt by means of Terminable Annuities, or whether it might not be more advantageous to buy Consols? His right hon. Friend the Member for North Devon had pointed out that before then we might be involved in a great war. Everyone knew that that meant a great fall in the Funds. Suppose then Consols went down to 90 or 85, would it not be desirable that the Chancellor of the Exchequer of the day should be able to purchase Consols in the market at that price, rather than that the scheme of Terminable Annuities should be carried out as proposed by the Bill? It was because he did not wish to bind the future Chancellor of the Exchequer; because he wished that 10 years hence he should be able to act in whatever way he thought best for the interest of the country, that he should vote for the Amendment of his right hon. Colleague.

Sir STAFFORD NORTHCOTE: Sir, I will not detain the House for more than a few moments in explaining the vote I am about to give. My feeling is that the discussion we have had to-night has been a useful one, inasmuch as it has cleared our minds on several points, and has, among other things, produced on the mind of the Government an impression that it is necessary to qualify the proposals made. The suggestion which came from the Prime Minister, and which was supported by the right hon. Gentleman the Chancellor of the Exchequer, is, undoubtedly, an improvement upon the original plan of Her Majesty's Government; but, Sir, it does seem to me that, at this time of the Session, it is impossible to give this question full and fair consideration. I see no necessity at all, even from the point of view of the Chancellor of the Exchequer, for passing the Bill in the present year. I think, if we do enter upon the Committee stage, we shall have a good deal of discussion, and that it will take us some time to settle the details of the measure. For these reasons, I think it necessary to vote against the second reading; but, in so doing, I wish to say that, although the Division will be taken upon the Amendment of the hon. Member for Galway, I cannot undertake to say that I support that Amendment. I shall take the course of giving a negative vote upon the Question, "That the words proposed to be left out stand part of the Question;" but not with the slightest hesitation as to the propriety of continuing our efforts for the reduction of the National Debt, or with any idea of going back one inch from the position I have taken up in previous years. I regard this as a necessary measure, but one which, in its present form, is open to objection; and it is because I do not think we can, at this period of the Session, fairly and properly discuss all the questions arising from it, that I shall give my vote against the second reading of the Bill.

Question put.

The House *divided*:—Ayes 149; Noes 95: Majority 54.

AYES.

Acland, Sir T. D.
Acland, C. T. D.
Agnew, W.
Ainsworth, D.
Allen, H. G.
Armitage, B.
Armitstead, G.
Arnold, A.
Asher, A.
Ashley, hon. E. M.
Balfour, Sir G.
Balfour, rt. hon. J. B.
Barclay, J. W.
Bass, H.
Brand, H. R.
Brassey, Sir T.
Brett, R. B.
Briggs, W. E.
Bright, rt. hon. J.
Bright, J. (Manchester)
Broadhurst, H.
Brogden, A.
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Bryce, J.
Buchanan, T. R.
Buszard, M. C.
Buxton, F. W.
Buxton, S. C.
Caine, W. S.
Cameron, C.
Campbell, Sir G.
Campbell-Bannerman, H.
Carington, hon. R.
Causton, R. K.
Chamberlain, rt. hn. J.
Cheetham, J. F.
Childers, rt. hn. H.C.E.
Clarke, J. C.
Cohen, A.
Collings, J.
Cotes, C. C.
Courtauld, G.
Courtney, L. H.
Cowper, hon. H. F.
Cropper, J.
Cross, J. K.
Davey, H.
Dilke, rt. hn. Sir C. W.
Dodds, J.
Dodson, rt. hon. J. G.
Duff, R. W.
Earp, T.
Edwards, P.
Errington, G.
Farquharson, Dr. R.
Fawcett, rt. hon. H.
Ffolkes, Sir W. H. B.
Findlater, W.
Firth, J. F. B.
Fitzmaurice, Lord E. G. P.
Fitzwilliam, hon. C. W. W.
Flower, C.
Foljambe, C. G. S.
Forster, rt. hon. W.E.
Gabbett, D. F.
Gladstone, rt. hn. W.E.
Gladstone, H. J.
Gladstone, W. H.
Goldney, Sir G.
Gordon, Sir A.
Gourley, E. T.
Grant, A.
Grant, D.
Gurdon, R. T.
Hardcastle, J. A.
Hartington, Marq. of
Hastings, G. W.
Hayter, Sir A. D.
Henderson, F.
Heneage, E.
Hibbert, J. T.
Hollond, J. R.
Holms, J.
Hopwood, C. H.
Ince, H. B.
Inderwick, F. A.
James, Sir H.
James, C.
James, W. H.
Jardine, R.
Jenkins, D. J.
Jones-Parry, L.
Lawson, Sir W.
Leake, R.
Leatham, E. A.
Leatham, W. H.
Lee, H.
Lefevre, right hon. G. J. S.
Lloyd, M.
Lubbock, Sir J.
Lyons, R. D.
M‘Coan, J. C.
Mackie, R. B.
Macliver, P. S.
M‘Minnies, J. G.
Mappin, F. T.
Martin, R. B.
Maskelyne, M. N. H Story-
Milbank, Sir F. A.
Monk, C. J.
Morgan, rt. hon. G. O.
Morley, A.
Morley, J.
Morley, S.
Mundella, rt. hon. A. J.
Noel, E.
O'Shaughnessy, R.
Otway, Sir A. J.
Paget, T. T.
Palmer, J. H.

Parker, C. S.
Pease, A.
Peddie, J. D.
Playfair, rt. hn. Sir L.
Porter, rt. hon. A. M.
Powell, W. R. H.
Ramsay, J.
Rathbone, W.
Roberts, J.
Roe, T.
Russell, G. W. E.
Shaw, T.
Shield, H.
Smith, Lt.-Col. G.
Stanley, hon. E. L.
Stanton, W. J.
Summers, W.
Tavistock, Marquess of
Thomasson, J. P.
Tracy, hon. F. S. A. Hanbury-
Trevelyan, rt. hn. G. O.
Vivian, A. P.
Waugh, E.
Whitbread, S.
Williams, S. C. E.
Williamson, S.
Wilson, C. H.
Wodehouse, E. R.

TELLERS.

Grosvenor, right hon. Lord R.
Kensington, right hon. Lord

NOES.

Anderson, G.
Ashmead-Bartlett, E.
Aylmer, J. E. F.
Barttelot, Sir W. B.
Beach, right hon. Sir M. E. Hicks-
Bective, Earl of
Biggar, J. G.
Blackburne, Col. J. I.
Blake, J. A.
Burghley, Lord
Buxton, Sir R. J.
Campbell, J. A.
Cecil, Lord E. H. B. G.
Clarke, E.
Corbet, W. J.
Corry, J. P.
Crichton, Viscount
Cross, rt. hon. Sir R. A.
Dalrymple, C.
Dawson, C.
Digby, Col. hon. E. T.
Dixon-Hartland, F. D.
Donaldson-Hudson, C.
Ecroyd, W. F.
Egerton, hon. A. de T.
Filmer, Sir E.
Finch, G. H.
Floyer, J.
Folkestone, Viscount
Fowler, R. N.
Fremantle, hon. T. F.
Gibson, rt. hon. E.
Giles, A.
Gorst, J. E.
Grantham, W.
Hamilton, Lord C. J.
Harrington, T.
Hay, rt. hon. Admiral Sir J. C. D.
Healy, T. M.
Herbert, hon. S.
Hicks, E.
Hill, A. S.
Holland, Sir H. T.
Hope, rt. hn. A. J. B. B.
Hubbard, rt. hon. J. G.
Kennaway, Sir J. H.
Kenny, M. J.
King-Harman, Colonel E. R.
Lalor, R.
Leamy, E.
Leighton, S.
Lopes, Sir M.
M'Garel-Hogg, Sir J.
M'Kenna, Sir J. N.
Macnaghten, E.
Manners, rt. hon. Lord J. J. R.
Martin, P.
Molloy, B. C.
Nicholson, W. N.
Nolan, Colonel J. P.
Northcote, rt. hn. Sir S. H.
Northcote, H. S.
O'Beirne, Colonel F.
O'Brien, W.
O'Connor, A.
O'Connor, T. P.
O'Donnell, F. H.
O'Kelly, J.
O'Sullivan, W. H.
Pell, A.
Percy, Lord A.
Raikes, rt. hon. H. C.
Ritchie, C. T.
Ross, A. H.
Round, J.
Salt, T.
Scott, M. D.
Severne, J. E.
Sexton, T.
Sheil, E.
Sinclair, Sir J. G. T.
Small, J. F.
Smith, rt. hon. W. H.
Stanley, E. J.
Sullivan, T. D.
Synan, E. J.
Thornhill, T.
Tomlinson, W. E. M.
Tottenham, A. L.
Warton, C. N.
Whitley, E.
Wilmot, Sir H.
Winn, R.
Wolff, Sir H. D.
Yorke, J. R.

TELLERS.

Hamilton, right hon. Lord G. F.
Henry, M.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

LOCAL GOVERNMENT BOARD (SCOTLAND) [SALARIES].

RESOLUTION.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SIR H. DRUMMOND WOLFF said, he must appeal to the Prime Minister upon this matter. Yesterday he received from the right hon. Gentleman a distinct promise that the Local Government Board (Scotland) Bill should not be touched then. On the strength of that promise, he left the House; but he found that, late last night, a Resolution was passed, of which no Notice had been given, fixing to-day for the preliminary Committee on the question. When he mentioned the matter earlier in the present Sitting, he received an answer from the Secretary of State for the Home Department, in the right hon. Gentleman's usual style, informing him that he did not understand the Forms of the House. With regard to that, all he knew was that, on the strength of the Prime Minister's promise, he left the House last night, and, therefore, did not oppose the Resolution that was brought forward. But that Resolution had advanced the Bill a stage, inasmuch as if it had been brought forward to-night for to-morrow, that stage would have been delayed a day; and he would, therefore, now appeal to the Prime Minister to carry out the distinct pledge he gave, and not to press this Motion.

MR. GLADSTONE said, he had nothing to say to the hon. Member as to the Forms of the House; but the carrying of this Resolution was an absolute necessity, as a money clause in the Bill. The promise he had given referred to the Bill itself, and not to this Resolution.

SIR R. ASSHETON CROSS said, there was a point in connection with this matter upon which he thought some information ought to be given. The other day he asked the Secretary of State for the Home Department for some detailed estimate of the charges which this Bill would entail on the country, and he was told that there would be nothing, as he understood, except the salary of the President himself, and that that charge would be provided by the salaries of officers in the other Boards, which would supply all he would want. He did not think that was at all a satisfactory state of things, and he should have supposed that before this money question was settled the Government would have furnished some estimate of what would be the cost. He would remind the Government that if they appointed an Officer with £2,000 or £1,500 a-year, whatever his powers might be to take away the salaries of other Officers in Scotland, he would not be able to provide a staff unless an Act of Parliament gave him power to do so. They were now on the money stage of this Bill, and he understood that no estimate had been made except for £2,000, which would have to be paid to the Officer proposed; while for his staff and for other matters there would have to be economies in the arrangements of the different Boards in Edinburgh. He should like a little more information before this Vote was passed, because it would be impossible for this Officer to destroy the Boards he would find in Scotland, and appropriate the salaries of their Officers to pay his own staff, without coming to Parliament for authority to do so. Therefore, before this scheme was entered upon, the House was entitled to some definite information as to what Offices were to be done away with, and how the new staff was to be obtained. The right hon. Gentleman had stated the other day that the President would require an office in Edinburgh and an office in London. If that was so, he would require a staff of clerks. And the House would like to know where he was to get authority to suppress officers in the existing Boards, and appropriate them to himself; which of the Boards he was going to suppress; and whether he would come to Parliament next year for an Act for this purpose? If that was to be done, it would be much better that the matter should stand over to another Session, in order that the House might have the matter fairly before them, and that, before they established this Office, they should know definitely what the expense to the country would be. In his opinion, this would be a useless, an expensive, and an anomalous Board.

Sir WILLIAM HARCOURT said, he was afraid he could not give the right hon. Gentleman any more satisfactory information than he had given the other day, nor did he think it necessary for the progress of the Bill. The right hon. Gentleman had stated that this would be an anomalous Institution, which was to have an expensive staff. As to the anomaly of the Institution, that, he thought, was rather a question for the second reading of the Bill, which had been decided by the House a few days ago; and he did not think the right hon. Gentleman had recorded his vote against the second reading establishing this anomalous Institution. As to the expensiveness, he did not think that was at all likely to be the case; and it was not the intention of the Government that the Office should have an expensive staff. There were many Offices which did good work without an expensive staff. Some hon. Members opposite, who voted against the second reading, were of opinion that the whole thing would be better done by the Lord Advocate himself; but then the Lord Advocate had no expensive staff at all; and why they should suppose that the duties, which they said were so admirably discharged by the Lord Advocate, could not be done by the Lord Advocate *plus* the Minister to be created by this Bill, unless he had an expensive staff, he really could not understand. The new Minister would require some assistance, and that was referred to in the Bill; but he had mentioned the other day that that assistance might be obtained without any additional charge to the country by economies on a review of the existing Boards of Scotland. The right hon. Gentleman said the Government were going to suppress these Boards, and that they could not do that without Parliamentary authority. First of all, it was not the intention of the Government to suppress these Boards; but where there were a number of Boards, as there were in Edinburgh, it was possible that they might be efficiently worked by a staff which was less expensive than that which already existed; and the question to be considered, when it was decided what should be done in the way of economies, would be whether it would be necessary or not to come to Parliament for authority. If it was necessary, of course they would come to Parliament for authority to deal with the matter; but why should it be necessary to wait for that in order to take the steps which had been agreed upon by the House the other day? Surely it was more wise and reasonable that, when a Public Office was to be created, it should first be seen how far it was necessary to give assistance to the Office so created, and also to see in what way economies might best be effected in the existing Offices. That seemed to him to be a very sensible plan, and a straightforward proposition, which would satisfy the House that there was no reason to go into a consideration of this matter before they proceeded with the present Resolution.

Mr. GORST said, the right hon. Gentleman opposite had spoken a considerable time, and he (Mr. Gorst) was certain the House had derived no information. He thought they had a right to complain now, as they had on Saturday, when the Bill was read a second time, that the Government, however large a majority they had, had no business to read Bills of this kind in the House of Commons without giving that information to the Representatives of the people which they were entitled to ask for and to receive. The right hon. Gentleman boasted of the House having read the Bill a second time; but the Government ought to be ashamed of the way in which the Bill was read a second time. Before that was done, hon. Members had asked a simple question—and they meant to ask some questions at every stage of the Bill—as to how much this new organization in Scotland was to cost the country? That was a simple question, which he thought ought to be answered; and when the Government came down and proposed schemes for the administration of the country, the duty was thrown upon hon. Members of watching Public Expenditure, and they were entitled to ask how much such schemes would cost. He believed the proceeding in connection with this Bill was entirely unprecedented, and that nothing like it had been seen in the history of the country. Alterations in the *personnel* of the Government had grown out of public necessities. We began with a Secretary of State; but, as the business grew, fresh Departments were constituted by necessity, and Heads were found for them; but, in this case, the Government had reversed that process. They were, first of all, going to find a Head, with a salary, and then, at some future time, some work would be found for him, and subordinates and offices would be provided. He protested against that proposal as a reversal of the proper course. The Secretary of State for the Home Department spoke of the Lord Advocate, and observed that the right hon. and learned Gentleman could do the work perfectly well. That was exactly what some hon. Members thought on Saturday; but exactly what the Secretary of State for the Home Department would not allow the right hon. and learned Lord Advocate to say, although he was ready and anxious to speak. He (Mr. Gorst) thought the House had a right to hear what the right hon. and learned Lord Advocate had to say before they read the Bill a second time. Now, they were asked to provide this salary; but he protested that he would not assent to that until he knew what the expense would be. All the Government did was to pitchfork into the House a Bill to give employment to a Gentleman who was to be called President of the Local Government Board of Scotland; and when the Representatives of the people asked the Chancellor of the Exchequer, whose special duty it was to inform the House on these subjects, what this new arrangement was to cost, and how much additional cost was to be thrown upon the taxpayers, he maintained a gloomy and obstinate silence. He must protest at that stage; and he hoped other Members would protest at every stage, and offer all resistance to the progress of the Bill, unless the Government stated what the scheme was to cost.

Mr. DALRYMPLE said, he would not follow the example of the hon. and learned Member for Chatham (Mr. Gorst) in delivering what had been described as a second reading speech; but would keep strictly to the subject of the salary. As in other respects, so in this—the whole question of this new Minister and Department for Scotland had clearly not been thought out. There had been no calculation made of the expense which the Department was to cost; and although he would not go so far as to say that never in the history of the country had there been such a case, he would say that he doubted whether, within recent memory, there had been a proposal made for granting money without some estimate of the expense to be involved. He did not know what class of persons were to be gratified by this thing being done on the cheap, and he did not think it would reconcile those who particularly disliked the creation of this Department to find that it was to be done in a cheap manner. The Secretary of State for the Home Department said there was to be some assistance given to the new President of the Local Government Board in Scotland; but what did that mean? It might mean a clerk, or a shorthand writer, or a charwoman. The term "charwoman" was not known in Scotland; but assistance might mean almost anything. He remembered that when Lord Rosebery was appointed to the Home Office, it was said that he was to give some assistance to the Secretary of State. That was a different thing altogether; but it was equally undefined. On the last occasion of discussing this Bill, when the right hon. Gentleman the Member for South-West Lancashire (Sir R. Assheton Cross) asked a question as to the expense of this new Department, he received an answer which was certainly calculated to make people in Scotland think twice before they assented to this Bill—that was to say, if he (Mr. Dalrymple) knew anything of the feeling of the people in Scotland—for it was stated that it was proposed that this new functionary should scrape money together from the existing Boards in Edinburgh, and so pay for his staff. It took some time, when people had once given their confidence to Her Majesty's Government, to shake that confidence; but it seemed to him that if the people of Scotland once comprehended that the assistance to be given to this new Office was to be paid for by economies in the existing Boards, the proposal of the Government would not be so popular as it now appeared to be. He wished to know whether, when the right hon. Gentleman the President of this Local Government Board had made his investigation, he had to report to Parliament? If not, how was the Treasury to determine how the officers of the Board should be paid? If a saving could not be effected in the manner contemplated by the right hon. Gentleman opposite (Sir William Harcourt), where was the money to come from? If it was to come from the Treasury, the House ought to have some calculation of the amount which was to be asked. There was no mention made as to whom the officers of the second class were to be. Indeed, it was altogether a scheme of the most inchoate and unsatisfactory character; and, as the House professed to take charge of the Expenditure of the country, they were entitled to a little more information as to the expenditure which it was likely would be incurred by this new creation. He believed the right hon. Gentleman opposite was extremely sanguine, if he thought any saving could be effected in Scotland. It had often been said that it was an extremely hard case, that savings which were effected out of such Departments as the Register House, Edinburgh, were not expended in Scotland, but were brought into the Treasury; and while the hardship was felt by many of them, it seemed a particularly unfortunate circumstance that further economies were to be made, if possible, in Scotland, out of which salaries for an undefined and fantastic Department were to be provided. It was very unsatisfactory that they should be asked to pass this Resolution, when they were completely in the dark so far as the expenditure contemplated under the Bill was concerned.

Mr. GIBSON said, there was some substance in the objections which had been taken to proceeding further with this Bill. The right hon. Gentleman opposite (Sir William Harcourt), or the right hon. and learned Lord Advocate (Mr. J. B. Balfour), should either now, or at some early date, give the House the information sought. They were asked by the Resolution to assent to the salaries of the President, Secretaries, and other officers of the Local Government Board for Scotland. Now, they were entitled to some information, he did not say of a very minute character, but of a rough description, as to what was in the minds of the Government when they asked for the salaries of the Secretaries and other officers of the new Board. The Government ought to tell hon. Members whether the salaries in question would amount to £2,000, or £3,000, or £4,000, or £5,000 sterling a-year; they ought to take the Committee generally into their confidence. The Secretary of State for the Home Department said the other day, and again to-night, that there might be some saving effected out of what he called a consolidation of Offices. He (Mr. Gibson) affirmed, in the presence of the right hon. and learned Lord Advocate, who, he presumed, was not doomed to perpetual silence, that there was not one syllable or line in the Bill which would enable him to consolidate or re-organize a single Office mentioned in the Schedule of the Bill; and that it would be necessary if, in the new Office, the services of a single officer in any one Department in Scotland were utilized, to come again to Parliament to get Parliamentary sanction for the purpose. He affirmed that in this Bill there was not one line to warrant the person the Government were going to appoint to walk into a single Office in Scotland to lessen or re-organize the staff of that Office, and say—"I will take this, or that, or the other officer, and use him in the new Office." Now, that was a fair and clear statement; and if the right hon. and learned Lord Advocate controverted it, he (Mr. Gibson) would ask him to point to a line of the Bill which would enable him to save the services even of a charwoman in Scotland. There was another point to be considered. At what time, before the passing of the Bill, were they to be told who the President of the Board was to be? It was not usual to create an Office without giving some information, or some indication, as to who the new official would be. He would give an illustration. At the time the Irish Church was Disestablished there were three appointments made of three very eminent persons. They were not named in the Bill originally, they were not named in the second reading; but on the Committee stage of the Bill they were named, and they were put in. That was a distinct precedent for confidence being reposed in Parliament. Other precedents there were in the cases of the Irish Land Act of 1881, and of the Arrears Act of last year. Under the Land Act of 1881 there were three Commissioners to be appointed with supreme power; they were officials whom it was intended to invest with far greater jurisdiction, patronage, and authority than was to be given to the President of the new Board. Neither on the introduction of the Bill, nor on the second reading, were they told who the three Commissioners were to be; but on the Committee stage the Prime Minister informed the House who the Commissioners were to be; and in doing so the right hon. Gentleman said he was following Constitutional precedent. Last year, in the case of the appointment of Viscount Monck, the Prime Minister did not volunteer the name of the new Land Commissioner until the last moment. He (Mr. Gibson) remembered perfectly well that the right hon. Gentleman was pressed by hon. Member after hon. Member—himself (Mr. Gibson) amongst the number—to state who was to be the new Commissioner, and he said he "would name him tomorrow;" but, finally, under the pressure of questions, the right hon. Gentleman said that the person who it was intended by the Government should fill the place was Viscount Monck. It had been assumed that the Government had in their mind who the President was to be, and what his duties were to be. If, in addition to not knowing what duties would be performed by the new official, they did not know who the President would be, he (Mr. Gibson) failed to see the slightest justification for the Bill.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) rose to continue the discussion.

MR. GIBSON: I asked the right hon. and learned Gentleman the Lord Advocate to reply.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, that with the greatest deference to the right hon. and learned Gentleman (Mr. Gibson), he (the Chancellor of the Exchequer) felt bound to say he was entirely mistaken as to the matter of precedent to which he had referred. It was very customary, when a Royal Commission was being constituted by Statute, to ask before the third reading, or at some convenient stage while the Bill was passing through Parliament, that the Commissioners should be named. Sometimes they were actually named in the Bill; sometimes they were not named in the Bill, but Parliament was informed who they were likely to be. But there never was an instance, where an additional Minister was to be appointed under an Act of Parliament, of that Minister being named either in the Bill or when the Bill was passing through the House. What was the difference between a Commissioner and a Minister? A Commissioner did not hold a political Office, and he was not liable to go out of Office when a change of Government occurred. He held Office either until a certain work was done, or for a certain number of years. But whoever might be appointed by Her Majesty, when this Bill passed, would be a Member of Her Majesty's Government, and would be liable to leave Office the very next day after his appointment. He would, therefore, stand on a totally different position to a Commissioner or a Judge; and to name the first of such Ministers in the Bill constituting the Officer would be most anomalous.

SIR MICHAEL HICKS-BEACH said, he did not think that it was necessary to press any further the point which had been raised by the right hon. Gentleman the Chancellor of the Exchequer (Mr. Childers), because they could all form a pretty good idea of who the person was who was to be selected, although it was by no means so easy to ascertain what were the duties he would be called upon to perform. He (Sir Michael Hicks-Beach) did not wish to discuss that question further; and he merely rose for the purpose of asking the right hon. and learned Lord Advocate for some answer to the question put by the right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson). The Secretary of State for the Home Department had laid great stress upon the fact that it was the intention of Her Majesty's Government to re-organize certain Offices in Edinburgh, and that material would be derived from that re-organization for framing the staff whose salaries they were now called upon to vote. The question his right hon. and learned Friend (Mr. Gibson) had asked the right hon. and learned Lord Advocate was, how it was possible that that result could be attained, and whether there were any powers in the Bill under which that suggestion could be carried out? It appeared to him that they were asked to vote money in a manner it which it ought not to be voted, and that the staff was to be formed under powers which did not exist. Was that a position in which it was fair to place the House? He hoped that the right hon. and learned Lord Advocate would deal with this point, and that, in doing so, he would give the House such necessary information as to the duties of the new Minister and the new Department as the House had a right to demand.

THE LORD ADVOCATE (Mr. J. B. BALFOUR) said, his right hon. Friend the Secretary of State for the Home Department (Sir William Harcourt) did not state, and the Government did not assert, that in the Bill, as it stood now, there was any provision made for amalgamating any of the Boards which now existed in Edinburgh. Undoubtedly, it would be one of the duties of the Minister who would be appointed under the Bill to review the whole situation and position of the different Boards, and to form an opinion as to whether any of those Boards could, with advantage to the Public Service, be re-organized or amalgamated. If it was found fitting that any of them should be re-organized or amalgamated, no doubt application would be made to Parliament for the necessary powers. He might point out that without any re-organization it would undoubtedly be within the competency of an official, such as it was proposed to appoint by the Bill, to review the existing staffs of the different Boards. If it appeared that minor changes could be made in the existing staffs without re-organization or amalgamation in the larger sense, and without Parliamentary sanction or authority, he supposed there would be no difficulty whatever in making them. Resort to Parliament would only be had in case it proved to be necessary.

SIR R. ASSHETON CROSS said, the right hon. Gentleman the Secretary of State for the Home Department (Sir William Harcourt) had stated that he (Sir R. Assheton Cross) had not voted against the Bill. That was the case; but the right hon. Gentleman must know perfectly well that he spoke against the measure on Friday, and that in consequence of the "Count-out" on Friday evening, the Bill was put down for Saturday. He had, however, no notion that it was coming on on Saturday, and he therefore left town.

Question put, and *agreed to.*

Matter *considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the Salaries of the President, Secretaries, and other Officers of the Local Government Board for Scotland, which may become payable under any Act of the present Session for constituting such Board."

Sir H. DRUMMOND WOLFF said, he would move, as an Amendment, to leave out the word "Salaries," and to insert the word "Salary" in its place. He made the proposal in order to incur the disdain of the right hon. Gentleman opposite (Sir William Harcourt). He was accustomed to the disdain of that right hon. Gentleman, and rather liked it. He should subsequently move to leave out the words "Secretaries and other Officers." At present, any number of officials might be appointed; in fact, the Committee were now asked to vote away money completely in the dark.

Amendment proposed, to leave out the word "Salaries," in order to insert the word "Salary."—(*Sir H. Drummond Wolff.*)

Question proposed, "That the word 'Salaries' stand part of the Question."

Mr. GORST said, he hoped the Government would inform the Committee even now, at the eleventh hour, whether there were to be "Secretaries and other Officers." The Committee, very properly, desired to know what officials there were to be in this new Department.

Sir R. ASSHETON CROSS said, he would ask the right hon. and learned Gentleman the Lord Advocate, whether he had ever advised the Government that the Boards at present existing in Scotland might safely be amalgamated, or have their staffs reduced; or whether, in his opinion, they might be safely reduced; and, also, whether he was of opinion that the Bill would work for the benefit of Scotland, and would not lower the dignity of the Office which he now held?

The LORD ADVOCATE (Mr. J. B. Balfour), in reply, said, that such experience of public affairs as he had had induced him to believe that that was hardly a proper question to ask. He had always understood that communications between Members of a Government in regard to such matters were strictly confidential.

Sir JOHN HAY said, he thought the Committee ought to know that, although a silent support on the part of many Representatives on that side of the House had been given to the Bill, as had been stated by the right hon. Gentleman the Secretary of State for the Home Department, and as many hon. Members had found out on reference to the Notice Paper, there were a very large number of Amendments. The greater part of those were to be moved by hon. Gentlemen on the other side of the House, who themselves had not yet spoken on the question. Nearly two pages of those Amendments were to be moved by the hon. Gentleman the Member for Kirkcaldy (Sir George Campbell) and the hon. and gallant Gentleman the Member for Kincardineshire (Sir George Balfour). It was necessary that many of those Amendments should be put forward; and, no doubt, some of them, if accepted, would entirely alter the character of the Bill. [*Cries of* "Order!" *and* "Question!"]

The CHAIRMAN: The right hon. and gallant Baronet is not in Order in referring to Amendments to be proposed in Committee which are not yet before us.

Sir JOHN HAY said, of course, he should not presume to argue further on that point; but, as it was known that considerable changes were suggested, to which he could not further allude, with reference to the character of the officers who were to be appointed, he thought it desirable that they should have some information as to the amount the Government calculated they were likely to spend on the new Department. At present, they were called upon in Committee, blindfold, he might say, to support a proposal for creating Offices for which there was no employment, and to give clerks to assist the eminent person who was to preside over the Board without salaries. At any rate, it was proposed to pay salaries out of money which had not been voted, and which it was not at present proposed to vote by Parliament.

Sir H. DRUMMOND WOLFF said, he must complain of the studied discourtesy with which the right hon. Gentleman the Secretary of State for the Home Department treated every appeal. Certainly, if the right hon. Gentleman wished to get the Bill through quickly, he was not going the right way to work about it. He should confer with the noble Lord the Member for Flintshire (Lord Richard Grosvenor) with regard to these appointments, and ascertain, if possible, what Secretaries were to be employed. If the noble Lord informed him that there were to be none appointed except those who could be scraped up from the existing Boards, then he should like to ask why they were to have these salaries for Secretaries? If there were to be no Secretaries, it was an absurdity to vote the salaries. To settle the matter, would not the right hon. Gentleman agree to his (Sir H. Drummond Wolff's) Amendment, to the effect that there should only be a salary for the President, who was the only official mentioned in the Bill?

Sir WILLIAM HARCOURT said, he did not rise for the purpose of treating the hon. Gentleman opposite (Sir H. Drummond Wolff) with the disdain which he seemed to expect; but, at the same time, he could not agree to his Amendment. At that hour in the morning (1.25), he was indisposed to say the same thing over and over again; and he would, therefore, say that he had no other answer to give than that he had already offered, in spite of the hon. Gentleman's threat to appeal to the noble Lord the Member for Flintshire (Lord Richard Grosvenor). The hon. and learned Gentleman opposite (Mr. Gorst) had said—"You have almost put in the Bill what you are going to give to the Secretaries." [Mr. Gorst: I never said anything of the kind.] They could not do more than they had done in the Bill, as they had to suit the pleasure of the dragon of the Treasury, who kept guard over the national purse. From his experience of the Treasury, there was no one so slow to part with public money for any purpose as the hon. Gentleman the Financial Secretary to that Department (Mr. Courtney). The reply always made, when the Secretary was appealed to, was that nothing could be given of which the Treasury did not approve. In his (Sir William Harcourt's) opinion, there was no circumstance more fitting for an economical guardianship and protection of the Imperial Funds than in connection with such a proposal as this, where a new Office was proposed without definite knowledge as to what would be finally required from it.

Mr. ASHMEAD-BARTLETT said, he would point out that the security the right hon. Gentleman opposite (Sir William Harcourt) had just referred to was a perfectly worthless one; because, notwithstanding the severe character of the guardianship of the present Financial Secretary to the Treasury (Mr. Courtney), the Budget for the year had been larger than it had ever been before. He (Mr. Ashmead-Bartlett) did not, therefore, think there was much security that the salaries paid under this Bill would not be enormous. They were called upon to vote salaries for Secretaries who were not yet described, much less appointed. They did not know what the Offices would be, or what functions their holders would be called upon to discharge, or how many of them would be appointed, and yet they were told they must adopt this proposal without inquiry. To his mind, this was a sham measure, introduced late in the Session to enable Her Majesty's Ministers to go to the Scotch people, and tell them they had done something for them. The Government did not know what they were going to do, and yet they had the assurance to call upon them to vote these salaries.

Question put.

A Division being challenged,

The CHAIRMAN named as Tellers for the Ayes, Lord Richard Grosvenor and Lord Kensington; for the Noes, Mr. Arthur O'Connor and Sir H. Drummond Wolff.

Sir H. DRUMMOND WOLFF: No, no; I did not challenge a Division.

Mr. GORST: I can support my hon. Friend in that. He did not challenge a Division.

Mr. O'SULLIVAN: The hon. Member for Portsmouth (Sir H. Drummond Wolff) moved the Amendment.

The CHAIRMAN: Will the hon. Member for Queen's County (Mr. Arthur O'Connor) name a Teller?

Mr. ARTHUR O'CONNOR: Mr. O'Brien.

The Committee *divided*:—Ayes 135; Noes 11: Majority 124.

AYES.

Acland, C. T. D.
Agnew, W.
Ainsworth, D.
Allen, H. G.
Anderson, G.
Arnold, A.
Asher, A.
Ashley, hon. E. M.
Balfour, rt. hon. J. B.
Barttelot, Sir W. B.
Bass, H.
Beach, right hon. Sir M. E. Hicks-
Bective, Earl of
Brassey, Sir T.
Brett, R. B.
Briggs, W. E.
Bright, J. (Manchester)
Broadhurst, H.
Brogden, A.
Bruce, rt. hon. Lord C.
Bruce, hon. R. P.
Buchanan, T. R.
Buxton, Sir R. J.
Buxton, F. W.
Buxton, S. C.
Caine, W. S.
Campbell, J. A.
Campbell-Bannerman, H.
Causton, R. K.
Chamberlain, rt. hn. J.
Cheetham, J. F.
Clarke, E.
Colthurst, Col. D. La Z.
Corry, J. P.
Cotes, C. C.
Courtauld, G.
Courtney, L. H.
Coweper, hon. H. F.
Cropper, J.
Cross, rt. hon. Sir R. A.
Cross, J. K.
Dalrymple, C.
Digby, Col. hon. E. T.
Dilke, rt. hn. Sir C. W.
Dodds, J.
Duff, R. W.
Earp, T.
Ecroyd, W. F.
Egerton, hon. A. de T.
Errington, G.
Farquharson, Dr. R.
Ffolkes, Sir W. H. B.
Findlater, W.
Foljambe, C. G. S.
Fowler, H. H.
Gabbett, D. F.
Gibson, rt. hon. E.
Gladstone, H. J.
Gladstone, W. H.
Gorst, J. E.
Grant, A.
Harcourt, rt. hon. Sir W. G. V. V.
Hardcastle, J. A.
Hartington, Marq. of
Hastings, G. W.
Hayter, Sir A. D.
Henderson, F.
Heneage, E.
Henry, M.
Hibbert, J. T.
Holland, Sir H. T.
Hope, rt. hn. A. J. B. B.
Hopwood, C. H.
Illingworth, A.
James, Sir H.
James, C.
James, W. H.
Jardine, R.
Jones-Parry, L.
Kennaway, Sir J. H.
Lawson, Sir W.
Leake, R.
Lee, H.
Lubbock, Sir J.
Lyons, R. D.
M'Minnies, J. G.
Maskelyne, M. N. H. Story-
Milbank, Sir F. A.
Monk, C. J.
Morgan, rt. hn. G. O.
Morley, A.
Morley, J.
Morley, S.
Nicholson, W. N.
Noel, E.
Northcote, H. S.
O'Connor, T. P.
O'Shaughnessy, R.
Paget, T. T.
Parker, C. S.
Pease, A.
Peddie, J. D.
Percy, Lord A.
Porter, rt. hn. A. M.
Powell, W. R. H.
Rathbone, W.
Ritchie, C. T.
Roberts, J.
Round, J.
Russell, G. W. E.
Severne, J. E.
Sexton, T.
Shaw, T.
Sinclair, Sir J. G. T.
Smith, Lt.-Col. G.
Smith, rt. hon. W. H.
Stanley, hon. E. L.
Stanton, W. J.
Summers, W.
Tavistock, Marquess of
Thomasson, J. P.
Thornhill, T.
Tomlinson, W. E. M.
Tottenham, A. L.
Trevelyan, rt. hn. G. O.
Warton, C. N.
Waugh, E.
Whitbread, S.
Whitley, E.
Williams, S. C. E.
Williamson, S.
Wilmot, Sir H.
Wilson, C. H.
Winn, R.
Wolff, Sir H. D.

TELLERS.

Grosvenor, right hon. Lord R.
Kensington, rt. hn. Lord

NOES.

Ashmead-Bartlett, E.
Aylmer, Capt. J. E. F.
Biggar, J. G.
Burghley, Lord
Fowler, R. N.
Harrington, T.
Hay, rt. hon. Admiral Sir J. C. D.
O'Donnell, F. H.
O'Sullivan, W. H.
Scott, M. D.
Sullivan, T. D.

TELLERS.

O'Brien, W.
O'Connor, A.

Original Question put, and *agreed to.*

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the Salaries of the President, Secretaries, and other Officers of the Local Government Board for Scotland, which may become payable under any Act of the present Session for constituting such Board.

Resolution to be reported *To-morrow.*

DISEASES PREVENTION (METROPOLIS) BILL.—[Bill 279.]

(*Sir Charles W. Dilke, Secretary Sir William Harcourt.*)

CONSIDERATION.

Order for Consideration, as amended, read.

Bill, as amended, *considered.*

Mr. W. H. SMITH said, he did not wish to delay the Bill; but it would be interesting to the House to know, on a question of this importance to the Metropolis, whether the Metropolitan Asylums Board were desirous of undertaking the duty which it was proposed they should undertake under the Bill. There was no compulsion upon them to do so; but, of course, the duty was an important one. It was to be hoped that they would readily co-operate with the other local authorities in taking what measures were necessary under the Bill, and, in other directions, for the stay of the disease, if we should be, unhappily, visited with cholera.

Sir CHARLES W. DILKE said, he was to have an interview on Thursday morning with the representatives—in fact, the Committee—of the Metropolitan Asylums Board, and at that meeting, no doubt, they would be able to agree on a scheme; or, at all events, lay the foundation for a scheme, by which the local authorities—the Vestries and District Boards of the Metropolis—could take measures to prevent the spread of cholera if it should come. Up to the present time, the Government had only had an unofficial communication with the Asylums Board. Some Members of the Board had seen a draft copy of the Bill, and had interested themselves in the matter; but, as yet, no official communication had passed between them and the Government in regard to it.

Bill read the third time, and *passed.*

STOLEN GOODS BILL [*Lords*].

(*Sir William Harcourt.*)

[BILL 258.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Second Reading of the Bill be deferred till Thursday next."—(*Secretary Sir William Harcourt.*)

SIR R. ASSHETON CROSS asked the Government whether it was really intended to proceed with this Bill?

SIR WILLIAM HARCOURT replied in the affirmative.

Question put, and *agreed to.*

Second Reading *deferred* till *Thursday.*

CORRUPT PRACTICES (SUSPENSION OF ELECTIONS) BILL.

(*Mr. Attorney General, Mr. Solicitor General.*)

[BILL 281.] SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL (Sir HENRY JAMES), in moving that the Bill be now read a second time, said, that it had not been printed; therefore, if there was any objection taken to the second reading he should postpone the stage. He did not, however, think there was likely to be any opposition, as the measure was the same as that passed in the last two Sessions of Parliament. Its object was to prevent Writs issuing in regard to suspended boroughs during the Recess. He trusted the House would allow him to take the second reading.

Motion made, and Question, "That the Bill be now read a second time,"—(*Mr. Attorney General,*)—put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

CRUELTY TO ANIMALS ACTS AMENDMENT (*re-committed*) BILL.—[BILL 118.]

(*Mr. Anderson, Sir Frederick Milbank, Mr. Samuel Morley, Mr. Jacob Bright, Mr. Passmore Edwards, Mr. Buchanan.*)

COMMITTEE. [*Progress 4th August.*]

Bill *considered* in Committee.

(In the Committee.)

MR. MONK said, he had placed some Amendments on the Paper to the Bill, and he should like to ask the hon. Member for Glasgow (Mr. Anderson) if he would accept them? If the hon. Member did not intend to do so, he (Mr. Monk) would make some observations in regard to them. He would call attention, in the first place, to the proposed name of the Bill. In the first line of Clause 5 the measure was described as the Cruelty to Animals Prevention Acts Amendment Bill. As the Bill now stood, its object was merely to prevent pigeon-shooting; but he (Mr. Monk) could hardly think that the hon. Gentleman who brought it forward as a Bill for the Amendment of the Cruelty to Animals Acts would object to include in it cruelty to other animals besides pigeons. Otherwise, it would be desirable to change this name to the Cruelty to Pigeons Prevention Act. He intended to move an Amendment to that effect, and he supposed the hon. Member for Glasgow would accept it. It was not necessary for him to take up the time of the Committee by going at length into the subject; and he would, therefore, simply ask the hon. Member whether he would consent to change the name of the Bill as he suggested?

MR. ANDERSON said, that, in reply to his hon. Friend (Mr. Monk), and other hon. Members who had Amendments to the Bill on the Paper, he should like to make an appeal to them not to proceed with their proposals. When the Bill passed the second reading, he had given a pledge that it should be confined strictly to trap-shooting. To that pledge he wished to adhere. That promise had been made to the right hon. and learned Gentleman on the Front Bench opposite (Mr. Gibson), and to other hon. Members, and he wished to adhere strictly to it. He must, therefore, refuse, so far as he was concerned, to accept the Amendment mentioned by the hon. Member for Gloucester (Mr. Monk), even although he sympathized with its object, and, under other circumstances, should be extremely glad to widen the scope of the measure. The reason for the refusal was the pledge he had given, and the fear that at that late period of the Session, if they extended the operation of the Bill, its progress would be materially endangered in "another place." He would appeal to hon. Members who were favourably disposed towards the Bill not to move any Amendments at all, for fear of destroying the chance of the Bill in the House of Lords. Some of the Amendments were, perhaps, hostile. For instance, there was that to be moved by the hon. Member opposite (Mr. Tottenham), which provided for the shooting of pigeons from traps in places specially licensed for the purpose. The hon. Member had not, seemingly, sufficiently considered the nature of his proposal, because that would involve such an invidious class distinction, that it would be a thing which the Committee would hardly be inclined to agree to. As to changing the name of the Bill, it did not appear to him that the name was of much consequence. The Bill was, practically, an amendment of the Cruelty to Animals Acts. Therefore, he should be inclined to adhere to the title as it stood.

Clause 1 *agreed to.*

Clause 2 (Penalties for shooting birds liberated from traps or otherwise).

MR. MONK said, he had an Amendment, in page 1, line 13, to leave out the word "place," and insert "inclosure," and further Amendments in line 14, consequential, for the purpose of carrying out the object which he would now state. His desire was to put an end to the objectionable system of coursing and hunting trapped hares and rabbits. ["Oh, oh!"] Well, hon. Gentlemen might cry "Oh, oh!" but it seemed to him that it was hardly just to have one law with regard to cruelty to pigeons, and another with regard to cruelty to hares and rabbits. He had no doubt many hon. Members of the Committee were aware that a vast number of hares and rabbits were netted or trapped every year, and sent to inclosures constructed for the purpose of coursing. From those inclosures the hares were driven down a narrow passage in the shape of a funnel by men stationed there for that purpose, and ultimately forced through it. At the end of the funnel was a person with two greyhounds in a slip. As soon as the unfortunate hare passed through the funnel the dogs were slipped after it, and the coursing match, as the sporting phrase went, took place. It seemed to him to be in the highest degree absurd to suppose that the House of Commons would pass a Bill for preventing what was alleged to be cruelty in shooting trapped birds, and, at the same time, refuse to protect unfortunate hares and rabbits, which were kept in confinement simply for the sake of being run down by dogs and cruelly done to death. He need hardly say that the practice to which he was calling attention was very different from coursing in the open. That might be real sport, and, no doubt, it had been considered sport for centuries in this country; but it was quite a novel practice to net hundreds of hares, as they were now netted in Norfolk and Suffolk, and sent up in vast quantities to these inclosures, there to be coursed by dogs. It was all very well for the hon. Member for Glasgow (Mr. Anderson) to say that he did not wish to alter a word or line of the Bill, and that he considered it a Bill for extending the Prevention of Cruelty to Animals Act. The Bill was nothing of the sort. It had no reference whatever to baiting bulls, dog-fighting, and cock-fighting, which formed the subject-matter of the original Act. That Act had nothing whatever to do with pigeon-shooting, its object being to prevent cruelty to animals, whether tame or wild. Therefore, he could not understand how the hon. Member could refuse to accept his Amendment. ["Oh, oh!"] Would any hon. Member, who, by inarticulate sounds, was expressing dissent from what he had said, rise in his place and state that he considered the coursing of these unfortunate hares and rabbits, which were kept in confinement for lengthened periods, was legitimate sport, and should not be dealt with by Parliament? Would any hon. Member say he did not consider that cruelty? If anyone did, then he (Mr. Monk) could not agree with him. The Amendment he now proposed was the first of a series intended to put a stop to this cruel kind of coursing.

Amendment proposed, in page 1, line 13, leave out "place," and insert "inclosure."—(*Mr. Monk.*)

Question proposed, "That the word proposed to be left out stand part of the Clause."

Sir WILLIAM HARCOURT said, that if the hon. Member (Mr. Monk) was in favour of this Bill, as he (Sir William Harcourt) believed he was, he trusted that he would not press his Amendment. No doubt, there were cruelties of other descriptions, besides those at which the Bill was aimed, which might be properly considered; but if this particular measure was to be dealt with this Session, it was impossible to amend it. As everybody perfectly understood, the Bill was proposed with a limited object, and with that object a large majority of hon. Members of the House had expressed their sympathy by their votes. He trusted the hon. Member would not persist in his Amendment, unless he wished to bring about the defeat of the Bill.

Question put, and *negatived.*

Mr. TOTTENHAM said, he had an Amendment on the Paper, in line 14, after "elsewhere," to insert "except as hereinafter provided;" and, later on, another Amendment to insert the following Proviso:—

"Provided, nevertheless, That bird shooting from traps shall be permitted in places specially licensed for the purpose, under the supervision of an official to be appointed by the Secretary of State for the Home Department; the salary of such official to be fixed by the Secretary of State, and to be paid out of the funds of the club, or other establishment so licensed. Any conviction for cruelty under this Act, or default in payment of such salary by the person to whom the licence is issued, to cause forfeiture of licence."

He did not desire to move these Amendments, after the expression of opinion which they had heard in the House on the last Amendment. Indeed, it would be useless for him to persevere.

Lord BURGHLEY said, he had an Amendment to propose which was not on the Paper. He had not been able to get it printed that night; but what he wished to call the attention of the Committee to was the fact that the Bill was for the more effectual prevention of cruelty to animals. Hon. Members would, therefore, agree with him that the cruelty in the case of pigeons did not consist in merely shooting them, but in cruelties practised upon the birds shot at. He had, therefore, drawn up an Amendment for the consideration of the Committee which would deal with the cruelties, without interfering with the shooting. It was in these words. In page 1, line 14, to leave out from the word "elsewhere" down to the word "or," in line 15, and to insert—

"Liberate or be privy to the liberation from any trap or other contrivance, or from the hand, of any mained or injured bird for the purpose of being shot at."

He believed the Amendment would strongly appeal to the feelings of the Committee, and he trusted it would be adopted.

Amendment proposed,

In page 1, line 14, to leave out all the words after "elsewhere" down to "or," in line 15, in order to insert "liberate or be privy to the liberation from any trap, or other contrivance, or from the hand, of any maimed or injured bird for the purpose of being shot at." —(*Lord Burghley.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. ANDERSON said, as he had refused to accept an Amendment which would have the effect of extending the scope of the Bill, he was equally unable to agree to any limitation; and he should, therefore, oppose the Amendment.

Question put, and *agreed to.*

Clause *agreed to.*

Clause 3 *agreed to.*

House *resumed.*

Bill *reported,* without Amendment.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Anderson.*)

Mr. TOTTENHAM said, that, looking at the way in which the Bill had been taken on Saturday night last, against the opinion of the majority of hon. Members, he did not think it right to assent to the third reading being taken at that Sitting.

Mr. WARTON said, he must oppose the Motion of the hon. Member for Glasgow (Mr. Anderson), on the ground that the previous stages of the Bill had been hurried on in such a way as to deprive hon. Members who took an interest in the subject, and were opposed to the Bill in its present form, from expressing their opinions upon it.

Amendment proposed, to leave out the word "now," in order to insert the words "upon Thursday," — (*Mr. Warton,*)—instead thereof.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

MOTIONS.

TRAMWAYS, &c. (IRELAND) BILL.

LEAVE. FIRST READING.

Mr. TREVELYAN, in moving for leave to bring in a Bill for promoting the extension of Tramway communication in Ireland, and for assisting Emigration, and for extending certain provisions of "The Land Law (Ireland) Act, 1881," to the case of Public Companies, said, that, as a considerable number of hon. Members had been good enough to stay in the House until that late hour, he would explain the Bill fully, and yet in a few minutes. The Bill contained several subjects which, at first sight, appeared to be heterogeneous, but which had this, common to all of them — that the Government believed they would all conduce to a permanent belief in justice and to the advancement of the prosperity of Ireland. With the object of attaining these ends, the Government were compelled to ask the House to confirm certain new principles, and to run the risk of disbursing public money for objects never disbursed for before. The Bill was in three parts, of which the first, and much the largest in bulk, and involving by far the largest pecuniary considerations, referred to the extension of steam tramways in Ireland. Some months ago a certain number of Members of Parliament laid before the Prime Minister several proposals with regard to developing the resources of Ireland; and, after careful consideration of what experience and theory had shown the Government to be the limits of State action in the matter, it was decided to do something—and, he thought, something tangible — to complete the communications of the country. That being determined upon, the next question was, to what class of communication State assistance should be afforded. Ireland was not provided with railways as some countries were; but the whole machinery for promoting railways was so familiar, and railways were so profitable, that it was probable that almost as many railways as would answer for some time to come had already been made in Ireland. Besides that, there were a considerable number of Irish railways constructed by means of Government money. About £1,000,000 sterling had been lent for Irish railways, as against nothing in England and Scotland; and the rate of interest had recently been reduced from 5 per cent, in some cases, to 4 per cent in all. Canals were hardly to be thought of—they could not be constructed in those parts of the country which the Government wished to most benefit; while in parts of the country in which they could be more favourably constructed—such as Galway or Mayo—the experience of the Government had not been such as to encourage such construction. The high roads of Ireland might be said to be exceptionally good; but high roads were a practical bar to commercial prosperity in districts where the only means of drawing goods was by cattle driven 30 or 40 miles. In the West of Ireland, the amount of traffic was not such as to justify the most sanguine Railway Company in running branch railways; but there was a class of communication which had hitherto only received partial development, but which was singularly likely to be applicable to Ireland. The cost of steam tramways was very much less than that of railways. The cost of rolling stock was very much less, and the speed was less; but the speed had already been and could be made greater. It was already practical enough for the purpose of country districts, which hitherto had only know ordinary horse draught. Steam tramways followed the high roads, and connected thinly-peopled districts with the great railway systems. They were not immeasurably and immensely inferior to railways, and they would tend to connect places where it would be quite impossible to make railways. He did not mean to say that all these results were certain; but the experience of steam tramways, on the whole, led practically to the belief that these results were exceedingly likely. It was believed that steam tramways were beginning to be appreciated in Ireland, and only required a little more encouragement to set a good many schemes on foot. And that encouragement the Government had determined to give, and their scheme would be contained in about 15 clauses. He was informed that there were many districts in which, if the local authorities consented, tramways would be made. Whether the local authority was the ideal authority or not he was not prepared to argue. At the present moment, the county funds were disbursed by the Grand Jury, and he was told that if the law allowed the Grand Juries to step forward, and equip the country, that would be accepted; but that power did not exist by law, and the Government, therefore, taking the county authority as it found it, simply proposed to empower Grand Juries to attract shareholders by means of a guarantee from the county rate of a portion of the interest of the barony through which the line ran. Rate of interest was not the correct description. Whatever would attract money best would be left to the operations of the open market; but the Government proposed to go further than that, and in order to give encouragement to the local authorities and confidence to the baronies of the State, according to this scheme, would support and back up the baronies with a guarantee of half the interest, so long as that interest did not exceed 4 per cent on the whole of the capital. To the extent of 2 per cent on the entire capital the Government intended to advise the taxpayers to contribute to providing tramway accommodation for Ireland. This part of the scheme was quite a new idea. As far as he was aware, it was only known at present in India, in the British Dominions; but the Government thought it was an obligation worth undertaking for the purpose of testifying their goodwill to Ireland, and starting certain districts on a course upon which they could not start by themselves. This guarantee would apply to the whole of Ireland. That was the outline of the scheme; but it was obvious that there were several interests which would have to be carefully guarded against. In the first place, there were the cesspayers of the baronies. Nothing would be more unjust than that Grand Juries should be able to place a crushing tax on any one person; and the existing Tramway Law, which the Government proposed to follow, lent itself to the protection of the cesspayer. It contained several provisions for that purpose. In the first place, the Grand Jury would hear everyone; and on each Grand Jury there would be one or two persons from each barony—though he did not lay great stress upon that point. In the second place, any ratepayer would be able to traverse the presentment at the Assizes; and if the presentment was objected to, and if the preliminary notices had not been duly served, or if there were any other illegality, the Judge would disallow it. In the third place, the Privy Council would investigate the case and hear everybody interested; and that was, he thought, as good a tribunal as could be devised. In the fourth place, if there was any dissatisfaction with a Grand Jury, then, by a Petition to the Privy Council, the Order of the Council only being provisional, and requiring to be confirmed by Act of Parliament, it would be open to any person to oppose it, as if it were a Bill. The danger of a Grand Jury exercising tyranny appeared to be *nil.* Their resolution had no force; it was simply a recommendation; it was only provisional until Parliament should confirm it, and Parliament alone could impose any tax. The next interest was that of the taxpayer. He might suffer by the guaranteeing of a scheme which did not contain the element of solvency; but no scheme would be guaranteed unless it was shared in equal part by the local body, which might be presumed to be conversant with the local wants. At any rate, the local body had every reason not to guarantee a scheme which was likely to become bankrupt; and local bodies in Ireland, he was told, were not accused of recklessness in spending money. However anxious a local body might be to get money, it would have to show 1*d.* for every 1*d.* from the Government; and before the Grand Jury recommended a Tramway Company, the scheme must be approved of by the engineers of the Local Government Board. Then there was the danger of a great rush of schemes. It was possible that there might be a great rush of schemes, especially if it was believed to be a case of first come first served.

In order that there might not be an unlimited burden put upon the Treasury by the 9th clause, the amount which, under this Bill, the Treasury might guarantee was £40,000 a-year in all—that was to say, 2 per cent on a capital of £2,000,000 sterling; and the Government hoped that £2,000,000 might be the extent to which, under this measure, communications in Ireland would be made. Then there was one other cause of apprehension, and that was, perhaps, the most difficult point to be dealt with. There could be no doubt that if Stock of 4 per cent was guaranteed, half by the Treasury and half by the local authority, that would call forth twice as much money as in the case of a Company. The danger was that a Company would be formed to get desirable Stock at 4 per cent, which would sell at between 110 and 114; and then, when the line was constructed, the projectors would find it very convenient to withdraw their interest and not work the tramway. In that case, the barony and the Treasury would have to pay the guarantee, and would get nothing in return for it, except a tramway which did not run. This contingency was provided against thus. If a Company made a default, either by not keeping the line in repair, or failing to pay working expenses, and so could not keep the line open after a certain time, the property would be transferred *ipso facto* to the Grand Jury, who would then work the line for the guaranteeing persons. He would not now enter more fully into details, all of which had been carefully considered. Baronies which joined in the guarantee would be represented on the Directorate. [MR. HEALY: How?] By Directors. [MR. HEALY: Who will elect them?] Presumably, the cesspayers. If a barony could secure money on more favourable terms, the guarantee might be only for a very limited time. Then there were certain defects in the Tramway Law which this Bill proposed to remedy—notably, that enactment which forbade a line to be taken beyond a limit of 30 feet from the centre of the road. If it was a question of going round a hill, tramways under the Bill would have the power to run round just as if they were practically along the line of the road. Finally, so far as tramways were concerned, instead of restricting the speed to 10 miles in the open country, and six miles in town and villages, it was proposed to raise the speed to 12 miles in the open country, and leave the limit at six miles in towns and villages; but the Government would not be indisposed to consider an Amendment for raising the speed still further. If the Bill did not immediately cover with tramways that part of Ireland which the Government were most anxious to see developed, at least it would proceed steadily to open out the country; and that, they hoped, would give a great deal of labour where labour was much wanted; and that it would be of service to the congested districts he had no doubt. All were agreed that these districts existed, and the only difference of opinion was as to the best mode of remedying the existing state of things. All were of opinion that there were fewer people in some of these places; and while some hon. Members thought that the redundant population in some parts should go to other parts of Ireland, other hon. Members thought they would be better off in Canada and Australia.

MR. MITCHELL HENRY asked if that was all there was about the tramways?

MR. TREVELYAN replied that, practically, that was all. In the opinion of the Government the success of the emigration scheme had been such as to induce them not to let the machinery cease until more had been done. He would not, however, now argue that point; he was only asking leave to introduce this Bill; but when he considered the number of people there were to emigrate, but who could not emigrate without assistance, he could not help asking Parliament to add another £100,000 to that granted last year. That money had been employed in giving relief in certain districts which were helpless and prostrate. The Bill proposed to give another £100,000 for emigration, and the money would have to be used very carefully and judiciously. He hoped to say more on this head on the second reading, for he was informed that this sum represented the extreme limit of what was forthcoming.

MR. HEALY asked from what fund the money was to be provided?

MR. TREVELYAN said, it was to come from the Church Fund. There were a number of gentlemen who were disappointed with the slow effect of the Purchase Clauses of the Land Act, and at the absence of any philanthropic Companies and regulations for the purpose of encouraging and assisting the peasant proprietary. He did not now deny that the Purchase Clauses had acted slowly; and if the present were a debate on the Land Act, or the occasion were otherwise fitting, he could give reasons for this. The Government proposed, under the 26th section of the Land Act, to permit Companies, on satisfying the Land Commission that it was their object to buy for the purpose of re-selling to the tenants, to purchase from the landlord, on the same terms as occupying tenants were now allowed to purchase—that was to say, by putting down one-fourth of the purchase money and leaving three-fourths on mortgage. [Mr. Gibson asked what was meant by a Company?] An individual was not meant. The idea at present was that it should be a Company, and a Company which intended to re-sell—that, in fact, re-selling should be an absolute condition in the matter. One of the great difficulties in the way of the operation of the Purchase Clauses was that individual tenants had to deal with landlords who might not want to sell. In the course of this year, only three small estates of 45 farms in all had been purchased by the Land Commission, the amount paid for them being some £15,000. [Mr. Parnell: By the Land Commission?] Yes, by the Land Commission; and that represented the extent of those operations in the direction of purchasing holdings. It was hoped that the Bill would give a real impulse to the sale of land in Ireland. He had done his best to describe the measure in outline, and he earnestly hoped that hon. Members would allow it to be printed.

Motion made, and Question proposed,

"That leave be given to bring in a Bill for promoting the extension of Tramway communication in Ireland, and for assisting Emigration, and for extending certain provisions of 'The Land Law (Ireland) Act, 1881,' to the case of Public Companies."—(*Mr. Trevelyan.*)

Mr. PARNELL said, he did not wish, at that hour, to go into the merits of the Bill proposed by the right hon. Gentleman the Chief Secretary for Ireland (Mr. Trevelyan). He would only say that he trusted that the tramway scheme would be as successful as the right hon. Gentleman hoped. There was no doubt that, in many parts of Ireland, main lines of tramways might be made with considerable advantage, to supply the place of lines of railway which the country, on account of its poverty, would not be able to support. He must reserve a fuller expression of opinion until they reached the future stages of the measure. With regard to the baronial guarantees, at present it appeared to him that the proposition to share the responsibility between the baronies and the Government was a fair one, and would remove some of the objection which was felt in 1880 to the proposal made by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), under which the whole of the guarantee was to be given by the local authority. He hoped the right hon. Gentleman the Chief Secretary for Ireland would not be too sanguine as to the amount of employment likely to be given by the construction of these tramways. They all knew that the construction of tramways on common roads afforded, to only a limited extent, employment for the labour in the locality. The works were not nearly as heavy as those on railroads, and they did not involve the same permanent construction—in fact, the amount of money spent on labour on tramways would be very small in proportion to the amount expended on labour in the case of railroads. He thought he should be making a correct estimate in saying that probably four-fifths of the cost of these tramways would go into the pockets of English iron-masters, English builders, and locomotive engineers. Probably the amount spent on actual labour would not exceed one-fifth of the total cost. He desired, however, to pass to another portion of the scheme of the right hon. Gentleman. He was very much disappointed to find that the right hon. Gentleman had not determined to leave the very vexed question of emigration alone, at all events, for the present Session. He could not imagine a more injudicious course than that which had been adopted by the Government. They were now very near the close of the Session, and the throwing down of another bone of contention between those who believed in emigration and those who did not could not but result in a very prolonged discussion when the Bill reached its later stages. He was sorry, therefore, the Government did not make up their minds to give a trial to some other mode of relieving the congestion which undoubtedly did exist in several districts in the West of Ireland. He regretted that the Government should have resolved to persevere in the course they commenced in 1881, and which they continued in 1882. He was also surprised and disappointed that the Government intended to take this money out of the Irish Church Fund. Until this Session the Irish Government had considered themselves bound to consult, at least, the wishes of the Irish Representatives in regard to the disposal of that Fund. It was an Irish Fund, raised and paid out of Irish land in the occupation of tenants; it was a Fund in regard to which he and his hon. Friends had hoped, up to the introduction of the Relief of Distress Bill, in pursuance of which £50,000 of the Church Fund was allocated, that the Government would continue the practice of consulting the Irish Members. These continual calls upon the Irish Church Fund were nothing more nor less than the Government putting their hands into the pockets of the Irish people and stealing from them that which really belonged to them. If he interpreted the speech of the right hon. Gentleman correctly, there was only about £100,000 left.

Mr. TREVELYAN said, that what he stated was, that the £100,000 was the last sum the Government could see its way to spend.

Mr. PARNELL said, he was glad to hear that was so. But he could not help expressing surprise that the Government should seek to extract this £100,000 from the Church Fund for the very obnoxious purpose of emigration. When he (Mr. Parnell) spoke of emigration as being an obnoxious purpose, he desired to the fullest extent to acknowledge the *bona fides*, the ability, and the desire to do good which had distinguished the gentlemen, some of whom were Members of that House, who had connected themselves with Mr. Tuke's scheme of emigration. He believed these gentlemen were sincerely desirous of benefiting the population in the congested districts of Ireland; and he was only sorry they did not devote their talents and ability to the development of a scheme of a different and more promising character, and one more in accordance with the sentiments of the Irish people. Undoubtedly, the emigration which had been conducted under Mr. Tuke's observation had abounded in those features which had distinguished emigration in times gone by. But then he (Mr. Parnell) and his hon. Friends would be able to prove, by unimpeachable testimony, when the Bill reached another stage, that Mr. Tuke's Committee had failed in doing that which they imagined they were doing. He would be able to prove that in many districts of Ireland the farmers, or the occupiers of land, were not emigrated, but that it was the small tradesmen, the shoemakers, or the tailors of the small villages and towns, and the labourers who had no land, who were taking advantage of the emigration funds. He did not mean to say that farmers had not emigrated in some districts; but he should be able to show that, in cases where the farmers had taken advantage of the fund, the object which Mr. Tuke and his Committee hoped to attain—namely, the bringing about of a reasonable and judicious consolidation of holdings, had not been attained; that, in many instances, the emigrants had not surrendered possession of their holdings to their landlords; that they had either locked them up, or left them with some person in charge, or else that they had handed over possession to some friend or neighbour to look after them until they saw how they were likely to get on in the country to which they had emigrated. He would be able to show that, although people were leaving the congested districts, many farms were left vacant, and nothing was being done to consolidate holdings. In fact, they were simply repeating the errors of 1847 and 1848. They were clearing tracts of land, but were not consolidating farms into holdings of a suitable size for cultivation. These, and other matters of importance, he and his hon. Friends would be able to lay before the House on a subsequent stage of the Bill; and he believed they would be able to prove, on the highest testimony, the statements he had made. They would be able to show also that the condition of the emigrants was not satisfactory; that those who had been able to find friends and relatives became a burden and a drag upon them; that others of them had obtained employment for which they were unsuited; and that they were likely, in consequence, to lose that employment, and to become a permanent charge on the poor rates of the country to which they had been sent. He believed the sum of £5 per head was miserably small, and inadequate for enabling the emigrant to settle comfortably and prosperously in his new home. He now turned for a moment to the last portion of the Bill—that which dealt with the amendment of the Purchase Clauses. There was no doubt that some of the Purchase Clauses of the Land Act of 1881 had signally failed to work. He regretted that the right hon. Gentleman had not gone further, and given those of them who believed that migration or re-settlement of the population was possible in the West of Ireland a chance of showing the efficacy of such a scheme, by dividing this grant of £100,000, which he now proposed to take from the Church Fund, between the two operations of emigration and re-settlement, or migration. Surely, if the Government insisted, at that period of the Session, in forcing an Emigration Act upon the unwilling Irish Members, they could not expect to get one-tenth of the Representatives of Irish constituencies to vote with them. Surely, on the other hand, if the Irish Members were able to place before the House plenty of calculations based upon the experience of men who had had an opportunity of practically forming a sound judgment on this question in Ireland, they might then have a chance, at least, of proving this winter, once and for all, whether it was possible that anything could be done for the purpose of solving this difficult problem in the West of Ireland, by removing and re-settling a certain portion of the population on lands which were purchasable and available for the purposes in question. Several gentlemen had devoted considerable time and attention to this question. Surveys had been made in the counties of Mayo and Galway by engineers of skill and experience, and they had shown, most conclusively, that the re-settlement or migration of portions of this population was practicable. Capital to any extent could be obtained, both in Ireland and England, and America, and Australia; but what they asked the Government was this, and he thought it was a fair claim to put before the House in view of this demand for money out of the Irish Church Fund, to allocate, for the purpose of trying this experiment, a small portion of that which was asked for the purpose of emigration. The matter then would, once for all, be finally set at rest, and it would then be seen whether it was possible to remove or re-settle any of the tenants in these congested districts. If the Government followed that suggestion, they would be doing very much to obviate the prejudice against the Government and the House of Commons, which a great many people entertained in consequence of this enforced emigration. He trusted that before the Bill reached the Committee stage, the Government would have seen the reasonableness of the claim the Irish Members made, and would be prepared to allocate a moderate sum of money for the purpose of trying this experiment under such conditions as they might consider safe and necessary in order to prevent jobbery.

Mr. GIBSON said, it would be obviously out of place, at that stage of the Bill, and at that hour of the morning, to criticize the very interesting statement of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland, which obviously challenged discussion in some of the principles which were involved. He (Mr. Gibson) did not clearly understand whether the tramways were to be made wherever local exigencies suggested they might be required, or whether they were to be constructed in any particular Province. He should like to know whether they were to be general wherever required? [Mr. Trevelyan: They may be constructed wherever required.] He was not sure that there might not be difficulties connected with the rights of railways under existing Acts, and that they would not challenge and jealously investigate the operation of steam tramways, which were hardly distinguishable from railways. With regard to the emigration provisions, he would only make one observation. This proposal for emigration was, to his mind, petty legislation, and they could not magnify it into anything big; whereas the tramway transaction was a big one. Those who knew the history of Irish emigration would know very well that what was done in this Bill would go a very little way towards improving the condition of the people of Ireland. They should never lose sight, in considering the question of Irish emigration, of this fact—that the Irish people, by voluntary effort and by their own money, did a great deal towards removing themselves to other countries more capable of finding them employment. [Mr. T. D. SULLIVAN: Evicted people.] With reference to the Purchase Clauses, he would make this suggestion as to what was proposed by the hon. Member for the City of Cork (Mr. Parnell). As he listened to the statement of the Chief Secretary for Ireland, he (Mr. Gibson) apprehended, as he thought, the hon. Member's point; and he was not sure that those who looked to migration might not find the best and soundest means of bringing their theory to the test under the Purchase Clauses of this Bill. Under the Purchase Clauses. as he had heard described by the Chief Secretary for Ireland, he understood that it would be recognized that Companies, or aggregations of individuals, might be formed for the purchase of land. He did not know whether there would be any check upon the nationality of these Companies—that was to say, whether there would be anything to prevent them from being American, or Australian, or English; but, at any rate, Companies of individuals might be formed who would be given the same advance that tenants could obtain at present under the Purchase Clauses of the Land Act, and would be able to purchase estates under conditions that the land was parcelled out and sold to tenants. There was nothing to prevent people who believed in the migration theory, as opposed to emigration, to go to the State—and they would not be bound by a limit of £1,000 or £2,000, but could make operations as extensive as they pleased—and say—"We desire to avail ourselves by this money of the Land Act. Here is a Company formed for the purpose of availing ourselves of the new provision, and purchasing, it may be, in Meath, or Westmeath, or wherever you like, wherever you say the districts are not populated, properties, with three-fourths of the money of the State, and parcelling them out into small portions to people who desire to migrate rather than emigrate." This amendment of the Land Act he regarded as of importance, because it brought to an immediate, prompt, and practical test that statement about migration made by some of the Irish Members. Those who believed in migration could adopt the machinery which was now placed at their disposal. There appeared from the statement to be nothing in the Bill to prevent them. The hon. Member for the City of Cork himself had reserved his right to consider the Bill in detail when it was presented for second reading; and he (Mr. Gibson) trusted that when it was put down for that stage it would be put down when there could be something like a fair debate upon it, notwithstanding the late period of the Session, which he very much regretted. He must express his great regret that a Bill of this magnitude and of this great importance, which dealt with principles in a way which was most exceptional, and which challenged criticism on the first glance, and would necessarily excite wide discussion, was not brought on at a period of the Session when it could have been more fully and carefully considered. It was very much to be regretted that it was not brought on at a time in the Session when it could be discussed not only by hon. Members from Ireland, but by Representatives of Scotch and English constituencies who took some interest in this question. It was a matter of disappointment to him that there would be no opportunity for obtaining a fair and careful expression of public opinion with regard to the measure. They would be face to face with the second reading almost before the provisions of the Bill had circulated through the Press of the country, and before the mature public mind of the country could be brought to a careful investigation of it. He did not know whether the Chief Secretary for Ireland could tell them when he expected to take the second reading. They could not expect such a measure to become law without a good deal of mutual forbearance and concession, and something like a disposition to meet difficulties in a conciliatory way. It would be a convenience if some indication could be given to the House as to when the second reading of the Bill was likely to be taken.

MR. CHAMBERLAIN said, that, on behalf of the Government, he could cordially join in the regret expressed by the right hon. and learned Gentleman who had just spoken (Mr. Gibson) that it had been impossible for the Government to bring in the Bill at an earlier period of the Session. He quite agreed that it was a very important measure and deserved full discussion; and he only regretted that, in common with other important measures, it had been impossible to give that time which they should have liked to have devoted to its discussion. He also agreed with the right hon. and learned Gentleman that, at that period of the Session, it would be quite impossible to look forward hopefully to being able to make progress with the measure, if it did not generally commend itself to hon. Members in all quarters of the House. He trusted it would be received in the spirit in which it was introduced. He would appeal to the Irish Members to bear in mind the great sacrifices the Government had been obliged to make of their economic principles in proposing such a scheme. [*Laughter from the Irish Members.*] Unquestionably, the Government had had to make large sacrifices of their economic principles before they could propose such a measure as this. [Mr. O'Donnell: As you did in reference to the Suez Canal.] Nothing of the kind had ever been proposed for England; and it was because the Government recognized, as fully as hon. Gentlemen opposite, the special circumstances with which they had to deal in Ireland, that they had laid aside everything like pedantry in dealing with this matter, and had honestly endeavoured to meet the difficulties to be faced in proposing, in a case of this kind, to make grants from the Imperial Exchequer for public works in Ireland. No such grant had ever been proposed in connection with public works in England. He had always recognized that, in dealing with a poor country such as Ireland, where commerce and enterprize had been for a long time at a very low ebb, it would be absurd to apply the principles which had been found to apply to this country. The Government, at all events, had recognized that fact in bringing forward the Bill; and he hoped that the spirit in which they had introduced it would meet with appreciation on the part of hon. Gentlemen opposite, as he had every reason to believe would be the case, after the speech they had just listened to from the hon. Member for the City of Cork (Mr. Parnell). The only serious part of that criticism with which the hon. Member received the Bill were the remarks he had made as to the conduct of the Government in throwing down a bone of contention between those who were in favour of migration and those who were in favour of emigration. As he understood the hon. Gentleman, he did not contend that emigration was necessarily bad. What the hon. Member said was that he and his Friends preferred what they called migration. He (Mr. Chamberlain) thought he was right in saying that, in one debate on the Land Act of 1881, the hon. Member went so far as to say, for himself and his Friends, that the state of certain districts in Ireland was such that he, for one, had come to the opinion that some scheme of emigration would be worth trying. That statement, of course, did not exclude his present preference for a different scheme; but it included emigration as one of the means by which the difficulties of the present condition of Ireland might be removed.

Mr. PARNELL: What I said was, that if the Government brought forward any scheme by which these families could be placed in suitable homesteads in Canada or the United States, I should not oppose the Bill.

Mr. CHAMBERLAIN said, he recollected that that was what the hon. Member had said; and, therefore, any objection the hon. Member would have to offer would not be to emigration as such, but probably to the details of the scheme they proposed, which they admitted to be a matter for fair discussion. The hon. Member had gone a little further, because he had objected to their taking what he very properly called an Irish Fund against the opinions of the Irish people. He (Mr. Chamberlain) did not put his own opinion against that of the hon. Member on the question of what might be the opinion of the majority of the Irish people; but, at least, they had evidence that a considerable number of the Irish people regarded with favour emigration as one of the means of relieving distress. ["No, no!"] Hon. Members said that was not so; but he repeated that there was a considerable proportion of the Irish people who took this view. Emigration was not forced upon anyone. No one need leave the country unless they liked to do so. [An hon. Member: They are starved into doing it.] When they found there were so many persons in Ireland ready to emigrate if they would only give them such limited assistance as the Bill proposed, they had a right to assume that those people considered it a great boon. The hon. Member for the City of Cork said—"Why do not you meet us in this matter, and give us half this sum to enable us to test our experiment of migration?" Well, in reply to that, he had to say that he did not think at that stage the matter was one upon which the Government could form a fair judgment. All they had said on the subject hitherto was, that they had not yet had any practical scheme of what was called migration put before them, and that, as far as they had been able to examine the suggestions which had been submitted to them, they certainly seemed to them to be wanting in the qualities which might be supposed to lead to success. If the hon. Member for the City of Cork and his Friends would give them some further information to show that some small advance, such as he suggested, might be applied to the purpose of this experiment with a fair chance of success, all he could say was that he thought it would be a matter for the fair and full consideration of the Government. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Gibson) had said their scheme for the formation of Companies for the purchase and re-sale of land gave an opportunity for that experiment. No doubt, it went a long way in that direction; but he did not think it would enable them to go as far as the hon. Gentleman the Member for the City of Cork seemed desirous of going; because, as he (Mr. Chamberlain) understood it, the Companies would have to buy land, and would expect from the purchasing tenants a portion of the purchase money. In the scheme of migration he had heard suggested in that House, it was proposed that the tenants should be placed on land they were expected to improve, which was not now in a state of cultivation; and, in the second place, it was alleged that the position of these tenants was such that they could not find any portion of the purchase money. That was the distinction between the scheme of the hon. Member for the City of Cork and the scheme that would alone be possible under the provisions of the Bill. He had said enough to show the spirit in which this measure had been introduced; and, on the Motion before them, he did not think the House would desire any fuller discussion. He hoped hon. Members would wait to see the exact details of the Bill, and that they would approach its further consideration in Committee in a spirit that would lead to a satisfactory issue.

MR. WHITBREAD said, he rose to reply to the charges made against those gentlemen who had, happily, been actively engaged in the scheme of emigration—that was to say, the charge that the scheme had broken down. He did not suppose that, in dealing with a large number of emigrants, they would have been completely successful in every case; but he thought that, in the enormous preponderance of cases, they had done real good, and he believed they would be able to show that the result of the scheme, on the whole, had been to afford a better chance of living to those people who remained in Ireland. One word with reference to the question of emigration *versus* migration. He did not wish hon. Members opposite to suppose that when Mr. Tuke's Committee started their work they had any predilection for sending Irishmen out of their country; they had before their eyes those districts in Ireland in which it was impossible for the people to live. The House had never had placed before it any tangible scheme of migration. He should listen with the deepest interest to any scheme of migration which had, on the face of it, some indication that it would work. But the Committee found, from information in their possession, that there was no probability of that being the case. On the other hand, they had experience of emigration, and they knew that this would work in a satisfactory manner. They chose that course, then, because they did not believe that migration was possible. If the hon. Member opposite (Mr. Parnell) would put forward a satisfactory scheme of migration, he (Mr. Whitbread), for one, would welcome it. For his part, he would not send a single Irishman out of the country; he would much prefer that they should remain there, if it were possible to get a living. What they wanted, then, was a tangible scheme which would, on the face of it, lead to a successful result. He trusted hon. Gentlemen opposite would not seriously throw opposition in the way of the continuance of a work, which, from all the information he had received, had, at all events, benefited the large majority of those who had gone out. No doubt, there were individual cases of failure; but, on the whole, there could be no doubt that their efforts had been satisfactory.

MR. HEALY said, he was glad that the hon. Member for Bedford (Mr. Whitbread), speaking as he did for a section of the Party by whom he was surrounded, had expressed his willingness to accept a system of migration. A tone and temper like that of the hon. Gentleman was quite new in the case of those with whom he was associated. With regard to tramways, he (Mr. Healy) would point out that the scheme was not new. The Italian State had taken up a scheme of tramways guaranteeing 4 per cent, and he hoped the English Government would do the same, because he thought it was likely to lead to good results. But there was a defect in the proposal before the House. The whole scheme of the Government depended on the assent of the Grand Juries; and, that being the case, it could not be completed with the rapidity and in the efficient manner which the Government expected; because it must be remembered that the Grand Juries did not always want to promote the good of the country. By allowing the Grand Jury system to continue to exist, the Government were, to some extent, rendering the new scheme nugatory. He was glad to hear the statesmanlike tone of the remarks of the right hon. and learned Gentleman the Member for the University of Dublin, and he considered he had furnished the Government with an idea which they might develop. The right hon. and learned Member said that the Government could use the 24th section of the Land Act in a satisfactory way for the purpose of migration; but how could they do that by means of the Bill as it at present stood? They could not do it without the addition of some supplementary provisions. He also said that some encouragement should be given to the Tramway Companies. The Government gave Steamship Companies £5 a-head to take people across the Atlantic. Why, then, should they not give Tramway Companies money for taking people from Connemara to Meath? The right hon. Gentleman the President of the Board of Trade (Mr. Chamberlain) had made a mistake that it was quite natural he should fall into. He (Mr. Healy) pointed out that no reclamation ever had been, or would be, effected by planting a man on 20 or 30 acres of bog, and telling him to reclaim it. That could only be effected when a man had a little piece of good land as a nucleus to start from; the contrary idea was purely illusory, and could not be carried out. Now, with regard to the system of emigration, the English people never could be got to do anything right, but that they immediately tried to do something wrong; if they gave a present, they always accompanied it with a poison. What would be thought of the Irish people if they were to start some scheme of this kind, and force it down the throats of Englishmen? The worst of the matter was, that Englishmen were always so cock-sure of the result of their legislation for Ireland. There were two or three Gentlemen on the Treasury Bench who had been to Dublin Castle, and had seen the Liffey, and whose only sources of information were the Resident Magistrates and the Police, whose business it was to keep the country in a state of ferment, in order to provide themselves with jobs. Those Gentlemen knew absolutely nothing of the actual requirements of Ireland; nevertheless, their views were allowed to be carried out, while no notice whatever was taken of the opinion of Irish Members who were born in the country, lived in the country, and had the good of the country at heart. It was impossible that this scheme should succeed in the hands of these Gentlemen. He would point out that the scheme was being forced upon the country against the will of the Irish National Party, and, as they contended, against the wish of the great majority of the people of Ireland; and then, as the "most unkindest cut of all," the Irish people were asked to pay for it out of their own pockets. If the English Government insisted upon this scheme, they should in all decency pay for it themselves. If England wanted to see Irishmen emigrated, and turned out of their country, there were plenty of other ways by which it could be done. For instance, they could send down a policeman, and tell a man that he was going to be arrested; he would then leave the country. That was a means of assisting emigration that had been much in use during the last two or three years. For these reasons, he said that the English Government should pay this money out of their own Exchequer, and that they should leave to the Irish people whatever money remained of the Irish Church Fund for the purposes of the Irish experiment of migration. If the Irish Church Fund was to be used, let it be applied in the way in which the great majority of the Irish Representatives desired. He believed that, if English Gentlemen would consider the position taken up by Irish Members on this subject of migration and the application of the Irish Church Fund, they would find it to be a reasonable one; and if the Government would consider the desirability of allowing the migration scheme to go forward, he believed they would find the way smoothed for the scheme of emigration.

COLONEL NOLAN said, he regarded that portion of the Bill which dealt with the scheme of tramways as extremely good. He thought that Her Majesty's Government were to be congratulated on the principle, but that they were wrong in going against the opinion expressed by the whole of the Irish people that the money for emigration should not be taken from the Irish Church Fund. As he was anxious that the Bill should pass, he would now offer no opposition to the Government on the question of emigration; but, at the same time, he contended that the cost should be defrayed from the Imperial Exchequer. It was, in his opinion, unreasonable that the Irish Church Fund should be applied to any purpose not approved by the Irish people, but should be applied for the benefit of Ireland by the development of its resources. He trusted the Government would withdraw the objectionable provision.

MR. O'DONNELL said, he believed that, even if the portion of the Bill which related to tramways proved a complete failure, the Emigration Clauses would be carried out to the utmost. With regard to the question of tramways, it struck him as remarkable that the Government, which had expressed so keen a desire to establish local autonomy in Ireland, was, apparently, about to give a new lease of life to the Grand Jury system. If that system were now to be solemnly recognized, and set forth by them, the conclusion likely to be drawn was that the Irish people need not look forward to any speedy amendment of the system of local government. He would not spend any time in discussing the Bill as stated in the speech of the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland. He did not believe that such a scheme for the development of the resources of Ireland could result in anything but failure, except under the superintendence of a Government responsible to the people of Ireland.

Question put, and *agreed* to.

Bill *ordered* to be brought in by Mr. TREVELYAN, Mr. CHAMBERLAIN, Mr. ATTORNEY GENERAL for IRELAND, and Mr. COURTNEY.

Bill *presented*, and read the first time. [Bill 286.]

SUPERANNUATION BILL.

On Motion of Mr. HERBERT GLADSTONE, Bill to extend certain powers given by "The Superannuation Act Amendment Act, 1873," *ordered* to be brought in by Mr. HERBERT GLADSTONE and Mr. COURTNEY.

Bill *presented*, and read the first time. [Bill 285.]

PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) [EXPENSES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the travelling and other Expenses of Election Judges hearing appeals from Election Commissioners, and of the Expenses of the reception and accommodation of such Judges, and of providing a proper court for them, which will become payable under the provisions of any Act of the present Session for the better prevention of Corrupt and Illegal Practices at Parliamentary Elections.

Resolution to be reported *To-morrow.*

House adjourned at a quarter before Four o'clock in the morning.

HOUSE OF COMMONS,

Wednesday, 8th August, 1883.

MINUTES.] — PUBLIC BILL — *Considered as amended*—Parliamentary Elections (Corrupt and Illegal Practices) [265].

QUESTIONS.

NAVY—BOW RUDDERS.

Mr. GORST (for Sir H. Drummond Wolff) asked the Secretary to the Admiralty, Whether it is a fact that H.M.S. "Canada" is fitted with a bow rudder weighing at least ten tons, and projecting several feet below the keel; and, whether such rudder has been reported against both for the "Canada" and for other of Her Majesty's Ships; and, whether it has been fitted to H.M.S. "Canada" only for experimental purposes; and, if so, whether orders will be given to have it removed?

Mr. CAMPBELL-BANNERMAN: Sir, a drop bow rudder has been fitted in the *Canada*, chiefly for use in the event of the main rudder being disabled in action. It weighs about 6 tons, and when in use projects about 6 feet below the keel. When not in use, it does not project at all. Similar rudders had been fitted with advantage to smaller vessels; but, after the experience of it in the *Canada*, it is not proposed to fit a rudder of this kind in any other ship, because, although of some service, it is not considered to be worth the cost. There is no intention, however, to remove the bow rudder from the *Canada*.

SOUTH AFRICA—ZULULAND—CETEWAYO.

Mr. R. N. FOWLER asked the Under Secretary of State for the Colonies, Whether Her Majesty's Government have received any confirmation of the statement in the newspapers from Mr. Colenso, Norwich; and, whether he can give the House any information as to the fate of Cetewayo?

Mr. EVELYN ASHLEY: Sir, the only information we have received is the telegram which arrived at the Colonial Office yesterday about 2 o'clock. It is from Sir Henry Bulwer, and is dated the 7th August, from Pietermaritzburg; and it says that—

> "The Resident with Cetewayo had reported that a message had come from Cetewayo to say that he was alive."

Mr. R. N. FOWLER: Is that Mr. Finn?

Mr. EVELYN ASHLEY: Yes; Mr. Finn. The telegram goes on to say—

> "Mr. Osborne, Resident in the Reserved Territory, doubts the truth of the statement, and thinks it is a Usuto party scheme; but it is further stated that a missionary named Robertson thinks it certain Cetewayo is alive."

I do not know who Missionary Robertson is, as we never heard of him before. Then Sir Henry Bulwer says—

> "I have told Osborne to verify the report at once; but as there is no telegraphic communication, I suppose it will be some days before we get any further verification of the news."

Mr. R. N. FOWLER: Has the hon. Member received any communication from Mr. Colenso as to what the information is founded upon?

Mr. EVELYN ASHLEY: No, Sir.

Mr. ASHMEAD-BARTLETT: Does the telegram say where Cetewayo is?

[No reply.]

SOUTH AFRICA—NATAL—LANGALIBALELE.

Mr. R. N. FOWLER asked the Under Secretary of State for the Colonies, Whether it is true, as reported in the newspapers, that he has received a communication from the Executive Government of Natal, to the effect that Langalibalele is to be restored to his government?

Mr. EVELYN ASHLEY: That is not the statement in the newspapers.

Mr. R. N. FOWLER: Nor that it is the intention of Her Majesty's Government to restore him?

Mr. EVELYN ASHLEY: The statement is perfectly correct in the newspapers, that Sir Henry Bulwer has sent home the conditions under which alone he considers Langalibalele can be safely restored. These conditions have been submitted to the Legislative Council by the direction of the Home Government. But what the decision of the Legislative Council may be is still, as the newspaper reports say, uncertain.

PARLIAMENT—SITTINGS AND ADJOURNMENT OF THE HOUSE—SATURDAY SITTINGS.

Sir R. ASSHETON CROSS said, that in consequence of the hon. Member for Glasgow (Mr. Anderson) having, by his opposition, successfully prevented his (Sir R. Assheton Cross) bringing forward his Motion with respect to Saturday Sittings, he would, when the Motion was made for any Bill other than a Government Bill being put down for Saturday, move that the House do not proceed further with such Order after a quarter past 6 o'clock.

ORDER OF THE DAY.

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PARLIAMENTARY ELECTIONS (CORRUPT AND ILLEGAL PRACTICES) BILL.—[Bill 265.]

(*Mr. Attorney General, Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General.*)

CONSIDERATION.

Order for Consideration, as amended, read.

Mr. WARTON said, he would move that the Bill be re-committed in respect of Schedule 1, in order that the amount of expenditure allowed to a candidate in boroughs should be increased.

Mr. E. STANHOPE, in seconding the Motion, said, he did so because he desired some information from the Government as to the course they would pursue with the Schedule; and especially to ask the hon. and learned Gentleman the Attorney General whether he would give an undertaking to the House that the legal expenditure in the case of a double candidature should be increased to double the amount authorized in the case of a single candidature, instead of being reduced by one-fourth, as was proposed by the Bill as it stood?

Motion made, and Question proposed, "That the Bill be re-committed in respect of Schedule 1."—(*Mr. Warton,*)

The ATTORNEY GENERAL (Sir Henry James) said, he thought it was a pity to act in this manner, discussing questions twice over. For himself, he thought they would save time by deferring this matter until they reached the Schedule. All he could say was, that it was his personal intention to adhere to the proposals on the Paper; but, of course, he could not pledge himself as to what the House would do. He, however, hoped they would not agree to any proposal to increase the maximum allowed for boroughs. The hon. Member for Londonderry (Mr. Lewis) had put down Amendments to that effect; but if they were agreed to, the allowance for boroughs would be greater than for counties. Borough expenditure was already ample enough, and he could not acquiesce in any proposal to increase it.

Sir R. ASSHETON CROSS said, he was glad to find that the hon. and learned Gentleman the Attorney General had not altered his opinion with regard to the expenditure in counties.

Question put, and *negatived.*

Bill, as amended, *considered.*

New Clause—

(Saving for creditors.)

"The provisions of this Act prohibiting certain payments and contracts for payments, and the payment of any sum, and the incurring of any expense in excess of a certain maximum, shall not affect the right of any creditor, who, when the contract was made, or the expense was incurred, was ignorant of the same being in contravention of this Act,"—(*Mr. Attorney General,*)

—*brought up,* and read the first and second time, and *added* after Clause 16.

Mr. NEWDEGATE: Mr. Speaker, I am afraid that the hon. and learned Gentleman the Attorney General will be inclined to accuse me of inexcusable perseverance in proposing for the consideration of the House the substance of the clause that stands in my name. I am always unwilling to waste any of the time of this House upon that which some seem to consider a small question; but the fact is, that the principle involved, and which my clause is intended to carry out, is a principle the adoption of which has been found essential for regulating, correcting—nay, restoring the elective system in the United States of America, in order to insure the due representation of the people under that democratic system of government. It is the more remarkable that Her Majesty's Ministers should seek to evade the consideration of this subject, seeing that one of their number, himself a Cabinet Minister, the right hon. Gentleman the President of the Board of Trade, who is also one of the Members for Birmingham (Mr. Chamberlain), has publicly announced, in a letter, which appeared in *The Times* newspaper, that it was he who imported into the electoral proceedings of the United Kingdom the system of Convention and Caucus, which has led avowedly, according to Congressional Reports, to the greatest abuses in the United States, and, in fact, formed one of the elements in the differences which brought about the American Civil War.

That has been reported by Congress; and yet, when a Cabinet Minister says that he has been a party to importing this system of Convention and Caucus into the electoral system of this country, which it has already, to a large degree, perverted in the same manner as it perverted the electoral system of the United States, and I submit to the House a clause, which embodies in principle the remedy against the evil of the Caucus that has been adopted by the Congress of the United States, I am met by the hon. and learned Attorney General with evasive answers, as I will show, and with the allegation that this subject is not worth the consideration of the House. Far be it from me, Sir, to presume upon my position as an old Member of the House; but I say that, if the humblest Member of the House adduces such facts as these, when the task of correcting the electoral system is before the House, the people of this country—the constituencies of this country—knowing that the American system has been largely introduced into the Constitution of this country, have a right to demand some fuller answer from the Representative of the Government, a leading Member of which boasts that he has introduced the system of Caucus into the elections of this country, and that, in the year 1880, nearly 80 constituencies were affected by the operation of that system. I hope the hon. and learned Gentleman will forgive my placing the matter before the House in this form, because, during the 40 years that I have had a seat in this House, I have not been in the habit of presuming on the indulgence of the House. I trust that, in very few instances, it can be said of me that I have troubled the House with any Motion on insufficient grounds; and I am perfectly certain that, in the present instance, it is not upon insufficient grounds that I am acting. Now, the only answer to the purport of what I have said, which the hon. and learned Attorney General gave me on a former occasion was, that the evil, the correction of which is contemplated by this clause, is provided against by the existing law. But, with the permission of the House, I will show that this is not the fact. In the first place, not being a lawyer myself, I desired to be supported by legal authority. I therefore consulted a work upon *The Law and Practice of Registration and Elections*, published by Cox and Grady at *The Law Times* office, which is accepted, I believe, in all our Courts as a work of authority. There I find this passage, under the head of "Belfast Election Petition," at page 302—

> "There is no power given by the Corrupt Practices Acts to deal with the practices, which have effects similar to those covered by the Statutes; and offences not defined by such Statutes; although having the same pernicious results as those which are defined, are not cognizable by the Court."

That was a part of the judgment given by Lord Fitzgerald in the Belfast case; and it is to one of those omitted provisions as to offences not covered by any Statute that I now call the attention of the House, and with respect to which I propose the clause that stands in my name. I put a Question to the hon. and learned Gentleman in this House, asking under what Statute I should, in his opinion, find terms that would meet the abuse to which I pointed; and the hon. and learned Gentleman referred me to the Corrupt Practices Act of 1854, and particularly the 1st, 2nd, 3rd, and 5th sections of that Act. Well, Sir, not only have I carefully examined that Statute myself, but I have obtained the best advice I could get in the examination; and I may be permitted to say to the hon. and learned Gentleman that there are no terms contained in it which meet the case that is submitted to the House by the clause I now propose. That clause is founded upon American Statutes, which, in seeking to correct the abuses of the Caucus, is directed against combinations of persons for corrupt purposes; and I now ask the hon. and learned Gentleman to point out what are the terms in the Statute of 1854, or any other Act existing on the Statute Book, that are directed against a combination or conspiracy such as the Caucus is designated in the recent Statutes of the United States, which are against the action of such combinations. Unless the hon. and learned Gentleman has made a discovery beyond the researches of those whom I have consulted, he will be obliged to confess that there are no such provisions in our Statute Book. The 5th section of the Corrupt Practices Act of 1854, as it is the most comprehensive, comes, perhaps, nearest to the purpose; but it fails in this point—that not one word is directed against a combination such as has existed in the United States, and as it exists here, the operations of which are directed, or may be directed, to perverting the representation of the people. That section contains qualifications and conditions which are difficult of proof, such as the use of force, violence, or restraint, abduction, duress, or any fraudulent device or contrivance. The practices of bribery or intimidation, and other abuses, are comprehended in the Reports of the United States Congress upon the abuses there generated; and I think it would have been well had the hon. and learned Attorney General given the House an opportunity of consulting those American Reports before he proposed to correct the electoral system of this country, under which, as democraticized, such abuses have grown up. I ask the hon. and learned Gentleman, then, to have this subject examined by competent legal authorities, and to point out the words in any English Statute that are directed against the combination of persons—the conspiracy of persons, to perpetrate abuses such as have been perpetrated by this system of Caucus in the United States. Sir, the House seems paralyzed. It is a strange thing; but perhaps it arises from the somewhat guilty conscience of Gentlemen on my own side of the House. [" Hear, hear!" *from Irish Members.*] My Friends from Ireland cheer that expression; I am a Member of no faction; I am an old-fashioned English Member, the Representative of a constituency which has never been corrupted. Moreover, having had a long experience of it, I believe it to be one of the most difficult constituencies to corrupt in England. I do not believe that anybody can corrupt or intimidate it; and, as the Representative of that constituency, I venture to press upon the Representative of the Government that, inasmuch as through the vote by ballot and the lowering of the suffrage the electoral system of this country is being assimilated to that of the United States, and inasmuch as one of their own number is the Chief of a Caucus, which that right hon. Gentleman said, in 1880, had extended its action to nearly 80 constituencies, it appears absolutely necessary that this question should be dealt with. I will read to the House the concluding words of the right hon. Gentleman in the letter to which I have referred. The letter is dated the 10th of April, 1880, was published in *The Times* of the 13th, and concludes in these terms—

> " Altogether, for good or for evil, the organization has now taken firm root in this country, and politicians will do well to give it in future a less prejudiced attention."

Now, I fear that there is a prejudice in favour of the system on the part of Her Majesty's Ministers; but in the country there is no such prejudice; on the contrary, it is viewed with profound distrust; and, unless this House adopts some such means as have been found necessary in the United States to correct this evil of the Caucus, I am convinced that this distrust, which is already widely extended, will end in a want of confidence alike in the administration of the law, in the Government, and in this House itself. I beg to move, after Clause 2, the insertion of the following clause, which stands in my name, as embodying the substance of the means which have been found necessary to provide against the abuses of the Caucus in the United States:—

(Corrupt practices by persons combined for that purpose.)

> " If any persons are combined for the purpose of promising, and shall promise, directly or indirectly, any personal or pecuniary advantage to any elector or electors on account of his or their voting or abstaining from voting for any designated candidate or candidates; or if any persons are combined to cause any elector or electors reasonably to expect that he or they will avoid any personal disadvantage on account of his or their voting or abstaining from voting for any designated candidate or candidates, such persons so combined and so acting for the said purpose or purposes shall individually be guilty of a corrupt practice, and shall be subject to all penalties relating to such an offence."

Clause (Corrupt practices by persons combined for that purpose,) — (*Mr. Newdegate,*)—*brought up,* and read the first time.

Motion made, and Question proposed, " That the said Clause be now read a second time."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he would remind the House that the hon. Gentleman opposite (Mr. Newdegate) had simply repeated what he said a few weeks ago on this subject. When in Committee on the Bill he (the Attorney General) pointed out to the hon. Member that all he wished to deal with could be dealt with by the existing law, and he had seen no reason to alter his opinion.

Question put, and *negatived.*

The next new clause on the Paper stood in the name of Mr. HEALY.

MR. SPEAKER having called upon Mr. HEALY,

MR. BIGGAR rose to move the clause, but——

MR. SPEAKER said, that he called upon the hon. Member for Monaghan; and, on the occasion of considering new clauses, an hon. Member could not delegate the duty of moving a new clause to another hon. Member; but he must be present to move it himself.

MR. SPEAKER then proceeded to call upon other hon. Members who had Notices on the Paper.

MR. CRAIG-SELLAR moved to insert the following Clause after Clause 43:—

"Where the nature of a county is such that any electors residing therein are unable at an election for such county to reach their polling place without crossing the sea or a branch or arm thereof, this Act shall not prevent the provision of means for conveying such electors by sea to their polling place, and the amount of payment for such means of conveyance may be in addition to the maximum amount of expenses allowed by this Act."

The hon. Gentleman said, that, in moving the clause, he wished to make one last effort to do something to prevent the disfranchisement of a number of electors in many of the counties bordering on the sea on the West of Scotland. He did not propose to repeat the arguments that were stated almost *ad nauseam* in Committee; but he would, in a very few words, recapitulate the circumstances connected with this clause. The clause he now moved was in almost identical terms with the original clause in the Bill. That clause was not deemed to be sufficient by some Scottish Members; and an attempt was made to slightly extend the operation of the clause, by enabling electors, in certain cases, to be conveyed by land as well as by sea. The hon. and learned Gentleman the Attorney General, however, considered that that would not be consistent with the principle of the Bill, and opposed it; and although the extension of the clause was supported by a considerable minority of Members, it was defeated. Then, on the Motion "That the Clause be added to the Bill," the right hon. Gentleman opposite (Sir R. Assheton Cross) opposed it, and with the assistance of his own followers, and certain Members on the Liberal side of the House, he succeeded in throwing out the clause. He (Mr. Craig-Sellar) trusted he might say without disrespect to the right hon. Gentleman, or to those who followed him, that, in taking the course he did, the right hon. Gentleman acted in ignorance of the true difficulty of those counties. He felt certain that, if the right hon. Gentleman had known that, practically, he was inflicting a serious injury upon a large number of electors, against whom nothing could be said whatever, he would not have moved the rejection of the clause. He thought he was justified in saying that, because, later in the proceedings on the Bill, the right hon. Gentleman moved a clause which, in a different way, might have partly done what was intended to be done by this clause. But the clause was not accepted; and the position in which they now stood was this—that there was no machinery provided by which these electors could be conveyed to the poll, and they were practically treated as if they were electors in a peccant borough, though, of course, not the smallest suspicion of corruption could be entertained against them. In winter it would be impossible for these electors to go to the poll; and, even in summer, it would be a matter of great difficulty, the result being that quite 45 or 50 per cent of them would be disfranchised. He hoped the right hon. Gentleman would see his way to support the clause now moved; and he was sure the hon. and learned Gentleman the Attorney General, inasmuch as it was very similar to the clause which was originally in the Bill, would take into consideration the exceptional circumstances of these electors, and would allow it to be added to the Bill.

Clause (Conveyance by sea of voters in certain cases,)—(*Mr. Craig-Sellar,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

SIR R. ASSHETON CROSS said, that what the hon. Member for Haddington Burghs (Mr. Craig-Sellar) had stated was quite true. When he (Sir R. Assheton Cross) and a good many of his Friends voted against the original clause, they were under the impression that the question of land and sea conveyances ought to be taken together in it. It was, however, afterwards represented to him that a very great hardship would take place in the case of these unfortunate islanders, there being no means provided for conveying them to the poll. He subsequently proposed a clause, to the effect that the votes in such cases might be taken by the Returning Officer going round; but there were certain objections to that proposal, and it was not accepted. He was perfectly willing to accept the clause now moved.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that the course of the Government was clear on this matter. The Government, in the original Bill, proposed this clause, thinking that it was necessary in order to allow persons who could not reach the poll by any physical exertions of their own to have the means of being conveyed there. The Government, having inserted this clause in the Bill, voted for it; but they were defeated, and it was the only defeat they received during the progress of the Bill in Committee. The Government thought then, and they still thought, they were right in the course they took; and now that the matter had been brought forward by an independent Member, they must adhere to their former opinion, and vote for the clause.

Amendment proposed, in line 2, after the word "unable," to insert the words "without serious inconvenience."—(*Mr. Warton.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Clause read a second time, and *added.*

MR. DALRYMPLE moved to insert the following new Clause:—

"Where the nature of a county is such that any electors residing therein are unable at an election for such county to reach their polling place without extraordinary inconvenience and expense, in consequence of a polling station not having been provided within seven miles of their residence, this Act shall not prevent the provision of means for conveying such voters to their polling places, and the amount of payment for such conveyance may be in addition to the maximum amount of expenses allowed by this Act."

The hon. Gentleman explained that his clause was intended to meet the case of persons living 10 or 15 miles or more from the polling places, who could not reach the poll for the reason just mentioned by the hon. and learned Gentleman the Attorney General. It was especially applicable to thinly-peopled remote districts of the North and West of Scotland; and whether the hon. and learned Gentleman wished it or not, without means of conveyance being provided, the measure would simply be a measure of disfranchisement in the case of electors living in those districts. The number of persons whose case the clause contemplated was no doubt small, but they were scattered in different parts of the counties; and he asked the hon. and learned Attorney General's attention to the clause, feeling certain there would be no abuse of it. He pleaded only for the interest of these electors, and without the least desire to increase the expenditure for the conveyance of voters to the poll.

Clause (Conveyance of voters by land in certain cases,)—(*Mr. Dalrymple,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he was sorry he could not accept the clause. The whole question was discussed at great length in Committee; and they agreed, for better or for worse, that they should get rid of the conveyance of voters. Many suggestions were made in Committee, with the view of providing conveyances for these out-voters; but it was felt that, if once they allowed carriages to be used in respect of certain voters, difficulties would arise which they did not wish to create. A carriage might go out to bring in certain voters; but the carriage was away for the day, and other electors than those whom it was intended to convey might get a ride in the carriage. The result would be, if the election agent came to know of it, that the seat would be gone. He did not think the clause was one which was workable either to the benefit of the candidate or the constituency, and he did not think it was a practical proposal;

because either they must retrace all they had done and say that the conveyance of voters would be allowed, or they must not allow the introduction of carriages into a constituency for a particular purpose. He hoped the hon. Gentleman opposite would be satisfied with the decision already arrived at by the House.

Dr. FARQUHARSON said, he only wished to express his disappointment and regret that the hon. and learned Gentleman the Attorney General should have finally pronounced sentence of disfranchisement on a considerable number of electors in remote districts in the North of Scotland.

Sir R. ASSHETON CROSS said, that, undoubtedly, the result of the Bill as it stood would be that a considerable number of electors would be disfranchised. At the same time, he would admit the difficulty of accepting this clause in face of the decision of the Committee.

Motion and Clause, by leave, *withdrawn.*

Mr. FINDLATER moved the following Clause :—

> "If any action is brought in any competent court to recover a disputed claim against a candidate at an election, or his election agent, in respect of any expenses incurred on account or in respect of the conduct, management, or general business of such election, or incidental thereto, and the defendant admits his liability, but disputes the amount of the claim, the said amount shall, unless the court, on the application of the plaintiff in the action, otherwise directs, be forthwith referred for taxation to the master, official referee, registrar, or other proper officer of the court, and the amount found due on such taxation shall be the amount to be recovered in such action in respect of such claim."

Clause (Reference to taxation of claim against candidate,)—(*Mr. Findlater,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

The ATTORNEY GENERAL (Sir Henry James) said, as far as he was concerned, he had no objection to the clause.

Question put, and *agreed to.*

Clause read the second time, *amended,* and *added.*

Clause 1 (What is treating).

The Attorney General

Amendment proposed, in page 1, line 11, after the word "person," to insert the words "employed by him."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Mr. MONTAGU SCOTT, in moving that the following be added at the end of the clause :—

> "Nothing in this section shall prohibit any entertainment given by any person, in the nature of ordinary hospitality, which is not inconsistent with his usual mode of living, and which in any case is not of a corrupt nature or given with a corrupt motive,"

said: I should have thought it scarcely necessary to do more than submit this very reasonable Amendment to the hon. and learned Gentleman the Attorney General in order to insure its acceptance; but, as there seems to be some doubt on the point, I will take the liberty of making a few observations in recommending it to the House. I am quite certain that every Member of this House, and every reasonable person outside it, must be in favour of this Amendment. I hope the House will accept it, if the hon. and learned Attorney General will not; and that, in case of his refusal, they will insure that it shall not be rejected. Unless this Amendment be adopted, no candidate will be able, during an election, to entertain any of his friends who may happen to have votes. The possession of a vote will be a peremptory disqualification for the exercise of all ordinary hospitality. No man will be able to invite anyone even to dinner; not even his own brother, if he were a voter, and came to the place where the election was going on in order to vote for him. If he did give such an invitation, it would be construed into a corrupt practice; and even the unfortunate candidate's wife will be unable to invite her friends to a 5 o'clock tea, unless they are spinsters or widows—men in such a case being out of the question. To invite married ladies on such an occasion will be held to be a corrupt act, because they might be supposed to influence their husbands, and there might be a Petition against the return of the unlucky candidate. A more unfortunate position than that for any man in the position of having been returned, and who might be put to enormous expense through the act of his wife, I do not know. Surely the hon. and learned Attorney General does not wish that the whole country, during a General Election, which sometimes lasts for a month or six weeks, should be told that all hospitality during that period is to cease; that it should be a time of gloom and of fearful suspicion; and that, as soon as the Election is over, there should be a fearful drag on the pocket of every candidate. All I ask is, that reasonable entertainment should be permitted, when there is no political object to be served. We English people all indulge in hospitality; we love to entertain our friends; it is part of our nature to do so; but are we, at election times, to be setting ourselves up as a Pharisaical, disagreeable set of churls, and say to our most intimate acquaintances—"No; I cannot show you the slightest hospitality; I cannot offer you a glass of wine, or even a bit of bread, although you may be my own brother, and, having come some 300 miles to vote for me, are almost starving; you must be off and get some refreshment elsewhere. I cannot tell you where, as the public-houses will all be shut at an election." ["No, no!"] I must remind hon. Members who say "No!" that is so only on the day of polling. The hon. and learned Attorney General actually asks this House—nay, commands it—to decree that, because a man is a candidate, he is to behave in a way which everyone must admit would be very unpleasant, and to tell a friend who says—"I wish you to give me a biscuit?" "O, dear no! this is election time; you must go elsewhere." "But I have come hundreds of miles to vote for you." "I cannot help it; you must go those hundreds of miles back again." I ask the hon. and learned Attorney General, is everybody to be supposed to be corrupt? Is it supposed that every candidate wishes to corrupt the constituencies, and that every constituent should wish to be corrupted? Why, to say such a thing is an insult to the whole country. Are we a free people? No. The hon. and learned Attorney General says, by this Bill — "No; you are wretchedly corrupt; and I will check you in every way, and prevent you from exercising the slightest hospitality; even the slightest humanity." If the hon. and learned Attorney General will not accept my Amendment, very likely it will not be carried; but I think it incumbent on me to divide the House upon it.

Amendment proposed,

In page 1, line 21, at end, to insert the words "Nothing in this section shall prohibit any entertainment given by any person, in the nature of ordinary hospitality, which is not inconsistent with his usual mode of living, and which in any case is not of a corrupt nature or given with a corrupt motive."—(*Mr. Montagu Scott.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL (Sir Henry James) said, that he was sorry not to be able to accept anything in the shape of ordinary hospitality, and that, therefore, he could not accept the Amendment, which he did not think could practically be considered. The object of the Bill was that nothing should be considered illegal which was not of a corrupt nature, or given with a corrupt motive. An inquiry into hospitality "which is not inconsistent" with a candidate's "usual mode of living" would be very difficult. There was nothing in the clause which would interfere with hospitality. Nobody had been unseated for exercising moderate hospitality, nor would be.

Mr. WARTON said, he thought the hon. and learned Gentleman the Attorney General ought to be exceedingly grateful to the hon. Gentleman the Member for East Sussex (Mr. Montagu Scott) for bringing forward this Amendment. Why should he not satisfy all the good-natured men in the House by adopting the Amendment, seeing that it only embodied the language of the hon. and learned Gentleman himself, in a reply he had given to the hon. Member for East Staffordshire (Mr. Wiggin)? He (Mr. Warton) believed that there was a real danger that some Judges might hold that to be a corrupt practice which was really only the exercise of ordinary hospitality.

Sir WILLIAM HART DYKE said, that, in his opinion, his hon. Friend the Member for East Sussex (Mr. Montagu Scott) had raised one of those points on which the Bill must undoubtedly fail, seeing that it was in one sense an impostor, as it did not provide against the nursing of boroughs. He would take the opportunity of putting a question to the hon. and learned Attorney General on that subject. A charming entertainment was recently given at Hastings by a Member of Her Majesty's Government, who entertained a large number of working men and produced for their benefit a real live Ambassador. Now, he wished to know from his hon. and learned Friend, whether it was competent for a man with a long purse to go down to any borough, and by a course of assiduous nursing, and giving entertainments of the character of the one he had referred to, impress the electors with the idea that he was a good man to represent them? Would that, either directly or indirectly, he regarded as a corrupt endeavour to influence the borough; and would he be brought within the scope of the Bill? The difficulty of deciding such a point as that was the total absence of any definition as to when an election began.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he must remind the right hon. Baronet opposite (Sir William Hart Dyke) that the Amendment had nothing to do with the nursing of boroughs. As to the entertainment referred to, he thought the guests were the members of a club from London which had nothing to do with the borough of Hastings, for which place their host sat. It would be impossible to lay down a general rule in such cases. Every case must stand by itself, and be dealt with upon its own merits; and the question whether a particular entertainment was given corruptly for the purpose of influencing voters must be determined by the Judges. If a person entertained working men, with a view of nursing their votes, he must, of course, pay the penalty.

SIR WILLIAM HART DYKE said, he was sorry he had mentioned the matter, as it appeared that the entertainment to which he referred had been given to strangers. He only mentioned it as it seemed to be the last case in point.

MR. CAUSTON said, he hoped the hon. and learned Attorney General would, before the Bill became law, either replace on the Paper the clause of which he (Mr. Causton) had given Notice, prohibiting candidates from subscribing to political clubs, or introduce words of his own to the same effect.

Question put.

The House *divided*:—Ayes 38; Noes 85: Majority 47.—(Div. List, No. 266.)

Clause *agreed to.*

Clause 2 (What is corrupt practice).

THE ATTORNEY GENERAL (Sir HENRY JAMES), in moving, as an Amendment, in page 1, line 26, after the word "defined," to insert the words "in this Act or," said, it was rendered necessary by their having introduced a fresh definition of undue influence.

Amendment proposed, in page 1, line 26, after the word "defined," to insert the words "in this Act or."—(*Mr. Attorney General.*)

Question proposed, "That those words be there inserted."

MR. EDWARD CLARKE said, he wished to point out that the insertion of these words would only tend to produce obscurity; and he would suggest that it would be better to leave the clause to remain as it now stood.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he would withdraw the Amendment. At the same time, he would take care that, if necessary, the point involved should be provided for on the third reading, or when the Bill went to the other House.

Amendment, by leave, *withdrawn.*

On the Motion of Mr. ATTORNEY GENERAL, the following Amendments made:—Transpose the first and second paragraphs, and make second paragraph a new clause after Clause 1.

MR. HEALY, in moving, as an Amendment, in page 2, line 4, to leave out the words "directly or indirectly," said, it was an important one, because the Bill as it stood proposed that "any person who should directly or indirectly, by himself or any other person, make use of any threat," and so on, should be guilty of an illegal practice. He conceived that the words "directly or indirectly" would be mischievous and injurious. They might have been put in with the view of protecting; but he thought they were distinctly penal, and such mystifying words ought not to be used in an Act of Parliament. He could easily imagine the words being mistaken by Judge Lawson, for instance, on a candidate coming before him; and he could not conceive in what way the Bill would be injured by their being omitted.

Amendment proposed, in page 2, line 4, to leave out the words "directly or indirectly."—(*Mr. Healy.*)

Question proposed, "That the words 'directly or indirectly' stand part of the Bill."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he hoped that the Amendment would not be pressed. The matter was discussed and decided in Committee, and the words objected to by the hon. Member for Monaghan (Mr. Healy) were not of his (the Attorney General's) selection, but were in every Act that had been passed relating to bribery and undue influence. He thought they might be found to be very useful in certain contingencies as a protection to the voter, and should be sorry to take upon himself to alter the law for the first time in this respect. He could give many instances in which, by making the blow fall directly on one person, you could indirectly injure another.

Amendment, by leave, *withdrawn.*

MR. HEALY, in moving, as an Amendment, in page 2, line 6, after the word "of," to insert "whether by process of law or otherwise," said, it was drafted directly with the view of preventing intimidation. It was a very common thing in Ireland for a landlord to say to a man —"If you do not vote for So-and-so, I have got an arrear of rent on your farm, and I shall enforce it." Or—"There is an eviction overhanging against you, and I shall carry it out." That was as much an injurious form of intimidation as any other; and what he wanted to secure was, that during an election a voter should be absolutely free from intimidation. By inserting these words they would hit at the system of serving ejectments which prevailed during Parliamentary elections and elections of even Poor Law Guardians in Ireland. They could not say that this practice was an illegal thing. A landlord was perfectly within his legal right in carrying out writs of ejectment; and if the hon. and learned Gentleman opposite (the Attorney General) was anxious to protect the voter from intimidation of all kinds he must deal with this question. He (Mr. Healy) could not see any reason why he should not accept the Amendment. The exercise of those legal rights often meant much more to a tenant than other forms of undue influence. If he got his head broken it could be mended; but if he and his family were evicted from house and home because of his vote there was no help for him.

Amendment proposed, in page 2, line 6, after the word "of," to insert the words "whether by process of law or otherwise."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he was as anxious as the hon. Member (Mr. Healy) himself could be that voters should be protected from undue influence of any kind; but he thought that the words which it was proposed to insert were not necessary. If a threat were made to enforce a process of law for the purpose of making a person vote, or for letting it be known that if the voter did not vote a certain way a writ of ejectment would be served, that clearly would be undue influence, and would fall under that definition. In that case, it would come under the operation of the Act; and if it were not done for that purpose, then the Act would not affect it. He believed, however, if the words proposed were inserted, it might be said that under no circumstances could process of law be enforced at an election time, though its enforcement might be with perfectly innocent intentions. That being so, he saw no necessity for the proposal. Further than that, the acceptance of the words proposed by the hon. Member for Monaghan would, he considered, produce confusion. It being the law already that a legal process must not be used so as to inflict a legal wrong, there was no reason why the Amendment should be adopted.

MR. SEXTON said, they were quite at one with the hon. and learned Gentleman (the Attorney General) as to what the law ought to be, and how it should be exercised. When the hon. and learned Gentleman said that the words proposed were unnecessary they were bound to conclude that he was unaware of the uses to which the influence of property had been habitually put in Ireland. It was a remarkable fact that never in the whole Parliamentary history of Ireland had an election been voided on account of undue influence on the part of landlords, although everybody knew that that was deeply imbued in the social life of Ireland. He (Mr. Sexton) only wished the Irish Judges would accept the interpretation of the law laid down by the hon. and learned Gentleman; but his (Mr. Sexton's) experience of them made him slow to believe that that exposition of the meaning of the Bill would be carried into effect by them. It was perfectly obvious, therefore, that if the Government were sincere in their intention to make the Bill a protection of the conscience of the voter in the exercise of the franchise these words ought to be inserted. The Government were very anxious to provide against one description of corrupt conduct, and they (the Irish Members) claimed that they should be perfectly impartial, and include all classes, and that, if the serving of legal processes was intended to deprive the voter of his right to vote, such conduct ought not to be permitted with impunity, simply because it was done under cover of the law. The Bill as it stood at present would afford no protection to voters against the undue influence of landlords, bankers, and other creditors, who could threaten a debtor with legal process if he should not vote for a particular candidate.

Mr. J. R. YORKE said, that the Amendment was not wanted, because a threat to enforce a legal process under the circumstances described by previous speakers need not terrorize electors, who were now protected by the system of secret voting. It seemed to him perfect nonsense to talk of a voter being intimidated to vote in a particular way. If the Ballot Act were a reality, the man's vote would be a secret.

Mr. HEALY: He can be prevented from going to the poll.

Mr. J. R. YORKE said, that, in his opinion, the Bill was a capital one, so far as bribery was concerned; but any enactments as to intimidation were nugatory, owing to the secrecy of the Ballot. If anyone intimidated a voter, the voter would very likely vote against him, as there were no means of finding out in what way he had voted.

Mr. PARNELL said, it was quite true that since the passing of the Ballot Act intimidation had very largely diminished in Ireland. In fact, it had almost disappeared; and that was one of the reasons why the Irish Members had asked that Ireland might be exempted from the operation of the measure. The House had decided, however, that the Bill should apply to Ireland; and, recognizing that decision, he now asked that provisions should be inserted in the Bill to insure that the law against undue influence would be exercised equally, no matter from what quarter that influence emanated. The statement of his hon. Friend (Mr. Sexton) was remarkable; but he (Mr. Parnell) preferred to argue this question upon the general principle of intimidation by a creditor against a debtor. He did not wish to argue it on the question of landlord intimidation of the tenantry, although the history of elections in Ireland teemed with examples of landlord oppression. Under the Ballot Act the question had been narrowed to this—that the only way in which undue influence could be exercised was in the way of deterring a man from voting at all. He would not say that was universally the case; but he wanted to point out, however, that there were many examples of that kind of undue influence in Ireland, and that cases were very common in which creditors had said to their debtors—"If you refrain from giving your vote to So-and-so, we will not press you in regard to such a gale of rent;" or, "We will not process you at the next Quarter Sessions for the shop debt you owe." The hon. and learned Gentleman the Attorney General had said that such a thing would be undue influence; but, if so, why not make it clear by inserting the Amendment in the Bill? It could not be said the Amendment would be offensive to the landlord class, because it applied generally to all relations of debtors and creditors. In order to prove that pressure of the kind was exercised, he would read to the House, however, without mentioning the names at present, a letter written by a landlord to a tenant, on the 13th of June, 1883, which he intended to bring under the notice of the Irish Executive. The letter said—

"I see by Mr. ——'s account for the last half-year, which I have just received, that your half-year's rent, due 25th March, 1883, has not been paid. Our instructions to Mr. ——, are that any tenant who brings us into the Land Court will be required to pay his rent within ten days from the date on which it becomes due, and that no hanging gale will be allowed to such tenant Now, perhaps Mr. —— has not made you aware of such decision on our part. Therefore, in such account, we will let matters remain as they are; but I wish to inform you that this rule will be strictly enforced in future, and I hope you will be prepared to meet it. Without any just cause you put us to very great expense in the Land Court. No doubt, you acted according to your legal right, and I think you cannot blame us if we follow your example in endeavouring to enforce our legal rights."

He wished to ask the right hon. and learned Gentleman the Attorney General for Ireland whether the direction of such a letter as that to a voter before the election poll would be undue influence? If it would, what objection could the right hon. and learned Gentleman have to the insertion of a plain direction to the Irish Judges that they should put this law in force, since it had been shown that hitherto they had not done so?

MR. EDWARD CLARKE said, he hoped the hon. and learned Gentleman the Attorney General would agree to accept the Amendment, as he (Mr. Clarke) did not believe that the Ballot gave all the protection against intimidation claimed for it. He held that the clause, at present, did not include an expression of intent to put in force a legal remedy among the acts constituting undue influence. He thought, however, that the words proposed would only govern the words "force, violence, or restraint," which would not cover the cases put by the hon. Member for Monaghan (Mr. Healy).

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, there was considerable force in the last argument of the hon. and learned Member for Plymouth (Mr. E. Clarke). It was quite plain that the enforcement of a legal right for the purpose of influencing voters would not be included in the words "force, violence, or restraint." Yet it was to these words that the Amendment of the hon. Member for Monaghan (Mr. Healy) was limited. However, that was a verbal criticism. He did not think there was any difference in principle between the hon. Member who proposed the Amendment and the Government with reference to what was intended by it. He conceived there would not be the slightest doubt that the enforcement of a legal right which otherwise would not have been enforced, or would have been delayed, for the purpose of influencing votes, or for preventing a man from voting, or for inducing him to vote in a particular way, would be, and ought to be, within the limit of undue influence. There could be no doubt that would come within the words of the clause "inflicting or threatening to inflict injury, damage, harm, or loss." It seemed to him the Amendment was quite unnecessary and undesirable; and he would, therefore, recommend the House to leave the clause as it stood, because, in his opinion, if adopted, it might lead to some inconvenience, and possibly risk.

MR. LEWIS said, he could not share in the view taken of the Amendment by the hon. and learned Gentleman the Member for Plymouth (Mr. E. Clarke). In his (Mr. Lewis's) opinion, it was not only unnecessary, but, under certain circumstances, positively pernicious. The result would be that any process issued by a creditor at or near the period of an election might be presumed to be a corrupt practice. If a landlord at the time sought to recover his rents, the inference would be that he did it for a corrupt purpose, and not in the exercise of his legal right; and the *onus* would be on him to prove that he was not actuated by corrupt motives. He was glad, therefore, that the hon. and learned Gentleman the Attorney General had opposed the Amendment.

MR. P. MARTIN said, he hoped that the Amendment would be accepted. It was necessary to meet certain cases of intimidation and corruption, and it would only apply when there was actual damage, injury, or loss. It had been admitted by the Attorney General that they were most desirous of meeting any such abuse as that stated to exist in Ireland, and yet it was not met by the Bill. ["Oh, oh!"] Well, they had it on the opinion of an acute critic of the Bill (Mr. Lewis) that such cases were not included, and that it would be wrong to interfere with the rights of creditors in such cases. Now, he (Mr. Martin) agreed with the hon. Member for Londonderry that the clause, as it stood, did not meet the case of serving processes for rent at election; and if the Government admitted that such action was corrupt, he did not see why they should refuse an Amendment which would make the matter quite clear. He (Mr. P. Martin) submitted, with some confidence, that the evil would not be included in the words quoted by the right hon. and learned Gentleman the Attorney General for Ireland. The hon. and learned Member for Plymouth (Mr. E. Clarke) took the view that the words "injury, harm, damage, or loss," meant such injury done in a wrongful way—a way which the law would not recognize. But the Judges would be bound to construe these words in accordance with their practice in reading similar words. Why, then, should there be this effort on the part of the Government to resist the Amendment? If the words proposed were mere surplusages, why were they so vehemently contested? The hon. and learned Members for Plymouth and Londonderry believed—and he (Mr. P. Martin) agreed with them—that the words, so far from being unnecessary, were of vital importance, and absolutely necessary, if the abuse which the hon. and learned Attorney General desired to meet was to be corrected and remedied.

Mr. GREGORY, in opposing the Amendment, said, it would amount to a total suspension of the power of enforcing the payment of debts during an election, and for some time afterwards. In that way, it would prevent landlords enforcing any claims they might have for rent, or arrears of rent, that might be owing.

Mr. MACFARLANE contended that that, instead of being an objection, was an argument in favour of the Amendment. With regard to the use of the evil itself, a friend, and not a landlord himself, might suggest to a voter that he had better not vote; and the result might be that a debtor, knowing himself to be indebted to a person interested in the contest, might abstain from going to the poll. He (Mr. Macfarlane) could see no harm in suspending processes of law during an election, which might have the effect of preventing people from voting.

Mr. O'BRIEN, in supporting the Amendment, said, he would point out as an argument in its favour, that the ignorant classes in Ireland had not yet fully realized how admirable was the protection which the Ballot afforded. He would also remind the House that there was nearly always a "hanging gale" on every estate in Ireland, so that landlords would never be without the power of threatening process of law in order to influence men's votes. Unless the law was laid down beyond doubt, there would, if there was any looseness about the provisions of the Bill concerning this matter, be Irish Election Judges who would hold that it was no injury, harm, or loss to a tenant if a landlord enforced payment of his legal claims at any time, or in any method he chose. The law had never been so bad in Ireland as the administration of it had been.

Mr. NEWDEGATE said, the law, he believed, was open to the tenant, if it could be proved that pressure was put upon him to pay a debt with a view to influence his vote. But he (Mr. Newdegate) could not vote for the Amendment, because it might be used to change the legal *status* of the voter at the time when he was about to exercise the franchise. It would alter the condition of his tenure, and his tenure constituted his qualification.

Mr. HARRINGTON said, these words were already to be found in the Statute Law, and they would be interpreted in the future as they had been in the past. No Judge in Ireland would make it an offence on the part of a landlord to exercise what Judges had hitherto looked upon as the legal right of the landlord. In the definition of intimidation in the Act of 1855, the words "wrongfully and without legal authority" occurred, and the Judges would be biassed by these words. By accepting the Amendment, the hon. and learned Gentleman the Attorney General would strike a blow at the more general kind of intimidation which would be practised by the opposing parties. In Ireland, much of the intimidation was exercised in bringing to the poll men who were unwilling to vote. If, now, they made it clear that by going to the poll a man would incur no risk, and that it would not be lawful for the landlord, or any other creditor, to put into force the machinery of the law, they would strike a blow at the effort to coerce the voter.

In reply to Mr. Healy,

The ATTORNEY GENERAL (Sir Henry James) said, the Government would not undertake to bring up an Amendment dealing with the question if he (Mr. Healy) withdrew his Amendment.

Question put.

The House *divided* :—Ayes 28; Noes 131: Majority 103.—(Div. List, No. 267.)

Mr. HEALY said, the clause provided that any fraudulent device or contrivance which impeded the exercise of the franchise should be deemed a corrupt practice. Now, he thought any device whatever for such a purpose ought to be rendered illegal; and for that reason he begged to move to leave out the word "fraudulent."

Amendment proposed, in page 2, lines 11 and 12, to leave out "fraudulent."—(*Mr. Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. PARNELL supported the Amendment.

The ATTORNEY GENERAL (Sir Henry James) said, he saw no distinction between device and contrivance and fraudulent device and contrivance; but he would not offer any opposition to the Amendment.

Question put, and *negatived;* word *left out* accordingly.

Mr. HEALY, in moving the addition to the clause of the following sub-section:—

"The printer, publisher, or proprietor of any newspaper who, with a view to damage the candidature of any candidate who has been put in nomination, shall print and circulate any statement, hint, rumour, or suggestion that any such candidate will or may retire before or on the day of polling, or any person printing, publishing, or posting any placards or posters to the like effect, shall be guilty of a corrupt practice."

said, that this Amendment would serve no particular Party. Such false statements were made in Liberal and Conservative newspapers alike. He introduced the Amendment because of a circumstance that occurred during the Monaghan Election, and which was intended to injure his opponent, Mr. Henry Pringle. A statement appeared in a Tory paper that Mr. Gladstone had telegraphed to Mr. Pringle that he was desirous that he should withdraw, in order "to bring about the defeat of the rebel candidate;" and Mr. Pringle and his supporters complained that this injurious and lying statement, as they termed it, had lost him a lot of votes. At any rate, Mr. Pringle only polled the ridiculous number of 270, and he (Mr. Healy) could have easily afforded to allow him to poll a great many more. He must say that newspaper paragraphists of late were allowed too much licence at elections, and, where possible, he thought it ought to be restrained. No persons were the object of so many false stories as the Party to which he belonged; and he thought that some check ought to be put on the kind of injurious stories which he had illustrated. He therefore trusted that the hon. and learned Attorney General would be disposed to put some check upon practices of this kind, where the candidate had been put in nomination, and had paid his money to the sheriff.

Amendment proposed,

In page 2, line 15, at the end of the Clause, to insert the words "The printer, publisher, or proprietor of any newspaper who, with a view to damage the candidature of any candidate who has been put in nomination, shall print and circulate any statement, hint, rumour, or suggestion that any such candidate will or may retire before or on the day of polling, or any person printing, publishing, or posting any placards or posters to the like effect, shall be guilty of a corrupt practice."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

The ATTORNEY GENERAL (Sir Henry James) said, the Government admitted the principle of the Amendment which the hon. Member had moved; and if he would withdraw it, seeing that it dealt with vindictive rumour that was not quite capable of legal definition, they would be willing, on Clause 6, to accept the following Amendment, which, he believed, would be moved by the right hon. and learned Gentleman opposite (Mr. Gibson):—

"Any person, before and during an election, who knowingly publishes any false statement of the withdrawal of a candidate at such election for the purpose of promoting the election of another candidate shall be guilty of an illegal practice."

Mr. PARNELL said, he thought the offer of the hon. and learned Attorney General was a fair and reasonable one.

Mr. HEALY said, he was perfectly satisfied with the proposal of the hon. and learned Gentleman opposite, and would, therefore, withdraw the Amendment. Before doing so, however, he wished to point out that the Amendment of the right hon. and learned Gentleman (Mr. Gibson) referred to all candidates; while he (Mr. Healy) only proposed that it should affect candidates who were nominated and had paid their money. He certainly did not intend to propose such a ridiculous thing as to prosecute a newspaper for stating that some one of the dozen Members who, perhaps, might have been mentioned had withdrawn.

Amendment, by leave, *withdrawn.*

MR. HEALY, in moving to add the following sub-section to the clause:—

"Every placard or poster published by any candidate, or on his behalf, during an election, shall bear upon the face thereof the name and address of its printer and publisher, and the name of the candidate upon whose behalf and in whose interest it is issued and circulated; and any person printing, publishing, or posting any such election poster or placard which fails to contain the name and address of the printer or publisher, and that of the candidate in whose interest it is issued, shall be guilty of a corrupt practice."

said, the necessity for the Amendment was well illustrated by what occurred during the Monaghan Election. His Tory opponent, Mr. Monroe, Q.C., for the purpose of injuring his (Mr. Healy's) candidature, had not scrupled to issue a most offensive and disgraceful placard with regard to him—worse than the placard for which the brother of the hon. Member for Westmeath (Mr. Harrington) was now undergoing six months on the plank bed. The placard proposed to send the Queen to a place not mentioned on the map, and said that Parnell and his Colleagues were to be the Kings of Ireland. It was printed on green paper, and purported to be an address of the hon. Member for the City of Cork and himself to the Nationalist electors of Monaghan, the clear inference being that it was issued solely for the purpose of influencing the Protestant and Orange voters, and stirring them up to a still greater hatred and fury against his hon. Friend and himself. Why should practices of that kind be allowed? He should have thought that a gentleman occupying the position of a Q.C., and knowing that the editor of a newspaper (Mr. Harrington) was undergoing imprisonment in reference to a similar placard, alleged to have emanated from "the Invincibles," would have abstained from a disgraceful trick of that kind; but it would seem, however, that no rank or station was too high from which to stoop to electioneering tricks, and it was hard to any honest candidate if these things were not put down.

Amendment proposed,

In page 2, line 15, at the end of the Clause, to insert the words "Every placard or poster published by any candidate or on his behalf during an election shall bear upon the face thereof the name and address of its printer and publisher, and the name of the candidate upon whose behalf and in whose interest it is issued and circulated, and any person printing, publishing, or posting any such election poster or placard which fails to contain the name and address of the printer or publisher, and that of the candidate in whose interest it is issued, shall be guilty of a corrupt practice."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that the printer's name must appear on every Bill; and, if it did not appear, he was liable to penalties. Therefore, so far as the first portion of the hon. Member's Amendment was concerned, although, perhaps, unnecessary, it was reasonable enough, and he would not object to it; but as to the second part, it would be too hard to hold a candidate responsible for such placards, which might be issued by any person, and the Government, therefore, could not accept it.

MR. HEALY was understood to intimate that he would withdraw so much of his Amendment as referred to the candidate.

MR. GIBSON said, he felt bound to take notice of the words which the hon. Member (Mr. Healy) had used with reference to Mr. Monroe, the late Conservative candidate for Monaghan. Considering that that gentleman was not there to defend himself, he (Mr. Gibson) should have thought that the most ordinary sense of fair play and decency of discussion would have suggested to him, at all events, the propriety of some moderation of language in reference to that gentleman. There was not a more honourable man in the Profession, and certainly not a more popular one, than Mr. Monroe. ["Oh!"] He defied anyone in that House to mention one solitary syllable which, during that heated and anxious electoral contest, Mr. Monroe used on any platform that was not characterized by fair, straightforward feeling, and frank and fearless antagonism. [*Cries of* "No, no!" *from the Irish Members.*] He was confident that the placard referred to was not issued by Mr. Monroe, or with his sanction. [Mr. HEALY: It was.] He repudiated the fairness of using any such language as the hon. Member had indulged in towards a late political opponent, and he denounced it as being entirely without a vestige of foundation. ["Oh, oh!"] As a friend and late colleague of Mr. Monroe, he felt bound not to allow the statement to pass unchallenged. He opposed the Amendment.

MR. SEXTON said, that the statement of the hon. and learned Gentleman opposite (the Attorney General) had made the closing legal argument of the right hon. and learned Member for Dublin University (Mr. Gibson) quite unnecessary. His hon. Friend (Mr. Healy) did not intend to press the latter part of his Amendment. The grounds of the defence of Mr. Monroe by the right hon. and learned Member for the University of Dublin were flimsy and inadequate in the extreme. The right hon. and learned Gentleman said Mr. Monroe was an absent man. Well, if that dogma were to be accepted, the 30,000,000 inhabitants of the United Kingdom who had not seats in the House could never be referred to there. But how did the right hon. and learned Gentleman himself apply that dogma the other night when Mr. Monroe was being feted and feasted by the Conservatives of Dublin? The right hon. and learned Gentleman then repeated, in the most extraordinary and offensive form, the reckless and extravagant charges which were strewn broadcast through Mr. Monroe's speeches during the Monaghan Election. The right hon. and learned Gentleman said further, that a sense of chivalry ought to have kept the hon. Member for Monaghan silent. But it was not because Mr. Monroe was beaten in Monaghan that his conduct should escape notice in that House. And now as to Mr. Monroe's conduct? What was it? Not within his (Mr. Sexton's) memory had any candidate so recklessly and wantonly indulged in the most extreme and extraordinary and fantastic charges against a political opponent. He mixed up the Members of the Irish Party in Monaghan with charges of assassination and treason and vile offences, and conducted himself altogether in a manner unworthy of a gentleman, and in a manner unworthy of anyone whose desire was to conduct an election in a fair and honourable way, and upon manly and intelligent grounds. He told the electors that Mr. Healy had declared his desire to place his feet on the neck of Protestants, which was a scandalous and a vile statement. His hon. Friend would never use such language, and anyone who imputed to his hon. Friend a desire to indulge in persecution of Protestants imputed what was repugnant to his hon. Friend's nature. He would close by giving the House one instance of the chivalrous feeling, good temper, courtesy, politeness and good breeding which characterized Mr. Monroe's conduct at that election. His hon. Friend's Christian name being Timothy, Mr. Monroe said he never heard of any Tim except two—one was hung at Kilmainham, and the other was the rebel candidate for Monaghan.

MR. RYLANDS, in opposing the Amendment, said, he understood that the hon. and learned Gentleman the Attorney General had no intention of accepting it.

MR. JOSEPH COWEN said, he trusted that the first part, at least, of the Amendment would be accepted, for there was at the present time great doubt and uncertainty as to whether the law required the printer's name to be attached to every placard.

MR. HEALY said, he would be willing to withdraw the Amendment in its present form, if, instead of the words "and the name of the candidate upon whose behalf and in whose interest," the words were "the person by whose order" the placard or poster was issued and circulated.

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he must ask the hon. Member to bring up the Amendment later on.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 3 (Punishment of candidate found, on election petition, guilty personally of corrupt practices).

MR. RAIKES, in moving, as an Amendment, to leave out the word "ever," said, the disqualification of a candidate guilty of a corrupt practice against "ever" being elected was too severe. It was very harsh that a candidate who had given a glass of beer should be punished with such severity. In his opinion, the utmost punishment should be to deprive a candidate from sitting for the borough during the then Parliament and for seven years afterwards, which would prevent his contesting the borough for at least two General Elections; and if the course he now proposed was taken he would afterwards move an Amendment to that effect. This was substantially the same proposition as had been moved in Committee, and which had received great support.

Amendment proposed, in page 2, line 25, to leave out the word "ever."—(*Mr. Raikes.*)

Question proposed, "That the word 'ever' stand part of the Bill."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, this was a question entirely for the House to determine; but he would say that, for himself, personally, he adhered to the word used in the clause, and he hoped others would agree with him in that respect. He had conceded point after point during the consideration of the Bill, until he had become ashamed of thinking that the impression should exist that they thought more of themselves than of other people who would be affected, or of purity of election; and he certainly should regret to see a man who had grossly corrupted a borough being able to go back again after a few years.

MR. RYLANDS said, he had always been in favour of mitigating penalties, where the offence might not have been committed by the candidate personally. But in this case, where the offence was that of the candidate himself, he agreed with his hon. and learned Friend the Attorney General, because he thought the House should mark its sense of the impropriety, and, in fact, the criminality, of the conduct of any candidate who knowingly committed a corrupt practice.

MR. RAIKES said, that the Amendment was as nearly as possible the same as one which had previously been seconded by the hon. Member for Burnley himself.

MR. WARTON said, he hoped the Government would not bring pressure on their supporters to vote against the Amendment.

MR. JESSE COLLINGS opposed the Amendment. He thought the Bill as a measure directed against corrupt practices would be a mere pretence if the Amendment were adopted.

Question put.

The House *divided*:—Ayes 118; Noes 61: Majority 57.—(Div. List, No. 268.)

On the Motion of Mr. GORST, the following Amendment made:—In page 2, line 27, leave out from "or of being," to "report," in line 28.

Clause, as amended, *agreed to.*

Clause 4 (Punishment of candidate found, on election petition, guilty by agents of corrupt practices).

Amendment proposed,

In page 2, line 37, after the word "practice," to insert the words "other than treating or undue influence."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

SIR R. ASSHETON CROSS, in moving an Amendment for the purpose of enacting that a candidate guilty by his agents of any corrupt practice should be incapable of representing the constituency before whom he was a candidate during the Parliament for which the election was held, said, that, by the existing law, the errors of an agent was not a disqualification; whereas the present Bill imposed a severe penalty; and his object in making this proposal was to provide that the punishment should, instead of extending to a period of seven years, not last longer than the then Parliament. He held that the severity of the clause ought to be mitigated in the manner which he suggested, as it would be very hard to subject a man to such a severe penalty as that contained in the clause for acts done by his agents without his knowledge.

Amendment proposed,

In page 2, line 41, to leave out the words "for seven years after the date of the report," and insert "during the Parliament for which the election was held."—(*Sir R. Assheton Cross.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

The ATTORNEY GENERAL (Sir Henry James) said, that was the third time they had discussed this matter, once on the Bill of 1882, once in Committee upon this Bill, and now upon Report. The proposal was one that was arrived at as a compromise; and when the Bill was in Committee, he gave very fully his reasons for believing it to be an improvement on the present law. The point was, that they ought not to think only of the candidate, because the question was one of the constituency; and, that being so, he hoped the House would protect the constituency by adhering to the words of the clause. In the case of gross bribery going on in a borough or county, when it was discovered and punished, if the candidate, guilty by his agent of the corrupt practice, were only prevented from representing the borough or county in which the corrupt act had been committed during the Parliament for which the election was held, he might support a fresh candidate, in the shape of a personal friend it might be, who would represent the constituency until the next Dissolution, when he would step in and obtain the benefit of all his previous bribery. That could not be allowed, and therefore he must adhere to the clause as it stood.

Mr. HEALY said, he would ask the hon. and learned Gentleman the Attorney General to consider whether the disqualification could not be modified as regarded the offence of undue influence by his agents. The speech of an indiscreet friend, for instance, might lead, under the clause, to the disqualification of a Member for seven years. The question ought to be considered apart from the question of bribery. It was not nearly so bad an offence, and therefore it ought to be visited with a less severe punishment.

Mr. RYLANDS said, he also thought that the punishment which a candidate would suffer in consequence of his agent's misconduct, of which he might have no knowledge, was excessive. He considered that if the clause was passed in its present rigid form, its results would be most unfortunate. He would, therefore, support the Amendment.

Mr. PARNELL said, he hoped the hon. and learned Gentleman would exclude "undue influence" from the same category as corrupt practices. He (Mr. Parnell) thought it monstrous that a candidate should be deprived of sitting in the House for seven years through a rash speech uttered by his agent. He hoped the Government would accept the Proviso with reference to the exception of treating from the severe penalties imposed by the Bill, which he intended to propose to add at the end of the clause.

Mr. JESSE COLLINGS said, that if the term of disqualification were not fairly long, the disqualified candidate would set himself to "nurse" the constituency until the next General Election. He therefore hoped the hon. and learned Gentleman the Attorney General would stand firm to the clause as it stood in the Bill. He considered those who supported the Amendment had a weak and careless constituency in their minds.

Mr. TOMLINSON supported the Amendment.

Mr. LEWIS, in supporting the Amendment, said, he thought this was senseless legislation. Why should there be this hard-and-fast line of punishment when the offences were so entirely different in degree? The Bill was very detailed in regard to crime, while it was very general in regard to punishment. Some of the punishments provided were disproportionate to the offences, and he considered there ought to be a sliding scale of punishment suitable to the various offences.

Question put.

The House *divided:*—Ayes 113; Noes 72: Majority 41.—(Div. List, No. 269.)

Clause *agreed to.*

Clause 5 (Punishment of person convicted on indictment of corrupt practices).

Mr. HEALY, in moving, as an Amendment, to leave out the words of the clause including "personation," said, its object was to put personation on the same level as other offences as regarded punishment — namely, one year's imprisonment.

Amendment proposed, in page 3, line 1, to leave out all the words after the word "practice," to the word "shall," in line 3.—(*Mr. Healy.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, that the reason why personation was so severely punished was to meet an objection to the Ballot Act, that it would lead to many cases of personation. Personation was in itself a most heinous offence, and deserved severe punishment. Besides, it was a dangerous thing to relax the penalties for such an offence. He could not, therefore, accept the Amendment.

MR. GORST said, he wished the hon. and learned Gentleman the Attorney General could have seen his way to accept the Amendment. The punishment of two years' imprisonment was adopted by the House in a kind of panic to satisfy an objection to the Ballot Act, which it suited the opponents of the measure to raise at the time. The severity of a punishment was by no means an index of efficiency as regarded the diminution of the offence for which it was inflicted.

MR. JOSEPH COWEN said, that, in his opinion, the extreme severity of the clause would defeat itself, and juries would more easily convict if the punishment were lessened. Two years' hard labour, and lying on a plank bed, was about the most severe punishment that could be inflicted on a human being. He did not think, from the experience he had upon the point, the offence existed to a large extent.

MR. LEWIS, while not extenuating the offence, thought that the penalty might be reasonably mitigated. In the case of a son bearing the name of his father, and continuing to occupy, the House would not, in the illiterate classes, adequately appreciate the magnitude of the offence. At all events, one year's hard labour would be enough.

MR. DODDS said, he thought hon. Members forgot that two years was the maximum, and that the Judge would have the power of passing sentence for any period less than two years, if the offence were not of a very aggravated character.

MR. SEXTON said, an Irish Judge would certainly go to the extreme limit of the law. The offence of personation, it should be remembered, only affected one vote; whereas a briber might debauch a whole constituency.

Amendment, by leave, *withdrawn.*

Other Amendments made.

Amendment proposed, in page 3, line 11, to leave out the words "two years," and insert the words "one year."—(*Mr. Warton.*)

Question, "That the words 'two years' stand part of the Bill," put, and *agreed to.*

On the Motion of Sir R. ASSHETON CROSS, the following Amendments made:—"In page 3, line 10, after "thereof," insert "on indictment;" and in page 3, line 13, after "convicted," insert "on indictment.""

MR. HEALY, in moving to amend the clause by the insertion of the following words:—

"No person shall be tried for any offence against this Act under any of the provisions of the Prevention of Crime (Ireland) Act, 1882,"

said, he believed the Amendment was one which the hon. and learned Gentleman opposite (the Attorney General) would have no difficulty in accepting, for he (Mr. Healy) need hardly say that it was never intended that that Crimes Act should be applied to cases arising at election times. Indeed, if it were, the Party to which he belonged would gain more than lose by the application of the Act. For instance, in a case during the late Wexford Election, an employer said to one of his *employés*—"If you vote for Redmond, take care where you will get your bread henceforward." That was clearly a case within the Intimidation Clauses of the Prevention of Crime Act, and he (Mr. Healy) was strongly tempted to get that employer prosecuted for the words; but it was never intended that a piece of coercive legislation like that Act should be used for the punishment of offences arising out of election contests.

Amendment proposed,

In page 3, line 27, after "conviction," insert "no person shall be tried for any offence against this Act under any of the provisions of the Prevention of Crime (Ireland) Act, 1882."—(*Mr. Healy.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL FOR IRELAND (Mr. PORTER) said, he regretted that it was not possible for the Government to accept this Amendment. The hon. Member opposite (Mr. Healy) did not wish the provisions of the Prevention of Crime Act to be enforced in election matters; but he (the Attorney

General for Ireland) would give a case to show how that suggestion would operate. Supposing a case of extreme intimidation arose under this Bill, under circumstances of extreme violation, that would be an offence both under the Prevention of Crime Act and under this Act; and yet the result would be, if this Amendment were carried, that the transgression of two Acts of Parliament would prove to be less criminal in the sight of the law than the transgression of one only. He did not see why a man should be exempt from a prosecution under the Prevention of Crime Act, because he also transgressed the provisions of another Act. Again, he could not see any reason why a man should not be prosecuted under the Prevention of Crime Act, simply because the offence for which he was prosecuted arose out of an election contest; or why election cases, any more than any others, should not be tried properly, either by a special jury, or, without prejudice, before a Special Magistrate. [" Oh, oh ! "] Really it amounted to this—that it was proposed by an Amendment under the Bill to repeal the provisions of any other Act of Parliament. He trusted, therefore, the House would not pass the Amendment.

MR. PARNELL said, he was very much surprised at the attitude taken up by the right hon. and learned Gentleman opposite (the Attorney General for Ireland). He also thought they were very much obliged to the right hon. and learned Gentleman for the statement he had made. One would really suppose that the Government had deliberately determined to prevent the rapid passage of the Bill by refusing the very reasonable request of his hon. Friend (Mr. Healy). He (Mr. Parnell), however, should say that they expected a somewhat larger statement from the Attorney General for Ireland for refusing the concession. The Prevention of Crime Act, he need hardly say, was intended to meet a particular state of affairs totally unconnected with elections—to put down grave offences, such as terrorism, Whiteboyism, and murder—and for that purpose Parliament, under circumstances which were conceived to be of the very greatest urgency, had, after long discussion, introduced into it the most extraordinary provisions with regard to jury-packing and the removal of cases from the venue in which they had arisen that had ever been asked by any Irish Government for the repression of crime in Ireland. It was never, certainly, proposed that the Act should apply to electoral matters; but now, when his hon. Friend had put it forward as a reasonable concession to make, the right hon. and learned Gentleman the Attorney General for Ireland would have it that offences under this Corrupt Practices Bill should not be tried under the same law that existed in England. He did not even condescend to show that there was any necessity for such a proposal, he did not allege that there was likely to be a failure of justice in the matter; but without any argument whatever, and without the smallest justification, he sought to apply to offences under this Act the sweeping provisions of an Act passed for a totally different purpose. The Prevention of Crime Act was passed to cover a period of three years, and he was surprised that in a matter which could have but such a temporary effect the Irish Members should be met in this way. One of those three years had already elapsed, and consequently the provisions of the Act would only now be in existence for two years more. But in the next year, in all probability, the General Eelection would take place, and hence the Crown sought to retain these exceptional powers with respect to electoral proceedings in Ireland. If there was any meaning at all in this action of the Government, it was of such a character as would not bear investigation. Was the offence of undue influence in Ireland to be tried by two Resident Magistrates? On the debate on the 3rd section of this Bill, they had a half promise from the hon. and learned Gentleman the Attorney General for England that the construction of intimidation under this Act should not be the same as that under the Prevention of Crime Act, and it was certainly never anticipated that an offender at an election would be tried before the Crimes Act tribunals. At the time it was proposed to abolish trial by jury under the Prevention of Crimes Act, the offences to be tried by Judges were set forth in that Act. When, however, it was found that the Judges declined to accept the responsibility of trying cases without a jury, and after the Irish Members had been forcibly ejected from that House, and could not again, with any feeling of self-respect, resume the discussion of the Bill, the Government brought forward other provisions providing for jury-packing and change of venue. Now, if the Irish Members were in the House at that time, he thought they would have been able to impress on the Government the necessity of restricting the class of cases to be tried; and yet, in the face of all that, the Attorney General for Ireland came forward and told them that he did not see why cases arising out of elections should not be tried under the Prevention of Crime Act. What was the object of the Government in refusing this Amendment, and maintaining the attitude now exhibited by the right hon. and learned Gentleman the Attorney General for Ireland? What did they hope to gain? The Irish Members did not desire to delay the progress of the Bill—on the contrary, they had facilitated its progress; but if they were now to be met by a refusal of all reasonable concessions, they would necessarily be obliged to insist and dwell upon different matters in a way in which, under other circumstances, they would not desire to do. He hoped the Government would let the House proceed, and reconsider their decision upon the point. What, he would ask, was the object of throwing down now this firebrand in their midst?

The ATTORNEY GENERAL (Sir Henry James) said, the speech of the hon. Member for the City of Cork (Mr. Parnell) made it extremely difficult for the Government to accept any suggestion coming from him with regard to the Amendment of the hon. Member for Monaghan (Mr. Healy). The hon. Member threatened that if the Government did not accept the Amendment, the discussion would be continued for a long time.

Mr. PARNELL: Excuse me; I did not make, or intend, by the words I used, to make any threat of the kind, and if my words bore that interpretation I withdraw them.

The ATTORNEY GENERAL (Sir Henry James) said, he readily accepted that statement. The hon. Gentleman appeared to be under some misapprehension in relation to the question, inasmuch as under the 1st clause proceedings under the Bill could only be taken by "indictment" or "information," involving a trial by jury, and could not, therefore, come within the summary jurisdiction of two Resident Magistrates. It had been suggested to him by his right hon. and learned Friend the Attorney General for Ireland that the only difference the Prevention of Crime Act would make was with regard to special juries.

Mr. PARNELL: And change of venue.

The ATTORNEY GENERAL (Sir Henry James) thought special juries in such cases were what everybody desired. ["No, no!"] He had, when the question first came on, asked his right hon. and learned Friend the Attorney General for Ireland to oppose this Amendment. He did so because he thought it would have been for the benefit of all concerned that there should be a change of venue in the trial of offenders under this Bill, and also that cases should be heard by special juries. However, after consultation with his right hon. and learned Friend, they were agreed that the Amendment would make no practical difference, and that the Prevention of Crime Act was passed to meet an entirely different class of offences. Therefore, as there appeared to be so strong a feeling in its favour among Irish Members, and as he did not think the exclusion of cases arising from the operation of that Act would do any practical harm, he would take upon himself the responsibility of accepting the Amendment of the hon. Member for Monaghan.

Sir R. ASSHETON CROSS said, he thought the hon. and learned Attorney General had exercised a wise discretion in making the concession.

Mr. LEWIS said, he would also congratulate the Government on accepting the Amendment. It would be a very grave insult to Irish constituencies to place them on a different footing in this matter from that occupied by English constituencies.

Question put, and *agreed to.*

Words *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 6 (Certain expenditure to be illegal practice).

Amendment proposed, in page 3, line 32, after the word "poll," to insert the words "or the neighbourhood thereof." —(*Mr. Thomasson.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

On the Motion of Mr. ATTORNEY GENERAL, the following Amendment made:—In page 4, line 8, after "elector," insert "as an advertising agent."

Amendment proposed,

In page 4, line 10, after the word "elector," to insert the words "for the exhibition of bills or advertisements on stations, hoardings, window-boards, or other places belonging to him at least three months previously to the election." —(*Sir Richard Cross.*)

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 7 (Expense in excess of maximum to be illegal practice).

On the Motion of Mr. ATTORNEY GENERAL, the following Amendment made:—Leave out sub-section 3, in page 4, line 21.

Clause, as amended, *agreed to.*

Clause 8 (Procurement of voting by prohibited persons to be illegal practice).

On the Motion of Mr. GORST, the following Amendment made:—In page 4, line 24, after "person," insert "votes or;" and in line 25, leave out "whom at the time he knows to be," and insert "knowing that he or such person is."

On the Motion of Mr. ATTORNEY GENERAL, the following Amendment made:—In page 4, line 26, leave out "Act or otherwise," and insert "or any other Act or by the common law of Parliament."

Amendment proposed, in page 4, line 26, after the word "be," to insert the words "personally liable to the same penalties as if he were."—(*Sir Richard Cross*).

Question proposed, "That those words be there inserted."

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 4, line 27, at the end of the Clause, to insert the words "Any person who before or during an election knowingly publishes any false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate shall be guilty of an illegal practice."—(*Mr. Gibson.*)

Question proposed, "That those words be there inserted."

MR. H. H. FOWLER asked, whether if an agent were guilty of that practice it would invalidate the election?

THE ATTORNEY GENERAL (Sir HENRY JAMES) said, he would consider the point.

And it being a quarter of an hour before Six of the clock, the Further Proceeding on Consideration of the Bill stood adjourned till *To-morrow.*

QUESTIONS.

PARLIAMENT—BUSINESS OF THE HOUSE—ORDER OF BUSINESS.

MR. GORST asked the Prime Minister, when the Government proposed to resume consideration of the Parliamentary Elections (Corrupt and Illegal Practices) Bill?

MR. GLADSTONE, in reply, said, they should put it down for to-morrow night, with the chance of being able to bring it on, though he was afraid it was not very likely it would come on. In any case, they expected to go forward with it on Friday at 2 o'clock. He made no doubt of its being finished on that day; but if, unfortunately, that should not be the case, they would put it down to follow the debate on the Supreme Court of Judicature (New Rules of Procedure) on Saturday, and they would not propose to take any Bill on Saturday except the Parliamentary Elections (Corrupt and Illegal Practices) Bill and the Bankruptcy Bill.

MR. LEWIS asked whether the Government had made up their minds as to what course would be pursued with regard to the clauses extending the Bill to Ireland?

MR. HEALY asked when the Parliamentary Registration (Ireland) Bill would be taken?

MR. GLADSTONE, in reply, said, the Government would be glad to take the Bill on Friday, if there were time. In answer to the hon. Member opposite (Mr. Lewis), his right hon. Friend the

President of the Board of Trade (Mr. Chamberlain) did intend to propose the extension of the Bankruptcy Bill to Ireland, both because he believed it to be a politic and desirable thing in itself to do, and because there was a strong feeling among Irish Members, and in that country generally, in favour of its being so extended. He might also say that his right hon. Friend thought that should not be done simply by discussion on Report; and he would, therefore, propose a limited re-committal of the Bill with the view of a discussion on the particular subject of the Irish clauses. The Bill would be taken on Saturday, as he had before observed.

Mr. DIXON-HARTLAND asked the Prime Minister, whether, having regard to the importance of the measure, and the fact that it would be preceded on Saturday by two other Orders, he would not fix an hour after which it would not be taken?

Mr. GLADSTONE, in reply, said, he could not fix an hour then. Wednesday was too early a date to express any opinion as to what would take place on such a matter on Saturday. It would not, however, be taken at a late hour.

The CHANCELLOR of the EXCHEQUER (Mr. Childers) said, it might be for the convenience of the House to state that to-morrow he would propose to re-commit the National Debt Bill *pro formâ*, in order to introduce the Amendment he promised last night.

Mr. PARNELL asked upon what day the Government proposed to take the Parliamentary Registration (Ireland) Bill?

Lord RICHARD GROSVENOR, in reply, said, he was unable to give a definite answer; but if not on Friday, they were in hopes that they should be able to take it on Saturday. But the first Order was the Supreme Court of Judicature (New Rules of Procedure); the second, the Parliamentary Elections (Corrupt and Illegal Practices) Bill; and the third, the Bankruptcy Bill.

Mr. DAWSON said, that many private Members from Ireland were merely waiting in London for the Bill to come on.

Mr. DIXON-HARTLAND gave Notice that, if it was proposed to take up the Bankruptcy Bill as the third Order at a late hour on Saturday, he would oppose the Motion.

EGYPT—THE CHOLERA—HEALTH OF THE TROOPS.

Viscount FOLKESTONE: Can the Financial Secretary to the War Office inform the House whether he has any further information with reference to the cholera in Egypt?

Sir ARTHUR HAYTER: Yes, Sir. I am happy to say that the following very satisfactory telegram has been received by the Secretary of State for War from General Stephenson, the General Officer Commanding in Egypt:—

> August 8.—Improvement progressing at all stations. Only one fresh case of cholera among troops since last telegram, and one death."

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 9th August, 1883.

MINUTES.]—Public Bills—*First Reading*—Diseases Prevention (Metropolis) * (181); Cruelty to Animals Acts Amendment * (182); Labourers (Ireland) * (183).

Second Reading—Electric Lighting Provisional Orders (No. 5) (173); Electric Lighting Provisional Orders (No. 8) (174); Public Health Act, 1875 (Support of Sewers) Amendment * (172); Patents for Inventions * (179); Agricultural Holdings (Scotland) (178); Statute Law Revision * (176).

Committee—Electric Lighting Provisional Orders (No. 2) * (151); Electric Lighting Provisional Orders (No. 3) * (152); Electric Lighting Provisional Orders (No. 4) * (158); Electric Lighting Provisional Orders (No. 9) * (161); Electric Lighting Provisional Orders (No. 10) * (162); Electric Lighting Provisional Orders (No. 11) * (163); Trial of Lunatics * (169-184).

Committee—Report—Statute Law Revision and Civil Procedure * (177).

Select Committee—Report—Petroleum * (154).

Report—Parochial Charities (London) * (168).

Third Reading—Summary Jurisdiction (Repeal, &c.) * (153); Irish Reproductive Loan Fund Act (1874) Amendment * (156); Railway Passenger Duty, &c. (167), and *passed.*

MANCHESTER SHIP CANAL BILL.

Report from the Select Committee, That it is not expedient to proceed further with the Bill; read, and ordered to lie on the Table.

ELECTRIC LIGHTING PROVISIONAL ORDERS (Nos. 5 AND 8) BILLS.

(NOS. 173, 174.) SECOND READING.

LORD THURLOW moved—

> "That the order made on the 2nd day of March last 'That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Tuesday the 26th day of June next,'"

be dispensed with, and that the Bills be now read a second time. The noble Lord said, these Provisional Orders (Nos. 5 and 8) were of great importance, as they related to large Metropolitan areas; and unless the Order of the House were relaxed, as he now proposed, the electric lighting improvements in the districts concerned would have to be postponed for at least two years, under the Act of 1882.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) thought there could be no objection to the course suggested.

THE MARQUESS OF SALISBURY: Can the noble Lord tell us whether any agreement has been come to for the opening of the St. James's district to a larger competition than that allowed by the Bill?

LORD THURLOW said, no actual agreement had been arrived at between the parties; but there was reason to hope that agreement might be come to. The Bill would probably have to be referred to a Select Committee.

Motion *agreed to;* Bills read 2^a accordingly, and *committed*. The Committees to be proposed by the Committee of Selection.

PUBLIC HEALTH ACT, 1875 (SUPPORT OF SEWERS) AMENDMENT BILL.

(*The Earl of Milltown.*)

(NO. 172.) SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF MILLTOWN, in moving that the Bill be now read a second time, stated that it had passed unopposed through the other House of Parliament, and was not opposed by Her Majesty's Government.

Moved, "That the Bill be now read 2^a."—(*The Earl of Milltown.*)

LORD CARRINGTON said, that the Amendment suggested by the Government having been accepted, they cordially supported the Bill.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

PATENTS FOR INVENTIONS BILL.

(*The Lord Chancellor.*)

(NO. 201.) SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR, in moving that the Bill be now read a second time, said, his own view of the Law of Patents was well known from what he had stated when a Member of the House of Commons. But, unless that view were generally accepted, it ought not to prevent him from promoting, officially, such amendments and alterations of the law as might make it more in accordance with the principle on which its advocates desired to see it maintained. In 1864 a very powerfully - constituted Royal Commission, presided over by his noble Friend (the Earl of Derby), carefully examined the whole subject, and recommended certain changes, in the direction rather of limiting than of extending the operation of the Patent Laws; but nearly 20 years had since elapsed, and public opinion had not yet proved favourable to any change in that direction. He ventured in the House of Commons to express the views he entertained on the subject in 1869; but they did not receive much approval or support. He expressed them again in the evidence that he gave before the Select Committee of the House of Commons appointed in 1871; but that Committee made a Report more favourable to the Patent Laws than the Report of the Royal Commission of 1864, and recommended changes which corresponded, to a very great extent, with those proposed by the present Bill. The present Bill was introduced into the House of Commons after much consideration by the Board of Trade and much communication with those affected by it. The Bill was referred to a Grand Committee of the other House, which had discharged the duties assigned to it in a very excellent manner, and had justified the views of those who thought the practical Business of the House of Commons might be materially assisted by Committees of that description. That Committee had carefully considered the measure, and it was now in the form in which it left the Committee. The Board of Trade had suggested certain Amendments chiefly of a verbal character. He would ask their Lordships to go into Committee on the Bill *pro formâ* tomorrow, in order to have those Amendments printed, and, with their Lordships' approval, he would fix Thursday next for the consideration of the measure on re-commitment. At present there were a number of persons holding offices, judicial and others, who were called Commissioners of Patents. All of them were, however, much occupied with other duties, and the practical effect of that system had been that only one of them—the Master of the Rolls—had usually exercised any practical superintendence over the administration of the Patents Office. The machinery with regard to patents had also been objected to. The preliminary documents which passed through the hands of the Law Officers of the Crown, subject to various forms of application to the Lord Chancellor, were more cumbrous than was thought convenient. The change which the Bill proposed as to administration was that the Patent Office, the Office of Copyrights in Designs, and the Office of Trade Marks were to be consolidated and brought under the superintendence of the Board of Trade, and there was to be a Controller and General Examiner of Patents, with such other officers as might be necessary for transacting the business of the Office. The whole of the preliminary process before patents were granted would be conducted without judicial interference. The Bill contained very ample and adequate provision for registration and for giving the public full information; and the Patents Museums, a valuable collection of models and other illustrations of inventions which had never yet been properly managed, were assigned to the Department of Science and Art at South Kensington. The fees were also to be very considerably reduced, and greater facilities would be offered to inventors for acquiring grants; and cases where claims were disputed would be tried by a Judge, assisted by scientific assessors, but without a jury. That change was recommended both by the Royal Commission and by the Committee of the House of Commons in 1869. After the grant the patent was still to be open to objection on all legal grounds on which it was open to objection before; but the proceeding to repeal a patent by *scire facias* would be abolished, and for the future there was to be a simple petition on competent legal grounds to the ordinary Courts for the revocation of the patent. A compulsory licence might also be granted, in certain cases, if the patentee did not take proper means for bringing the patent into use. Another important provision was introduced in the Committee of the House of Commons by a majority, with some reluctance on the part of the Government. At present the Crown had the right to make free use of any patented invention; but it was now proposed that it should only have that right on terms of payment. Provision was likewise made for International and Colonial patents. There were other provisions of a more or less technical and legal character which could be considered in Committee, and all he would do now would be to ask their Lordships to read the Bill a second time.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

AGRICULTURAL HOLDINGS (SCOTLAND) BILL.—(No. 178.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading read.

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL), in moving that the Bill be now read a second time, said, he was not inclined to take up their Lordships' time at any length. There would, he felt, be no advantage in doing so, for this reason—that the Bill was practically identical with the English Bill, which their Lordships read a second time the other night. The Bill for Scotland, in essential respects and even in minor respects, was identical with that for England, so far as the difference in Scotch legal proceedings and language admitted. There were a considerable number of variations of the kind he referred to as necessary to enable the measure to be applied to Scotland. He thought that the only parts of the Bill that were especially Scotch were Clauses 27, 28, and 29. Clause 27 had been introduced for the purpose of remedying a hardship—perhaps he ought rather to say a possible hardship—which might arise in consequence of the Scotch Hypothec Abolition Act—namely, the possibility of a tenant being removed from his holding between Whitsuntide and Martinmas at a time which would cause him considerable loss, and when he would not be able to have a waygoing sale for his crops. He was informed that that was a hardship which had seldom, if ever, during the time since the Act came into operation, been experienced; but there was, he believed, a certain apprehension among Scotch tenant farmers that such a thing might happen, and it had been thought well, he believed with a very general agreement of Scotch opinion, to prevent the possibility of such a case occurring. The next clause—the 28th—dealt with the determination of tenancies by lease, and it prolonged very considerably the legal time of notice which was necessary in Scotland for terminating a lease. That notice was now 40 days, and this clause required that notice of six months' should be given in all leases for a less period than three years, and a notice of two years in all leases for longer periods. That was a question which had been raised for several years in the other House, and it was embodied in a Bill introduced, he believed, by a Scotch Member last year, and carried on the second reading without a Division. The third peculiarly Scotch clause—the 29th—was one that dealt with the power of bequest of his lease by a tenant. Their Lordships would know that the Scotch lease, unlike the English system, was not personal, but real property, and descended absolutely to the heir-at-law. It was believed that it would be a matter of great convenience that a tenant should be able to bequeath his lease as he could bequeath the stock on his farm, and that there should not be that legal separation between the lease and the tenant's property on the farm which existed at present. That proposal also met, he believed, with very general approval. In fact, he believed he might safely say that there was a very large and not far from unanimous concurrence of Scotch opinion in "another place" in favour of this clause. Beyond those clauses, and the necessary technical variations to which he had referred, he really thought there was nothing with which he could usefully trouble the House. If any further explanation were needed, he should be quite prepared to give it; but he was not aware of any other part of the Bill which required explanation. With the exceptions he had mentioned, adapted to Scotch law and Scotch circumstances, the Bill was practically the same as that to which their Lordships the other day gave so favourable reception, and without further observations he would now ask that it be read a second time.

Moved, "That the Bill be now read 2ª."—(*The Lord President.*)

The Duke of ARGYLL said, he saw by the newspapers that his noble Friend the Secretary of State for India (the Earl of Kimberley), in a *post prandial* oration he made last night in the City, passed an encomium on their Lordships in their legislative capacity; but he thought his noble Friend might have added that their Lordships were about the most good-natured Assembly in the world, because he must say that though they felt that the lateness of the Business generally was not the fault of the Government, he was bound to say, in the matter of the two Agricultural Holdings Bills, that it had been the fault of the Government. He must complain, especially with regard to the Scotch Bill, not only of the extreme lateness of the period at which the Bill came to them, but of the extreme lateness of the period at which in the other House most important alterations were made. They knew by the ordinary channels of information what was going on in "another place." Those who were interested in a Bill of this kind were able, by having recourse to the ordinary sources of information, to know pretty well what was being done in the other House of Parliament; and he endeavoured to follow the progress of the Scotch Bill with some interest naturally, to know what the intentions of the Government were; but he must say that he did not know, until he saw this Bill reprinted, of some of the most important alterations which had been made by the right hon. and learned Gentleman the Lord Advocate. His noble Friend in his speech which he had just made had skimmed very lightly over some very thin ice. It was upon the understanding that the principle of this Bill was identical with that of the English Bill that he had expressed himself the other night in favour of the second reading of both Bills; but he found that there was a most important omission in the Scotch Bill, which made it not merely different in detail, but fundamentally different in principle. He thought he would make that plain to their Lordships. The 1st clause of this Bill omitted the Proviso that was put into the English Bill as the result of the compromise made after the defeat of the Government. It was moved in the other House by an hon. Friend of his (Mr. A. J. Balfour) during the progress of the English Bill that the principle of compensation should be the Lincolnshire custom, which was that the outlay of the tenant should be the maximum of his compensation. On a Division, in a not very empty House, the Amendment was carried against the Government; but in the course of the discussion the willingness of the Government was expressed to meet the objections of those who moved the Amendment to a certain extent, and to put in a Proviso by which it should be made clear that nothing should be adjudged to the tenant as the result of his improvement which was clearly due to the inherent capabilities of the soil. That was agreed to by a great number of Members in the other House as, on the whole, a not unfair settlement of the question; and he was himself, although not on the whole satisfied, willing to agree to that compromise. But what was his astonishment to find that the Scotch Bill in the 1st clause omitted this most important provision. Let him point out what might be the result of this change. The principle of the Bill, which was explained to their Lordships the other night, was that the value of the outgoing tenant's improvements, for the purpose of fixing the compensation, should be the value to the incoming tenant. He was not going to contest or to argue that in common parlance that was an unfair description of what was meant by compensation to the tenant—namely, what was the value to the incoming tenant. That was a very fair colloquial description of what they meant; but he really hoped they would not go further into this custom of embodying in Acts of Parliament on most important questions as to the rights of men colloquial expressions which, however fair they might sound to the ear and in conversation, were not really capable of accurate judicial interpretation. By the words "value to the incoming tenant," they might mean the whole letting value of the land, taking these words by themselves. Let him put a case which had happened to himself on his own property. There was a considerable portion of land which had been used as a market stand. It was in the immediate neighbourhood of a town of considerable importance. The situation was valuable; but the land was utterly worthless—for agricultural purposes not worth 6*d.* an acre. He was advised that the reclamation of that piece of land would pay well; and he spent on it no less than £18 an acre. It was immediately let at a rent of three guineas, or about 17 or 18 per cent on the outlay. That was a very handsome return. What would be the operation of an improvement of the kind under the words "value to the incoming tenant?" The whole of that value was due to that improvement. The land was utterly worthless before, and it was now worth three guineas. Was that what they were going to give to the tenant? That was a new and a very cheap way of purchasing land. That was not what the Government meant. Of course, he knew that. It would be grossly unfair; and, therefore, he said "the value to the incoming tenant" was one of those loose conversational expressions which ought not to find a place in an Act of Parliament without some principle to guide it. Unless their Lordships wished to provide that in Scotland the tenant should be able to appropriate the whole of the land by executing certain improvements, they must insert the same provision in the Scotch Bill as had been inserted in the English Bill. This was not an unimportant matter. It was a matter of vital interest to all concerned; and, according to the Amendment of which he had given Notice, he had added the Proviso in the English Bill. There were some other points to which he wished for a moment to direct the attention of the House. Though he was not going to contest the principle of the Bill, he did not admit the argument which his noble Friend brought forward the other night—namely, that the Lincolnshire limit was unfair to the tenant. So far as he knew, in 99 cases out of every 100 the compensation due to the outgoing tenant ought to be limited by his outlay, for this reason—that there were very few cases indeed in which the same outlay would not be made by the incoming tenant, if the improvement were performed by himself. Building, drainage, manures—all those items of agricultural outlay were essentially improvements which diminished with the lapse of time. It was impossible that the value to the incoming tenant could be more than the outlay of the outgoing tenant; and when his noble Friend quoted a letter in *The Times* newspaper, and said that this principle was simply that of "Heads I win; tails you lose"——

LORD CARLINGFORD (LORD PRESIDENT of the COUNCIL): I quoted that from the letter of Mr. Clare Sewell Read.

THE DUKE OF ARGYLL observed that, at any rate, his noble Friend used an argument of that kind, which was one of the most fallacious arguments that could be used. The relation of landlord and tenant was not that of two men playing at a game of chance, in which one man said—"Heads I win; tails you lose." It was a question of bargain between one man who had and the other man who hired; and in general these two men were competent to make a fair bargain for themselves. But there were some cases in which he believed the value to the incoming tenant might be more than the outlay of the outgoing tenant. For instance, there was one matter that applied more to England than to Scotland—the planting of orchards. He did not know how many years must elapse before the capital invested in planting orchards was recovered; and he thought it fair to say, in the case of the incoming tenant coming into land that had been planted with apple or pear trees, that the land was worth more to him than the mere outlay of the tenant, because his own outlay could not have compassed the immediate return that the outlay of his predecessor would. That was a case where he admitted that the principle of valuation more than the outlay might apply. There was another case not so applicable to Scotland, but very common in England—that of laying down land in permanent pasture. He said at once that he admitted the application of the principle to that case, because he thought the turning of land into permanent pasture was one that might involve considerable and serious sacrifice for some years to the outgoing tenant. The incoming tenant got something more than the mere cost of the operation of turning the land into permanent pasture. Therefore, he was not going to contest the principle of the Bill, provided it was limited in the manner he referred to; but he only wished to repudiate some of the arguments which had been brought forward in favour of it. There were very few cases in which it could be just to charge the new tenant any sum greater than the outlay; but he thought the Government were fairly entitled to include them. Another point to which his noble Friend had referred was one, in his opinion, of very great importance. He knew nothing which more clearly illustrated the practical ignorance of many men who drew up such Bills as these in regard to the Scotch system of agriculture than the point of notice to quit. The English Bill provided that, in future, the notice should be a year. His noble Friend wished their Lordships to enact that in Scotland it should be two years. Look at the difference between the two countries. In Scotland all the lands, except crofts, were let on 19 or 21 years' leases. The tenant had not only one or two years' notice to quit, but he had 19 years' notice to quit. He knew exactly when his lease came to an end, and when he was likely to be removed. By the present law, notice was to be given within 50 days if the landlord made up his mind to remove the tenant; but he need hardly say that this was an arrangement which rarely came into operation, for the reason that in 99 cases out of 100 long before that time expired they came to a new bargain. Let them look what the essence of the alteration in the Scotch Bill was. Parliament said to the landlord and tenant—"You two gentlemen, in a pure business matter, must make up your minds what your bargain is to be two years before the time." Was there ever such an absurd interference with individual freedom as that? What was in the minds of those who drafted such a measure as that? He would tell them what was in their minds. They were thinking of an Irish eviction. They were thinking of a case in which the landlord made up his mind that he was going to turn out his tenant. He admitted that if the landlord had made up his mind to turn out his tenant, it might be reasonable to give him notice two years before; but, in 99 cases out of 100, that was not what occurred. He could only say for himself, with 35 years' experience as a landlord, with some hundreds of tenants, that he did not know of one single case in which he had made up his mind to get rid of a tenant without giving two years' notice. He remembered, some years ago, a large tenant of his, holding a very important farm, writing to him two years before the end of his lease, and asking him if he was going to continue him as his tenant. He answered him, as Scotchmen were apt to do, with another question—"Are you going to continue me as your landlord, because it is just as much your business to decide whether you are going to continue on the farm as it is for me to decide whether I will let it to you." The tenant's answer was—"That depends on what you will offer me;" and he replied that the time had not come for that. The result was, that they came to an agreement in the course of the next year. What this Bill said was that the landlord and tenant must make up their minds two years before.

THE EARL OF KIMBERLEY: It is only a notice.

THE DUKE OF ARGYLL rejoined, that these things were highly provocative of disagreement between landlord and tenant. What he did in his own case was to consider the question of renewing the lease seven, nine, or 12 months before the expiry of the lease.

THE EARL OF KIMBERLEY: That is not enough.

THE DUKE OF ARGYLL: His noble Friend said that was not enough; but, perhaps, he would allow those who knew their own business to have their own opinion on the matter. It was as gross an interference and absurd an interference with the freedom of the tenant as it was with the landlord. Let them look at what would happen if the Bill passed. He should go on in the old fashion, and so would his tenants; but the Act would compel them, if they wished to get rid of each other, to give notices to that effect. A more injurious thing could not happen. He should say—"A very foolish Act of Parliament has been passed, which compels me, if I wish to get rid of you, to give two years' notice. Never mind that; you and I will come to an agreement in the course of the next two years." He thought one year's notice, which was the provision in the English Bill, was a fair average time. A year before the end of the lease men were generally able to make up their minds—the tenant as to the amount of rent he wished to offer, and the landlord as to the rent he wished to ask. Very often that ought not to be decided until 12 months before the end of the lease. A few years ago there was a very sudden fall in the price of dairy produce. The tenants in his part of Scotland were in the depths of despair. They thought American competition would infallibly lower their prices so much that they would not be able to pay half the rent they paid before. No doubt if these prices had continued, they would have been quite right. Were they to compel a landlord to make an agreement to let his farm under these conditions? Both tenant and landlord ought to be able to make up their minds up to the last possible moment; and, that being his opinion, he had given Notice of an Amendment to this effect. In all the circumstances of the case he did not believe that any such Bill was necessary in order to promote agricultural progress. He was acquainted with the agricultural progress of Scotland, and was proud of it. He believed that no country in Europe had made such rapid advance during the last century as Scotland. Let them bear in mind what a short time it was since the conclusion of their great Civil War. He himself had seen a man who remembered, to use a common expression, "the '45." Let them look at the condition of Scotland at that period—the country covered with poor hamlets, thatched cottages, people living under the same roofs as their cattle. Now the country was covered with flourishing farms and thriving homesteads, many of which belonged to the noble Duke opposite (the Duke of Richmond and Gordon). Every county in Scotland had made a similar advance. That advance had been made under a system of entirely and absolutely free contract. Landlords had laid out enormous sums of money. No man could count up the sums which the landlords of Scotland had spent on the improvement of the country since the beginning of the present century, or since the conclusion of the Civil War. Tenants said they had done a great deal of this improvement. So they had, and a most admirable class of men they had been; but the tenants had executed these improvements on the same principle on which labourers had done—they had executed them for valuable consideration they had generally actually received. It was only during the last five or six years, when seasons had been very disastrous, that the system of 19 years' leases had been objected to, and that the present feeling of discontent had arisen. The Bill, in his opinion, would do nothing, or very little, to alter that discontent; but considering that the Government had thought it necessary, on the recommendation of a Royal Commission, to bring in a Bill for England, where, in general, there were more reasons for it, he should not resist the second reading of a Bill of the kind which applied to Scotland. There was another point on which he wished to say a few words. Several English proprietors had said to him lately that drainage was not always advantageous. That might be perfectly true. He did not think there was much danger in common arable land in drainage being done by any tenant that was not likely to be valuable. But it was quite certain that those who drew up the Bill had not before them the peculiar circumstances of Scotland. In England nearly the whole area of the country had been arable for centuries. There was no reclamation of waste land, no great moors to be reclaimed, as in Scotland; and his noble Friend must see that the question of drainage must differ in a country where a vast portion of the estates consisted of moor and mountain country. Not only might drainage be sometimes mischievous; but in regard to some kind of land—for instance, on moors—it would be the most injurious thing they could do. There was a certain plant growing in the bogs of Scotland which was a most valuable food for sheep, and if they drained these moors, they would destroy that plant, and so injure the sheep. It might very well happen that a farmer might find it agreeable to himself to drain certain parts of his land. He might do the greatest possible damage to the land; in fact, he might utterly ruin it, and under this Bill the landlord could not say a word in opposition. He thought that so unreasonable that he proposed to add a Proviso that it should be competent to the landlord to object to any drainage operation; that, upon that objection being registered and sent to the tenant, the latter should not be at liberty to go on with the operation until there was an appeal to the Sheriff, whereupon the Sheriff might appoint a competent person to report whether the drainage would or would not be injurious to the land to be drained, and to the adjacent land, and that his report should be final. He might remind the House that mountainous land injuriously drained might not only be injurious to the landlord as regarded the land on which the drainage took place, but also highly injurious to the arable land at the foot of a hill. The tenant of a mountain farm might, by his drainage works, utterly destroy the farms of the tenants in the valley below, and the Bill, as it stood, would do nothing to prevent such mischief. He hoped that the House would receive with favour the Amendments which he intended to propose in Committee. If they were not to be favourably received, he should be unable to vote for the second reading of the measure.

The Earl of ABERDEEN said, he thought the Bill had been introduced at a very opportune period. There were differences between the present and the English Bill; but, substantially, they were the same. There was, for instance, under one of the clauses the power of assignation by bequest. That he could not help thinking was a clause which should have an eminently desirable effect in Scotland. There was also the clause giving two years' notice to quit, and he confessed he was somewhat surprised at the objection that had been taken by the noble Duke (the Duke of Argyll) to the clause. The expression "notice to quit" was in some sense misleading; but he imagined that the explanation of the introduction of those words in the clause might be somewhat simpler and different from that which the noble Duke suggested. Might it not be the custom which had recently been prevalent of making a re-arrangement as to a lease? That custom had been found to be useful and acceptable, and he presumed it had suggested itself to the farmers as one which could be imported into the Bill. Further, he believed that a Bill had passed the House of Commons some time ago in which there was a provision of two years' notice to quit. It might be true that the provision in regard to assignation by bequest might be open to some of the objections stated by the noble Duke. This question of assignation might be referred to the Sheriff's Court, and this was one of the examples of the litigation which the Bill might encourage. He was not sure that an occasional resort to a Court of Law was such an unmixed evil as some noble Lords seemed to suppose. There might be a great deal of silent discontent without any power to bring the matter before any Court, and that was, at least, as deleterious as coming before a Court and having the difficulty settled once for all. The decision of the Sheriff might occasionally cause a good deal of unfavourable comment on one side or the other; but the Sheriff occupied a position which commanded the confidence of the country, and he believed that no tribunal could be more safely resorted to in respect of these cases. It had been said by several lukewarm supporters of the English Bill that although it would not do much good, it probably would not do much harm. He supposed a similar remark might be made by noble Lords with regard to the Bill now before the House. His own opinion, however, was that the Bill was very far from being milk-and-water legislation. The enacting provisions were not of a very extensive kind; but, apart from the actual force of the enactments, he thought their Lordships ought to take into account the effect upon the country which this Bill might reasonably be expected to have. The minds of the farmers of Scotland had for some time, and especially during the past year, been in a somewhat unsettled state. This Bill, he trusted, would be recognized as a skilful and successful attempt to meet a very difficult and delicate problem; and he believed it would be accepted in that sense by the farmers of Scotland as a body, and in that way it would indirectly tend to do a vast amount of good.

Lord BALFOUR said, he agreed with a great deal that had fallen from the noble Duke opposite (the Duke of Argyll) as to the effect which the Bill was likely to produce in Scotland, and as to the question of whether it was really required in the interests of the agriculture of that country. He agreed almost entirely with that part of the noble Duke's speech; but, at the same time, he was not prepared, any more than the noble Duke was, to recommend their Lordships to refuse their consent to the second reading of the Bill, because, if for no other reason, for this one—that if their Lordships were to reject the measure, he believed the tenants throughout Scotland would imagine that their Lordships had withheld from them a very great gift. They would greatly magnify what they thought was likely to be done for them by the Bill, and the demand for legislation would be very much stimulated. That was the chief ground on which it seemed to him desirable that the Bill should become law. At the same time, he thought there were in the Bill some phrases and expressions which were likely to lead to much harm and litigation. The noble Duke pointed out the great danger of introducing colloquial expressions, and making them part of the law of the land. In the 5th clause, for instance, the words "fair and reasonable compensation" occurred; and in the 6th clause he found the words "according to the rules of good husbandry." Now, he could not help thinking that a great deal of litigation would rage round the meaning of these two expressions; and he was apprehensive that before a year was out there would be a considerable amount of litigation and arbitration with regard to the meaning of these phrases. What he also dreaded was that there would grow up in Scotland a class of men who would make it their occupation to become referees, or umpires, or whatever they were called in the Bill, and these men would be men who had failed in farming, who had become bankrupt and lost their farms; they would turn to this business as a means of livelihood, and he ventured to think that in that prospect there was much danger of dispeace. On the other hand, he was not able wholly to agree with some of the criticisms which the noble Duke opposite had made upon the Bill. For example, he ventured to think that there was something to be said for the provision requiring two years' notice to quit. He confessed that he differed from one of the noble Duke's high authority and acute mind with very great hesitation on a point of this kind; but it did seem to him that this provision might become a useful one in this respect. The noble Duke himself pointed out a very easy way of evading it. He did not mean evading it in a bad sense, but avoiding any possible difficulty consequent upon it, by the landlord and tenant mutually giving each other notice before the commencement of the term of two years. But what he hoped the result would be was that a certain number of years before the termination of the lease the landlord and tenant would make up their minds as to whether they were likely to make a fresh bargain at the end of the lease then running. If they were then to agree on a new lease, which was to begin from that time for 19 years, it would save a great deal of the difficulty of arbitration as to the value of manures and other things that were provided by the first part of the Schedule. There would be two or three years before the expiry of the old lease; and there would, therefore, be no temptation to the tenant to run out the farm during the last two or three years of the old lease. That was a result which was most desirable, alike in the interests of the landlord, the tenant, and the public at large. It would secure that the land would be kept in a uniform high state of cultivation during a long period of years. In cases where tenants were going to be removed from their farms this argument would not apply; but in the very large majority of cases — certainly in the large majority of cases of which he had experience—the tenants would be continued from one lease to another. He thought it was not necessary to put in the words as to the "inherent value of the soil" not being taken into account when the tenant received his compensation. On this point he was quite prepared to find many noble Lords sitting on that side of the House disagree with him. There were a class of improvements which ought always to be executed by the landlord; but if the landlord was so blind to his own interest as not to execute improvements of the kind, he ought to have a gentle pressure put upon him by the Bill to induce him to execute these improvements. He confessed that, at first sight, he had some sympathy with those who thought that, in no circumstances, should the compensation to be given to the tenant exceed the outlay he had made. That was a very plausible idea; but he thought that, in many cases, it would work considerable hardship, and it would have this bad effect—that it would seem to put the landlord and tenant on a different footing as to compensation. The tenant might, and probably would, in most cases, get a great deal less than he laid out in these improvements; and he did think, if in consequence of the great skill of the tenant, the value of the improvement which he had made turned out better than he expected, he (Lord Balfour) did not see any very great hardship to the landlord in giving the tenant the value of his skill, under such circumstances. If an Amendment, such as that which had been suggested, were put in the Bill it would have an appearance of hardness and too great severity, and he should not be inclined to recommend it. On the other hand, there were one or two points in which he thought this Bill contrasted unfavourably with the English Bill. The Lord President, in introducing it, said it was the same in all respects as the English Bill; but if the noble Lord would turn to the 12th clause he would find that there was a somewhat important omission in the Scotch Bill. In the corresponding clause in the English Bill the tenant was bound to produce not only the documents of evidence which might be in his possession, but vouchers and samples. He did not believe that the security which was given in the English Bill, as it now stood, would be sufficient for the purpose for which it was intended; but he thought the omission of the provision in the Scotch Bill would place the landlords in Scotland in a worse position than the landlords in England. He should be inclined to ask the Government to go even further than the provision in the English Bill. It did not seem to him that the mere order to produce the documents and vouchers which might be in the possession of either party was sufficient; because, if evidence was in the possession of either party, and was likely to tell against him, there was no restraint upon him from destroying that evidence, and if it was destroyed it was obvious it could not be produced. No doubt, an act of that kind would be the act of an unscrupulous man; but, in passing an Act of Parliament of the present description, they should take care that the unscrupulous man should have no advantage over one who was scrupulous as to his conduct. He should, therefore, like to ask the Government whether they could not see their way to introduce a clause which would put it in the power of the landlord to test the quality of the fertilizing substances and feeding stuffs which the tenant was likely to use? That would be a protection, not only to the landlord, but to the tenant. It was conceivable that some tenants might enter into collusion with manure merchants and others to have fictitious bills made out, on which they might obtain compensation. But he also thought it would be important, in the interest of the tenant himself, that much greater facility should be given for analysis of the stuff which he bought under the name of feeding stuffs and artificial manure. The tenant would not often incur the expense of the analysis; but if the opportunity was given to the landlord of doing so, it would be worth the landlord's while to undertake the expense, and he thought it would be largely done. He had, in connection with this matter, given Notice of an Amendment to the English Bill, which secured the main object he had in view. With regard to the clause dealing with the assignment of leases, he thought that was a power which must be subjected to very searching criticism by their Lordships. It was a power which struck at the very root of one of the chief privileges of ownership of land —namely, the selection of the tenant. They heard on all hands that the landlord was responsible for the good cultivation of the soil of which he was the owner—that he was the trustee of the nation, and all that sort of thing; but if they were going to take away from the landlord the power of selecting his tenant, how was the argument to be maintained in the future? No doubt, he should be told that there was only assignment in the case of death; but even if that was so, he thought it would work a great deal of hardship. Leases in Scotland were for 19 and 21 years. That was a large slice out of any man's life; and if a second term of the same length was entered upon, it meant, undoubtedly, that a comparatively small number of men, even if they entered upon their first term at 21 or 25 years of age, would reach the end of the second term. It was possible, under the Bill, that the lease might be assigned to a man with whom the landlord might not be able to work amicably, and that the landlord would have this man as a tenant for a long period. The clause would be a hardship in that way. He thought it would work an inequality between landlord and tenant. For example, if a tenant who died bequeathed a lease which was not, in current phraseology, a good bargain, the assignee would, of course, refuse to take it up; but if the bargain was a good one, the assignee would be glad to get it and take it up. Therefore, the operation of the Bill would bind the landlord, and not the tenant or his assignee. That was a position of inequality in which it was hardly fair to place the landlord. At the same time, he desired in this matter, as in all others connected with the Bill, to be most fair and reasonable; and he was bound to say, from his experience, and from discussing the matter with many men, both landlords and tenants, that he believed this was a power which would be greatly valued by the tenants in Scotland; but if it was to be given, it would require to be hedged about by greater safeguards than he found at the present time. The clause, as it now stood, would scarcely be just and satisfactory to one of the two parties chiefly concerned in it. He only desired to add that, in his own opinion, no such Bill as this was really necessary—at any rate, it was so in only a very small proportion of cases. It would do an exceedingly small amount of good, and it ran the risk of doing a considerable amount of harm. But, at the same time, as great expectations had been raised in Scotland with regard to it, he thought it would be most unwise in their Lordships, by rejecting the Bill, to disappoint these expectations.

THE MARQUESS OF HUNTLY said, he believed the Bill would do a great deal of good and no harm. After hearing the speeches made the other night, and the speech made by the noble Duke, he felt there were in that House a certain number of Rip Van Winkles. It would appear from them that this question had not been before the country for the last generation, and had not been thrashed out by the Royal Commission on Agriculture. The present Bill was drawn on the lines of the Report of that Commission, and it was believed by the great majority of agriculturists to be a measure which would be of the greatest benefit to agriculture generally in Scotland. The noble Duke the other night asked their Lordships to consider this question in a practical way; but tonight he had dealt with it himself in a very impracticable way. The bugbear which the noble Duke raised as to a tenant reclaiming land would disappear when they remembered that it required the consent of the landlord. The noble Duke was very eloquent on the necessity of limiting the compensation by the outlay; but a tenant in some cases might fairly ask for a little more than the outlay, and they ought not to lay down a hard-and-fast rule. They were to protect the incoming tenant by a system of valuation; and he was not afraid, like the noble Lord opposite (Lord Balfour), of men setting up as valuers. He hoped they would enter the business duly qualified, and those men who understood the business would really be the protectors of the landlord and the incoming tenant. As to the noble Duke's allusion to drainage, there certainly was a peculiar moss in the Highlands which grew on the top of the hills, and drainage would damage it; but no tenant would be silly enough to go and ruin his grazing. A Proviso might, however, be put in to cover that point. He should like to see words inserted which would secure that drainage should be done according to the specifications served upon the landlord or his agent. As to the bearing of this Bill on agriculture, he felt that some noble Lords rather forgot the feeling that existed in the country in favour of a measure of this sort. He did not speak in the discussion the other night, because he was afraid the noble Earl (the Earl of Wemyss) might class him among the manure merchants, implement makers, or busybodies; but he would now remind their Lordships that in 1874 he brought forward a Bill which was almost exactly like this Bill. He was then left by himself, and he received a very severe castigation at the hands of the noble Duke opposite (the Duke of Richmond and Gordon), who was afterwards President of the Royal Commission. Then, in the following year, when the Agricultural Holdings Bill was brought forward, he entreated that it should be made compulsory. As the noble Earl (the Earl of Wemyss) said the other night, the nine years since then had worked great changes; and when they read the evidence given before the Royal Commission they would unquestionably see this was the least modicum of agricultural change which was required for the benefit of the country. It was not one Party that demanded it, but agriculturists as a whole. He was sure these Bills would not have been agreed to if the agriculturists of England had not a great friend in the noble Duke opposite (the Duke of Richmond and Gordon), because he thought the opposite Party would be very fond indeed of throwing these Bills out altogether. [*Cries of* "No!"] At all events, he was pleased to hear from the noble Marquess (the Marquess of Salisbury) that he threw the responsibility of the measure on the Government. In doing that the noble Marquess threw upon the Liberal Party something they were very pleased, indeed, to receive; and he foresaw that would form the peg on many platforms in the Recess for orators to hang a tale upon. He would cordially vote for the second reading.

Lord STANLEY of ALDERLEY said, that the Report of the Royal Commission on Agriculture had been referred to on various occasions, and some persons seemed to look upon that Report as Gospel; but he thought it was a very ill-edited document, and he had no scruple in saying so, since it was clear that the noble Duke the President of the Commission was not the author of it; also, because the noble Duke had told the House that the Report had been accepted unanimously by 20 Members of the Commission. It was impossible for 20 persons of different classes, some of whom had little knowledge of agriculture—as, for instance, Mr. Stansfeld—to be unanimous upon a Report, unless it was colourless, or, as this Report did, contained all sorts of opinions, from which anyone might pick and choose what he liked. The House would remember that a short time ago the noble Earl who introduced a Bill for altering the mode of payment of tithes (Earl Stanhope) stated that the Bill was in accordance with the recommendations of the Report of the Agricultural Commission; and the noble Duke the President of that Commission had contradicted him. Such a recommendation was, however, to be found in two places in the Report; first, at page 18, where it was given as the opinion of several witnesses, and again at page 32, where it was given as the opinion of the Commission. If the noble Duke had been the author of the Report, he could not well have forgotten these paragraphs. However, although the Report of the Commission recommended that the power of distraint should be limited to two years, the Government Bill proposed to limit it to one year only. This would be very prejudicial to small farmers, and would diminish instead of increasing their credit; for as long as the landlord gave time to a tenant, other creditors also thought that he might get round, and give him time. As to drainage, he agreed with what had been already said against giving unlimited power to tenants to drain as they pleased. He remembered a case similar to those mentioned by the noble Duke (the Duke of Argyll). One very wet season, someone asked why some land had not been drained, as there was plenty of fall and facilities for draining, and it was said that to do so would have spoiled the best summer pasture on the farm, and the only land on it which did not suffer from drought.

The Marquess of LOTHIAN said, he accepted this Bill, believing that its principle was one which had been accepted by the whole country—which ought, therefore, to be embodied in legislation. At the same time, he thought that in drawing up this Bill too much consideration had, perhaps, been given to the case for the tenant, and not enough to that of the landlord. The noble Duke who spoke at the beginning of the discussion (the Duke of Argyll) had referred to the question of drainage, and that was a point in regard to which he thought a good deal of alteration ought to be made in the Bill in Committee. The noble Duke had given Notice of an Amendment which, to a large extent, he would support. The noble Duke proposed that the landlord should have the right to appeal to the sheriff to put a veto upon drainage proposed to be carried out by the tenant. He did not think he should like to go so far as that; but he should like to suggest that the tenant should give notice to the landlord of his proposal to drain, and that the landlord should have the right to refer the matter to the Land Commissioners, unde rwhose direction a Report should be drawn up stating whether the proposed drainage was necessary or not. He thought that would do away with the wrong that might otherwise be done to the landlord. The Bill seemed to him to be based on two assumptions—the first, that the tenant had large capital; and the second, that he would employ it for the best interests of the soil. Now, there were many tenants who knew nothing at all about drainage, and drainage could not be satisfactorily carried out without a great deal of money. A farmer might do irretrievable damage to a farm by over-drainage or bad drainage. He therefore held that a tenant should not be able to spend large sums of money without some guarantee to the landlord that it would be properly laid out. Then he thought injustice might be done to a tenant under the clause entitling a landlord to compensation for any deterioration of the holding caused by the tenant during the tenancy. Landlords, as a rule, had not claimed such compensation. Moreover, the Bill had been drawn without reference to improving leases. Under an improving lease, land might be let to a tenant at a very low rent, and yet at the end of the lease a tenant might come down upon the landlord for heavy compensation; and the effect of this would be that landlords would be averse to granting improving leases; and, should this be the case, it would be very prejudicial both to landlord and tenant, and to the country generally. He must congratulate the Government upon the omission of the word "ish," which had proved so great a stumbling-block to many Members in "another place."

The Earl of GALLOWAY considered that the Bill would unduly interfere with freedom of contract between landlord and tenant. Nothing could be more injurious to the interests of the country than such interference, and he had seen no reason to change his opinion; but they had got far beyond that. He need not refer to the measures that had been passed within recent years, and he did not see that there would be any good now in re-casting this measure; but he wished to refer to one or two points in regard to which he thought the Bill ought to be amended. With regard to the question whether the notice to quit should be for one or for two years, he confessed that for himself he had never had much difficulty with his tenants; and certainly he had always found that the best arrangement was to give considerable time in coming to an understanding in regard to renewing the lease. He believed that was very much the best method; but it was quite another thing to lay that down in an Act of Parliament. There might be great hardship in that on both sides, as had been pointed out by the noble Duke opposite (the Duke of Argyll); and he, therefore, hoped the Government would give way on that point. The next matter to which he wished to call attention was the 29th clause. He could not imagine anything more objectionable than the power of assignation given by that clause. A landlord might find himself in great difficulty between relatives who were proper assignees, and possibly some other individual who had been an assignee before the death of the tenant. He also considered it was necessary to have some analysis of the manures which were put into the soil. He could not imagine anything more important than that there should be such an analysis, both in the interest of the tenant, to insure that he was not putting the wrong stuff into the ground, and also in the interest of the landlord, to insure that he would not be made to pay for what had never been put into the ground. If the Bill were amended in the directions he had indicated, he did not think there would be any objection to its passing into law.

THE DUKE OF RICHMOND AND GORDON said, he had had an opportunity of expressing his opinion on the English Bill, and he should not be justified now in entering at any length upon a discussion of this measure. But one or two remarks had been made in the course of the discussion to which he should like to allude. The noble Marquess opposite (the Marquess of Huntly) said that the pith of this Bill was the interest that it gave to the incoming tenants. For his own part, he entirely demurred to that description of the Bill.

THE MARQUESS OF HUNTLY remarked that what he had said was that its chief object appeared to be to protect the incoming tenant.

THE DUKE OF RICHMOND AND GORDON, resuming, said, his idea of the Bill was that it was in the interest of the incoming tenant, of the outgoing tenant, and of the landlord. If the Bill had any one direction more than another, it was to induce the tenant who was in the occupation of the farm to lay out as much money as he ought to do for the improvement of the soil, knowing quite well that he would be recouped for the outlay. But the interests of the outgoing tenant and the landlord were, as they ought to be, considered in the provisions of the Bill. The noble Lord (Lord Stanley of Alderley) seemed to treat the matter as if the Report of the Royal Commissioners was under discussion, because the noble Lord drew attention not to the Bill, but to the Agricultural Commission. The noble Lord stated that the Report was very badly edited; that they did not know where the Report began and where it ended; and, further, that noble Lord asked what could be the merits of a Report on Agriculture when he found the name attached to it of Mr. Stansfeld, who knew nothing about agriculture. For his own part, he had not the honour of Mr. Stansfeld's acquaintance when he was appointed to that Commission; but he would say that there were none of his Colleagues during the whole inquiry who paid more attention to the evidence brought before them than Mr. Stansfeld, and that Gentleman signed the Report because he was convinced by the evidence of the witnesses of the necessity of the conclusions to which the Commission had arrived. Therefore, he demurred to the statement that Mr. Stansfeld was not as competent as anyone on that Commission to sign that Report. What he wished to draw attention to, however, was Clause 29, and he had a very strong opinion that that clause was objectionable. It enabled a tenant to assign his lease in the case of his death, The noble Lord (Lord Carlingford) had said that as he could assign his stock, so he ought to be able to assign his lease; but it seemed to him that the two things were totally different. By assigning the stock there could be no injury to anyone; but by assigning the lease to an assignee, a great deal of mischief might be done, not only to the landlord, but to the district. The tenant might assign the lease, and the landlord had no power whatever to object to the assignee, unless he could show that he was not a good farmer, or had not sufficient money to carry on the farm. These, to his mind, were very important facts to be laid before the sheriff; but he considered it would be a very great curse to a county and to a property to have a man as a tenant who was an habitual drunkard. The assignee might also be a man of a very immoral character, which was also an objection, but one which the sheriff would not be able to sustain. But there was another objection, and he did not know that it was not worse than either of those he had mentioned. The assignee might be an exceedingly bad tempered man. None of these three cases would justify the landlord in going to the sheriff and complaining of the assignee. It might so happen that if the tenant of a farm assigned his lease and died in the first year of his tenancy, the holding would be settled for 18 years on a man of the most objectionable character. The only power which the law now gave was that the heir-at-law succeeded to the property; and this clause, he contended, should either be struck out, or the power of the landlord to object to the assignee ought to be very greatly enlarged, so as to include the points to which he had called attention. On the whole, he thought that it would be a great misfortune if the Bill were not to become law this Session.

Lord CARLINGFORD (Lord President of the Council) said, the reception of the Bill by noble Lords from Scotland was one that could not fail to be gratifying to those who were in charge of the measure; and although some important points had been mentioned which would require to be carefully considered before they came to the Committee stage, which he supposed would be on Monday next, he thought there were scarcely any of those remarks which required now to be commented upon. But with reference to what had just fallen from the noble Duke (the Duke of Richmond and Gordon), the noble Duke appeared to forget that the lease under the present law went absolutely to the heir-at-law. He could not imagine what safeguard the landlord could possess with respect to the character or temper of the heir-at-law, any more than he would have as to the character and temper of the tenant's assignee. As the law at present stood, the tenant was not only under that which appeared to him the great disadvantage—and an unsound state of things—of having his lease governed by one law of succession, and his stock by another, but, however objectionable to the tenant as well as to the landlord the heir-at-law might be, the tenant had no means of setting him aside. The lease went absolutely to the heir-at-law; and, as far as he could understand the case, it would appear to him to be a great improvement both to the landlord and to the tenant that the tenant should have the power of choosing the party who was to succeed to the residue of his lease. As to the point raised on the 1st clause by the noble Duke (the Duke of Argyll), who objected very much to the omission at the end of that clause of the words which referred to the inherent capabilities of the soil, the noble Duke attributed much greater importance to the phrase than the Government did. He did not think there was any difference in principle between the noble Duke and the Government; but they did not attribute anything like the importance to the words that was given to them by his noble Friend. They were not in the Bill as originally drawn, and had been accepted on the Motion of a Member of the other House; and the reason why they were not in this Bill was a very simple one—it was simply that nobody had proposed to put them in. Therefore, they had not been put in; and his noble Friend would have seen from to-night's discussion that all the noble Lords from Scotland did not share his views in regard to the importance of those words. He could only say that the matter would receive consideration when the Committee stage was reached.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

RAILWAY PASSENGER DUTY, &c. BILL.

(*The Lord Thurlow.*)

(NO. 167.) THIRD READING.

Bill read 3^a (according to order).

Moved, "That the Bill do pass."—(*The Lord Thurlow.*)

LORD BRABOURNE moved the omission of certain clauses in the Bill. The first clause to which he took objection was the 3rd clause, which conferred on the Board of Trade the power to regulate railway fares and trains. He objected to the clause, both on its merits, and also on account of the manner in which it came before their Lordships. As to the merits of the clause, he would ask their Lordships to consider what a railway really was. It was something constructed for the public benefit by the contributions of private enterprize; but in each case it had been constructed under the provisions of a special Act of Parliament, carefully considered before a Select Committee of both Houses of Parliament, and having its rate of fares duly fixed by the Act, subject to which it was governed by Directors appointed by the shareholders. Now, this clause really infringed, if it did not put an end to, this self-government, and proposed to give the Board of Trade power practically to regulate all trains; because, if they had power to regulate the workmen's trains, they would not allow a reduction of the duty unless they considered there were a sufficient number of workmen's trains, and so the other traffic would have to be regulated accordingly. The Board of Trade was a Department of the Government against which he wished to make no attack; but it should be borne in mind that whilst this and every other Government Department had only to consider what was for the public convenience in deciding the amount of railway accommodation to be provided, Railway Directors had something to consider besides—namely, the interests of those who had contributed to create the railway by their capital, and who had a right to expect to get some fair return for their money. He would also submit that some little debt of gratitude was owing from the public to the railway shareholders, for if they had not subscribed their capital for the construction of railways, it would have been necessary to construct them out of funds raised by public taxation. This was not like a question of large public Companies, such as Water and Gas Companies, who supplied the public with a necessary commodity, and reaped large dividends; the average railway dividend was only about 4 per cent, which was not a very remarkable amount considering the risk which shareholders ran; and he (Lord Brabourne) must contend that after the public had, through the Houses of Parliament, deliberately made a bargain with Companies of individuals to construct railways for the public advantage, upon the faith of which bargain those individuals had subscribed their money, it was a little hard to come down upon them and afterwards alter that bargain in the manner now proposed. He had a greater objection to this clause. The noble Lord who introduced the Bill had told them it was a Revenue Bill, and that their Lordships must either accept or reject it; but this clause created the Board of Trade as a new taxation Department of the Government, and incidentally in its last words it said that if the Board of Trade conditions were not complied with the Railway Company should not receive the benefit of a remission of the Passenger Duty. He knew that the answer would be that this was simply the removing or lightening a tax upon certain conditions; but he wished to point out that although it was true that the non-remission of the tax was held over the Companies as a punishment for not obeying the orders of the Board of Trade at the end of the clause, yet the gist and the kernel of the clause was to give the Board of Trade powers of interference and regulation under which no question of the tax would arise until their action became positively unbearable; because, of course, no Railway Company would wish to fight or oppose the action of a Government Department so long as they could possibly help it, and oppression would be submitted to as long as it could be endured. At any rate, if the power proposed ought to be given to the Board of Trade, and private enterprize ought to be handed over to a public Department, it ought to be done by a measure which the House had full power to discuss, and ought not to be tacked on to a Money Bill. He respectfully protested that this clause ought not to be in the Bill, and he begged to move its omission.

Amendment *moved*, to leave out Clause 3.—(*The Lord Brabourne.*)

Lord THURLOW, in opposing the Amendment of the noble Lord, said, he would not discuss the Constitutional question, but would say a few words upon the merits of the clause. The main object of the Bill was to remit taxation, so as to induce Railway Companies to provide better third-class accommodation in workmen's trains, which now were so extensively used, and which were so useful in carrying workmen at reduced fares. It was a matter on which Her Majesty's Government held very strong opinions; and he desired to remind the House that it was a subject on which very strong opinions were held on both sides of the other House of Parliament, and had been referred to more than once by the late Home Secretary in Committee on the Artizans' Dwellings Act. The Bill had been carefully considered by the Chancellor of the Exchequer and the President of the Board of Trade, in concert with the representatives of a number of Railway Companies, and he thought he was perfectly correct in stating that they all concurred in the propriety of it. The noble Lord objected to the 3rd clause. That clause provided—

> "(1.) If at any time the Board of Trade have reason to believe—
>
> (*a.*) that upon any railway or part of a railway, or upon any line or system of railways, whether belonging to one company or to two or more companies, which forms a continuous means of communication, a due and sufficient proportion of the accommodation provided by such company or companies is not provided for passengers at fares not exceeding the rate of one penny a mile; or
>
> (*b*) that upon any railway carrying passengers proper and sufficient workmen's trains are not provided for workmen going to and returning from their work at such fares and at such times between six o'clock in the evening and eight o'clock in morning as appear to the Board of Trade to be reasonable,
>
> then and in either case the Board of Trade may make such inquiry as they think necessary, or may, if required by the company or any of the companies concerned, refer the matter for the decision of the Railway Commissioners, who shall have the same power therein as if it had been referred to their decision in pursuance of the Regulation of Railways Act, 1873.
>
> "(2.) If on an inquiry under this Act it is proved to the satisfaction of the Board of Trade or the Railway Commissioners, as the case may be, that such proper and sufficient accommodation or workmen's trains as aforesaid are not provided by any railway company, the Board of Trade or the Railway Commissioners, as the case may be, may order the company to provide such accommodation or workmen's trains at such fares as, having regard to the circumstances, may appear to the said Board or the Commissioners to be reasonable.
>
> "(3.) If any company on whom an order is made under this Act to provide proper and sufficient accommodation or workmen's trains refuse, or at any time after the expiration of one month from the making thereof, neglect to comply with the order, the Board of Trade shall issue a certificate to that effect to the Commissioners of Inland Revenue, and after the date of such certificate the company shall lose the benefit of this Act and be liable to pay in respect of the fares received after such date the same amount of passenger duty as would be payable if the passenger duty had not been varied as provided by this Act, and shall continue so liable in respect of all fares received up to the date at which the Board of Trade certify that the company has complied with the said order. Where two or more companies are concerned, the certificate shall state whether both or all, or one or more, and which of them is in default.
>
> "(4.) A company on whom an order is made by the Board of Trade under this section may within six months after the making of the order appeal to the Railway Commissioners, who shall have the same power in the matter as if it had been originally referred to their decision.
>
> "(5.) The Board of Trade or the Railway Commissioners, as the case may be, may rescind or vary any order made by them under this section."

He thought the section both proper and moderate, and it was impossible to make a substantial grievance out of it. If it erred at all, it erred on the side of leniency. The 4th clause was entirely to the advantage of Railway Companies, enabling them to charge higher fares in certain circumstances. The Government had undertaken to provide a remedy for a state of things which Sir Stafford Northcote, so long ago as April, 1877, had declared ought not to continue. The Government had attempted a remedy, and he trusted it might prove efficacious.

The Earl of REDESDALE (Chairman of Committees) called attention to the Constitutional question involved in tacking to a Money Bill matters which thus were removed from the consideration of their Lordships.

The LORD CHANCELLOR said, he could not help thinking the noble Earl had entirely mistaken the character of the Bill. He was just as anxious as the noble Earl was that the rights of that House should not be interfered with. The Bill was as distinctly a remission of taxation as anything could be. In the clause which his noble Friend desired to amend the substance was that the Railway Companies should obey the orders of the Board of Trade or of the Railway Commissioners as to the number of workmen's trains, and that if they did not do so they should not enjoy the remission of taxation. That, he thought, was as fair an arrangement as could be made.

On Question, "That the Clause stand part of the Bill?"

Their Lordships *divided:* — Contents 33; Not-Contents 7: Majority 26.

CONTENTS.

Selborne, E. (*L. Chancellor.*)

Grafton, D.

Camperdown, E.
Derby, E.
Granville, E.
Haddington, E.
Kimberley, E.
Northbrook, E.
Stanhope, E.
Sydney, E.

Gordon, V. (*E. Aberdeen.*)
Sherbrooke, V.

Alcester, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Carlingford, L.
Carrington, L.
Churchill, L.
Coleridge, L.
Harlech, L.
Kenmare, L. (*E. Kenmare.*)
Lovat, L.
Meldrum, L. (*M. Huntly.*)
Methuen, L.
Monson, L. [*Teller.*]
Norton, L.
Ramsay, L. (*E. Dalhousie.*)
Reay, L.
Ribblesdale, L.
Rosebery, L. (*E. Rosebery.*)
Sandhurst, L.
Stratheden and Campbell, L.
Thurlow, L.
Wrottesley, L.

NOT-CONTENTS.

Blantyre, L.
Brabourne, L. [*Teller.*]
Hopetoun, L. (*E. Hopetoun.*)
Stanley of Alderley, L.
Strathspey, L. (*E. Seafield.*)
Ventry, L.
Wemyss, L. (*E. Wemyss.*) [*Teller.*]

Resolved in the *affirmative.*

Clause 6 (Conveyance of the Queen's forces at reduced rates).

Lord BRABOURNE said, that as the decision of the House had been so clearly against him, he would not put their Lordships to the trouble of another Division; but he must protest against the presence in a Money Bill of a clause which dealt, not with Imperial taxation, but only with railway rates and fares, which their Lordships had as good a right to discuss as the other House of Parliament; and he should like to hear from the Government what justification there could be for this clause appearing in the present Bill?

Amendment *moved*, to leave out the Clause.—(*The Lord Brabourne.*)

Earl GRANVILLE pointed out that the Bill was in the nature of a bargain with conditions on both sides, and the clause was an integral part of the arrangement.

The LORD CHANCELLOR pointed out that exactly the same objection applied to this Amendment. The clause provided for the conveyance of troops by the Railway Companies; and, in the case of a Company which did not comply with orders made by the Act, it left the incidence of taxation, and the terms on which troops were to be conveyed, the same as at present.

Amendment *negatived.*

Bill *passed.*

AFGHANISTAN—SUBSIDY TO THE AMEER.—QUESTIONS.

Earl STANHOPE asked the Secretary of State for India, If he will now explain the conditions upon which the Government of India have undertaken to pay Abdurrahman a subsidy of £120,000 a-year; whether any treaty has been made with him; and, whether the treaty or any other engagement that may have been entered into contains favourable stipulations for the admission of British commerce into Afghanistan?

The Earl of KIMBERLEY: My answer to the noble Earl's Question is this—The annual subsidy of 12 lakhs of rupees is given as a subsidy personal to the Ameer Abdurrahman, as an aid towards meeting his present difficulties in the management of his State, to be devoted to the payment of his troops and other measures required for the defence of his territories. No Treaty has been concluded with the Ameer, nor have any engagements been entered into as to commerce.

Earl STANHOPE asked whether there were absolutely no conditions attached to the grant of the subsidy?

The Earl of KIMBERLEY: I have given a precise answer to the noble Earl as to the terms on which the subsidy has been given to the Ameer.

House adjourned at half past Seven o'clock, till To-morrow, a quarter quarter past Four o'clock.

HOUSE OF COMMONS,

Thursday, 9th August, 1883.

MINUTES.]—Select Committee—Education, Science, and Art (Administration of Votes), *nominated.*

Supply—*considered in Committee*—Civil Service Estimates—Class V.—Foreign and Colonial Services, Votes 1, 2, & 5; Class III.—Law and Justice, Votes 13 to 15^a, 17 to 23.

Public Bills—*Second Reading*—Expiring Laws Continuance* [283]; Cholera Hospitals (Ireland) [282].

Report of Select Committee—Isle of Wight Highways*.

Committee—Sale of Intoxicating Liquors on Sunday (Durham) [21], *deferred.*

Committee—Report—National Debt* [182-287].

Withdrawn—Hyde Park Corner (New Streets)* [275]; Board of Works (Ireland)* [178].

QUESTIONS.

METROPOLITAN IMPROVEMENTS—HYDE PARK CORNER—THE WELLINGTON STATUE.

Sir HENRY HOLLAND (for Mr. R. H. Paget) asked the First Commissioner of Works, If it is contemplated to remove the Wellington Statue to the site provisionally selected near the Horse Guards; and, if, before incurring the expense of such removal, he will, in the interests of Art, be good enough to consider the advisability of having it recast and remodelled?

Mr. SHAW LEFEVRE: Sir, the House will recollect that a few days ago I informed them that I had invited the Committee, who had advised the removal of the statue of the Duke of Wellington to the site in front of the Horse Guards, to reconsider the questions, with the experience of the model which has recently been placed there. The Committee have done so, and have made the following Report:—

"The Committee, appointed to consider the question of how best to deal with the statue of the late Duke of Wellington, have now had the advantage of seeing a model of the colossal figure erected upon the site recommended by them in St. James's Park, opposite to the Horse Guards. This site was only selected by them under the conviction that, having regard to the huge size of the statue, and to the fact that, when raised upon a suitable pedestal, it would, in its present position, overtop and crush all its surroundings, it was impossible to retain it in the neighbourhood of Apsley House. They felt strongly, however, that it was only on grounds of extreme urgency that it would be justifiable to separate the monument raised to the Great Duke from a spot which it had occupied for nearly 40 years in the immediate vicinity of the house given to him by the nation. Reluctantly, therefore, they recommended its removal, in the hope that, in the new position (for which much was to be urged on account of its association with the military achievements of the Duke, and with his high office as Commander in Chief of the Army) the great size of the statue would be less objectionable and its artistic effects less glaring. That hope is not realized by the result, and the experiment made shows that there is no position in London suitable to such a Colossus, or in which its faults would not be as salient as in the two localities which have been tried. The Committee, therefore, strongly urge that the statue should be re-cast, the old metal being used again in the production of a new statue of more suitable proportions. They recommend that this statue should be erected in the place opposite to Apsley House. In that way the Duke may be commemorated by a monument in the place above all others best suited to receive it."

The Report is agreed to by the Duke of Wellington, Lord Hardinge, Sir Frederick Leighton, Mr. Fergusson, and Mr. Mitford. Mr. Boehm was unable to be present. I may mention that the statue is 26 feet high, or about three times the life size, and that a pedestal of the usual proportions would be about 23 feet high. A pedestal of granite, polished and suitably ornamented, would cost £5,000, and the removal of the statue to the alternative site would cost about £1,000. I am also informed that a new statue, of the ordinary heroic, but not colossal, size would, exclusive of the metal, not cost more than the above sum. The Government have, therefore, determined to adopt the proposal of the Committee, that the statue should be re-cast in a less colossal size. Having carefully considered the Report, the Government have decided to invite a competition of sculptors for a new statue of the Great Duke, to be placed in front of Apsley House, in lieu of the present statue. It will not be necessary for this purpose to ask for any Vote from the House during the present Session.

Sir HENRY HOLLAND: Is the statue to be where the present one is?

Mr. SHAW LEFEVRE: Yes.

Sir HENRY HOLLAND: Not on the top of the arch?

Mr. SHAW LEFEVRE: Not on the top of the arch.

Mr. RYLANDS asked, whether the cost of the new statue would exceed the cost of removing the old statue to another place?

Mr. SHAW LEFEVRE, in reply, said, that he had wished to convey to the House that it would not.

Sir EARDLEY WILMOT: Is not the right hon. Gentleman aware that the horse was modelled from the celebrated Copenhagen, on the back of which the illustrious Duke won many of his victories in the Peninsula, and that he also rode that horse on the occasion of the Battle of Waterloo?

Mr. SHAW LEFEVRE: Yes; I am informed that that is the case. The new statue will probably be equestrian also.

Lord JOHN MANNERS: Is the competition for the commission for making the new statue to be limited or unlimited?

Mr. SHAW LEFEVRE: Unlimited.

EXTRAORDINARY TITHE RENT-CHARGE—LEGISLATION.

Mr. D. GRANT asked the Secretary of State for the Home Department, Whether the question of Extraordinary Tithe has every reasonable prospect of settlement by legislation during next Session?

Sir WILLIAM HARCOURT, in reply, said, that he hoped the question would be settled next Session, and that a Bill would be introduced carrying out the recommendations of the Committee of 1881, which the Government would be prepared to support.

CYPRUS—EDUCATION.

Mr. ARTHUR ARNOLD asked the Under Secretary of State for the Colonies, with reference to Mr. Fairfield's Report that £188 4*s*. 5*d*. are expended upon Christian schools, and £640 19*s*. 6*d*. upon Moslem schools in Cyprus, and upon his statement that £330 of the latter sum are granted to Hodja schools, in which nothing but the chanting of "pieces of the Koran" is taught, which "is not education in any sense," Her Majesty's Government, in approving an estimate of £3,000 for education in Cyprus, have taken steps to secure that the taxpayers of Cyprus and of the United Kingdom shall obtain results adequate to that expenditure?

Mr. EVELYN ASHLEY: Sir, three-fourths of the grant of £3,000 will be spent on Christian schools, to which the criticisms referred to do not apply. The Secretary of State has expressed his opinion that the payment of the Hodjas should be transferred to Evkaf funds, and that the whole of the fourth part of the grant allotted to the Moslems should be devoted to secular education; but he considers this to be a step on which the Moslem community should decide. A Board, or, possibly, two Boards—one Christian and the other Moslem—are to be formed to administer the grant; and it is believed that they will satisfactorily push forward the work of education in the Island.

CRIME AND OUTRAGE (IRELAND) — ATTACK UPON THE INFORMER WALSH AT CASTLEISLAND.

Mr. HEALY asked Mr. Attorney General for Ireland, Whether it is the fact that out of seven Castleisland prisoners brought up at the last Cork Assizes for shooting at the man Walsh two only were tried; whether these were found guilty by the direction of the judge on the depositions previously made by Walsh which he swore at the trial were false; whether shorthand notes were taken of Walsh's evidence on the trial in order that he might be prosecuted for perjury for false swearing in the original informations upon which the judge directed the jury to convict; whether the Crown mean to prosecute Walsh; if not, why were shorthand notes ordered to be taken of his evidence by the Crown; why were the other five prisoners not tried; whether they were put back, on the ground that there was no time for trial at that assizes, although it was only the fourth day the court sat, and Cork was the end of the circuit; who is responsible for this adjournment; whether the five untried prisoners were directed to be sent back to Tralee Gaol to be admitted to bail; whether, up to the 1st August, the Clerk of the Crown and Peace for Kerry had not received the order for their admission to bail; whether shorthand notes of Walsh's evidence have been submitted to the Right honourable Gentleman; and, whether, considering that the prosecutor Walsh swore that the two men convicted had nothing to do with the attempt made upon him, their cases will be considered for the clemency of the Crown?

The ATTORNEY GENERAL for IRELAND (Mr. Porter) said, it was a fact that only two of the seven persons mentioned were tried. They were not found guilty by direction of the Judge. The jury considered the whole of the evidence, including that of Walsh, who, on the day of the occurrence, had sworn absolutely to the identity of the persons charged, though he afterwards, through intimidation, went back on his evidence to a great extent. A great portion of the evidence was taken down at the trial, but not for the purpose indicated in the Question. Those who heard the case, including the jury, were convinced that the evidence given was true. The Court adjourned on the eighth, and not on the fourth day of the sitting. It was adjourned, on the application of the Crown Counsel, for the sake of public convenience, the first trial having lasted three days, and a great number of jurors having been kept waiting. He had not seen the reported evidence; and, as far as he knew, it was not transcribed. The magistrate was present, and heard the order for bail pronounced, and was ready to give effect to it. All the prisoners but one who had been admitted to bail were discharged, and that one was not able to find bail.

Mr. HEALY: May I ask the right hon. and learned Gentleman, whether he considers it of greater importance that some jurors should be kept out of their homes for a few days than that seven or eight prisoners should be kept in gaol?

The ATTORNEY GENERAL for IRELAND (Mr. Porter): The Question is not one for me, but for the learned Judge who presided at the trial, and he considered it.

Mr. HARRINGTON asked, whether the right hon. and learned Gentleman had any evidence of intimidation having been practised against Walsh?

The ATTORNEY GENERAL for IRELAND (Mr. Porter), in reply, said, if the hon. Member asked him about the evidence given in Court, he was not aware that there was any; but if he referred to evidence in his (the Attorney General for Ireland's) own possession, he had some.

IRELAND—COLLECTOR GENERAL OF RATES (DUBLIN) — STATUTABLE DECLARATIONS UNDER 5 & 6 WILLIAM IV. c. 62.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been drawn to the following extract from notices issued by the Collector General of Dublin:—

> "The Collector General having discovered that many untrue statutable declarations have been forwarded to him in reference to empty and unoccupied premises, hereby gives notice that he will prosecute to the utmost rigour of the Law, every person who shall, after this notice, insert or cause to be made any untrue statement in any declaration made under 5th and 6th William IV. c. 62, for the satisfaction or information of the Collector General of Rates;"

and, if he can state how many prosecutions have been instituted since the date of the notice?

Mr. TREVELYAN: Sir, I have seen the notice, which is correctly quoted from in the hon. Member's Question. I am informed that no prosecutions have taken place under it.

THE IRISH LAND COMMISSION—SITTINGS OF THE SUB-COMMISSIONERS.

Mr. SMALL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that, in eleven counties of the province of Leinster the Land Commissioners have appointed only one place in each county for sittings of the Sub-Commissioners, instead of, as formerly, one place for each Poor Law union; and, whether the same facilities can be given to the tenant farmers to attend the Land Courts as were given under the former arrangement; or, if not, then at least the same facilities as are given them to attend the Civil Bill Courts?

Mr. TREVELYAN: Sir, I have received the following Report from the Land Commissioners, in explanation of these arrangements:—

> "As the originating notices in each county decrease in number, it becomes necessary to enlarge the area for which sittings are appointed. If this course was not adopted, an additional number of Sub-Commissioners would be required. During the time allotted for each district, the Sub-Commission is instructed to move from place to place to meet the convenience of parties within the district assigned."

LAND LAW (IRELAND) ACT, 1881—JUDICIAL RENTS.

MR. SMALL asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it would be possible to furnish to the House a Return of the number of cases in which judicial rents have been fixed by Sub-Commissioners at sums exceeding the estimates of fair rent sworn to in the same cases by the landlords' valuators, specifying the counties, and the Sub-Commissioners?

MR. TREVELYAN: Sir, the Land Commissioners inform me that it would not be possible for them to give such a Return.

MEDICAL CHARITIES ACT, 1852—DISPENSARY OFFICERS (IRELAND).

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that, since the passing of "The Medical Charities Act, 1852," the medical officer of the Rynn Dispensary of the Mohill Union has always resided in the district; whether the Dispensary Committee have now given permission to the doctor to live out of the district, and over ten miles from many parts thereof, and five miles from the dispensary residence built several years ago for the accommodation of the medical officer; whether this change must involve great delay in the doctor's attendance upon the sick poor of the district; whether a most suitable residence, quite close to the dispensary, could be obtained; whether there is an Act in existence enabling Committees to borrow money to build suitable residences for dispensary officers, so that they might live within their district; and, whether therefore the Local Government Board has sanctioned the proposed change of residence; and, if so, on what grounds?

MR. TREVELYAN: Sir, the medical officer has been allowed to make a change in his place of residence as stated. The members of the Dispensary Committee were almost unanimous in recommending it. It was urged by the doctor, both on the ground that his former residence was unsuitable, and that he would have greater facility for seeing the sick poor of the district generally, if allowed to make the change desired. If a map of the district is studied, it will be seen that this allegation may very well be correct. The Local Government Board has consented to the arrangement, solely on the condition that, if it is found inconvenient to the sick poor, the doctor must return to his former residence. There is an Act giving borrowing powers for the purpose of erecting a residence, which could be taken advantage of, if necessary.

SEA AND COAST FISHERIES (IRELAND)—REPORT FOR 1882.

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is the fact that, up to the present, the Report of the Trustees to aid Sea and Coast Fisheries in Ireland for 1882 has not been issued; and, if he can explain the delay, and state when the Report might be looked for?

MR. TREVELYAN: Sir, the Secretary informs me that the Report is in the hands of the printer, and that it is expected that it will be ready in a few days. The hon. Member is, no doubt, aware that it is not a Report which is prepared for presentation to Parliament.

MR. HEALY: That being so, could the right hon. Gentleman give us any information as to the negotiations which took place with regard to the position of the Secretary and the winding up of the fund?

MR. TREVELYAN: That is a matter which I fully answered two or three months ago, and which I am quite prepared to answer again. Those negotiations fell through for reasons which I then gave, and it was impossible for me to proceed with the Bill. Next Session, however, I will certainly be prepared to proceed with the Bill.

IRELAND—COLLECTOR GENERAL OF RATES (DUBLIN).

MR. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether there is any objection to lay upon the Table the correspondence which passed, in March 1882, between the Collector General of Dublin and Mr. Ferry, Chief Clerk, with the Treasury, as to the alleged abstraction of a cash-box containing £60 from the office; and also the evidence taken by the Treasury Solicitor on 21st March 1882 at the investigation, with his report on the case?

Mr. TREVELYAN: Sir, no good purpose would be served by laying this Correspondence on the Table. It was an inquiry conducted within the Department of a sort which it is not usual to make public.

NATIONAL EDUCATION (IRELAND)—NATIONAL SCHOOL TEACHERS OF THE LOWER FIRST AND HIGHER SECOND CLASSES.

Mr. BLENNERHASSETT asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, in any scheme for the improvement of the condition of the Irish National Teachers, the claim of the Old Second Division of First Class, and the Old First Division of Second Class to pensions proportionate to their Class Salaries, in accordance with the principle applied to the other classes, will be taken into consideration; as also the claim of the former to promotion, without further examination, to the First Division of First Class, they having already passed two examinations in first class papers, the qualification at present required for admission to the highest grade?

Mr. TREVELYAN: Sir, it would be very premature to attempt to say now what may or may not be done with respect to any revision of the pensions consequent upon the actuarial investigation of the scheme which it is proposed to make at the end of the fifth year of its operation—that is, in the year 1885. With regard to the question of promotion here referred to, the Commissioners of National Education inform me that the teachers of the old second division of the first class have never passed the examination for the first division of that class, and, until they do so, they cannot be promoted to the first division. But I fancy that this is not an adequate answer to the Question of the hon. Gentleman, who appears to think that the examinations are too numerous. I will, therefore, inquire into the matter.

STATE OF IRELAND—INFLAMMATORY LANGUAGE AT BELTURBET.

Mr. BIGGAR asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been drawn to the following Report of a speech delivered by the dispensary medical attendant for the Belturbet district on 12th July last:—

> "Dr. Thomson, in the course of his speech. said that if all the Orangemen in Ireland were as well armed as the Orangemen of this town, it would be telling the cause. He could assure Major Saunderson that fully 300 armed men, completely equipped, could be called out in Belturbet in a very short time. If any Englishman were to come here and see that gathering, some with black hats, blue hats, green hats, and emblems, what would he say?"

And whether, as President of the Local Government Board, he intends to take any steps in the matter?

Mr. TREVELYAN: Sir, I have read this passage, and I must own I wish the House would read it, especially the last sentence. I think they would agree with me in saying that it is not very intelligible. Dr. Thomson is not appointed by the Government, he is not a servant of the Crown, and he does not hold a judicial office. He has to perform certain medical duties, and the rest of his time is his own. I must say that he might have employed it much better than in making these speeches.

Mr. SEXTON: May I ask, is it not a fact that the Local Government Board, of which the right hon. Gentleman is the Head, has authority over this gentleman as medical officer?

Mr. TREVELYAN: They have power to dismiss him.

Mr. SEXTON: Will they do it?

[No reply.]

Mr. BIGGAR asked Mr. Attorney General for Ireland, Whether his attention has been drawn to the following report of a speech delivered by Captain Maxwell at Belturbet on 12th July last:—

> "Captain Maxwell, after referring to his own efforts in carrying out the doings of the Emergency Committee, and praising them by calling them stalwart mem—the few small boys from this town who answered the call of the lodges when the Boycott expedition started—stated that since then he had the privilege of commanding 450 men, 350 of whom were from Cavan, who displayed great bravery in guarding boycotted farms in the South and West of Ireland. He advised them to organise here in Cavan, and to discipline and arm themselves, and also to subscribe liberally for that purpose;"

and, whether he intends to take legal proceedings under the Crimes Act for the language used on that occasion?

The ATTORNEY GENERAL for IRELAND (Mr. Porter): Sir, I have not seen any report of this speech. The extract quoted bears evidence that it is not a report at all, and I am unable to see any sufficient ground for further proceedings.

MR. HEALY: Would the right hon. and learned Gentleman kindly say why shorthand writers are not sent to Orange meetings as well as to National meetings?

[No reply.]

THE MAGISTRACY (IRELAND)—THE GRAND JURY OF WICKLOW.

MR. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, If he is aware that the Grand Jury of Wicklow passed a Resolution requiring the county surveyor to give notice to contractors of the time he intends to inspect their work, and also to give them notice in writing of his objections, if any, to the way in which the work is done; whether the county surveyor of Wicklow has not only not complied with the Resolution, but has withheld payment on the mere report of his subordinates; whether he could ascertain if it is a common occurrence for contractors to appeal to individual members of the Grand Jury, who know the state of the roads in their districts, to intercede with the county surveyor to get paid; and, whether there is any legal redress for contractors who fulfil their contracts, when a county surveyor refuses to return their work for payment on the report of his assistant, and without discharging the duty for which he is paid by personally inspecting it?

MR. TREVELYAN: Sir, I have received Reports on this subject both from the Secretary to the Grand Jury and the county surveyor, and I am informed that the facts are substantially as stated in the Question. The resolution of the Grand Jury has not been complied with, because it is not found practicable, and it is in direct opposition to an important provision of the contract for the different works; and I must say also that I think it is likewise in opposition to the Resolutions regarding the inspection of all public works. Its withdrawal has been recommended by a Committee appointed at the last Assizes to consider it, and whose Report will be laid before the Grand Jury at the next Assizes. It is distinctly stated in the specification that no notice will be given of the time of inspection. The county surveyor appears, from his oepnrt, to object very much to the kind of interference mentioned in the third paragraph, and I presume he is not influenced by it. As a matter of course, the county surveyor is frequently obliged to depend on the Reports made to him by his assistants. With regard to this, and the last paragraph of the Question, the Secretary to the Grand Jury reports as follows:—

> "There being 1,200 miles of road in the county, both the county surveyor and his assistants (who are appointed for this purpose, and paid by the county) are continually engaged in inspecting the same. . . . Any contractor who believes he is wrongfully refused payment can bring the matter before the Grand Jury at Assizes, when the subject will be investigated; and full directions to this effect are printed in the beginning of the Abstract of Presentments, which is distributed to contractors twice every year; but in no instance since the county surveyor was appointed have contractors thought it necessary to avail themselves of such redress."

THE IRISH LAND COMMISSION—SITTINGS OF THE SUB-COMMISSIONERS AT WICKLOW.

MR. W. J. CORBET asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether he is aware that although a large number of land cases were listed for hearing by the Sub-Commissioners in Wicklow last week they only sat there one day, consequently a number of applicants who attended with their witnesses, and valuers at great expense were disappointed, their cases being adjourned to a future time; and, whether he can take any steps to require the Sub-Commissioners to continue their Sittings until all the cases listed for hearing in one place are gone through?

MR. TREVELYAN: Sir, the Land Commissioners inform me that the Chairman of the Sub-Commission referred to in the Question has reported that he sat with Messrs. Barry and Dunne, on Monday in last week, at Wicklow, and that, for the convenience of the tenants, they sat at Tinahely on Tuesday and Wednesday, and again at Wicklow on Thursday, and heard as many cases as the Lay Commissioners would be able to view to the end of the Circuit. The Chairman sat on Monday and Tuesday of this week with Messrs. Baldwin and Moran, at Naas, at the tenants' request, for the Baltinglass and Naas Unions, and heard as many cases as the

Lay Commissioners would also be able to view to the end of the Circuit. The Circuit arrangements, in fact, appear to have been made with as much consideration as possible for the general convenience.

THE IRISH LAND COMMISSION—THE COURT OF APPEAL—POSTPONEMENT OF SITTINGS.

Mr. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If the illness of two of the Chief Commissioners is the only reason why the Court of Appeal has postponed until November next its proposed sitting at Ennis; if it is a fact that one of those Chief Commissioners is a valetudinarian, and has never gone to the country in discharge of his functions since his appointment to his present post, and also is ordered by his doctor not to travel; if there is any assurance that the other invalid will feel more disposed to sit next November than he does now, or that one of the others may not by that time be also indisposed; and, since the forty-seventh clause of the Land Act of 1881 provides for such a contingency as that which has occurred, what objection, if any, there is to put it in force; and, what is the object in adjourning for so long a time a Court so blocked with business?

Mr. TREVELYAN: Sir, I think any Member of the House who reads the terms in which this Question is couched will agree with me in expressing regret that it should be worded in a manner to hurt the feelings of public servants. The gentleman referred to in the third paragraph is Mr. Vernon, who, after working as hard as a man can well work, has gone for his legitimate holiday, to which no one is more entitled. If his health has suffered by his public labour, it is not, in my opinion, a matter for contemptuous reference in Parliament. I am informed that the Commissioners are of opinion that, under the 22nd section of the Arrears Act, it is a matter of serious doubt whether the power to re-hear cases can now be exercised by less than three Commissioners. I have no control over the arrangements which the Commissioners make; but I agree with the hon. Member that the Irish Government ought to be conversant with those arrangements, and I will do my best to ascertain what those arrangements are.

Mr. KENNY: With reference to this Question, I may say that I did not intend to convey anything that would hurt the feelings of any of the Chief Commissioners; and I may also say that commenting on the terms of my Question is no answer to it. I again ask, whether, under the 47th section of the Land Act, two Chief Commissioners may not sit to hear those cases; and, if there is any objection to Mr. Justice O'Hagan and Mr. Litton sitting to hear those cases other than that they may give decisions too favourable to the tenants?

Mr. TREVELYAN: Sir, in commenting on the terms of the Question of the hon. Member, I said nothing about the motives that may have prompted it. There is no doubt that a public servant, who cannot speak here in Parliament, would be hurt by finding a Question like this asked about him. With regard to the Question, I have answered it as much as it is possible for me to answer it. The Land Commissioners are not bound to give any answer as to their arrangements; but as for communicating those arrangements to the Irish Government, I think, in consequence of the number of arrears, it is a very proper application to make. I assure the hon. Member it will not be lost sight of; but as to the effect the 22nd section of the Arrears Act may have with regard to sittings of the Land Commissioners, I cannot give any opinion on that legal subject.

Mr. KENNY: I wish to ask the right hon. Gentleman, whether, as a matter of fact, Lord Monck has ever left Dublin since his appointment as Chief Commissioner?

Mr. TREVELYAN, in reply, said, he did not think he would be justified in interfering with the arrangements made by the Land Commissioners to prosecute the hearing of the cases.

LAW AND POLICE (IRELAND)—CONDUCT OF THE POLICE.

Mr. T. D. SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If his attention has been called to the following statement, published in the "Westmeath Examiner" of July 28th:—

"On the occasion of the transfer of the prisoners arrested in connection with the Barbavilla murder from the gaol to the courthouse, a large number of police, in charge of Constable Whitfield, were sent from the barracks to the gaol, and, after a few minutes' delay there, came out with the fifteen prisoners, fourteen of whom were handcuffed in pairs, the exception being Hanlon, who turned informer, they were brought into the courthouse yard by the gate nearest the gaol, so that they had merely to cross the road. A great many of the prisoners' friends were present, and wished to see and speak to them. Crossing the street a man spoke to one of the the prisoners, and immediately Constable Whitfield struck the man several blows with his gun, nearly knocking him down. Inside the courthouse yard he treated a woman, a wife of one of the prisoners, in a similar manner. . . . The people did not in any way attempt to interfere with the police in the discharge of their duty;"

and, whether assaults were committed by Constable Whitfield, as alleged; and, if so, whether he will be called to account for them by the proper authorities?

Mr. TREVELYAN: Sir, I have inquired into this matter; and I am satisfied that the statement in *The Westmeath Examiner* is incorrect. The constable used no more force than was necessary to secure his prisoners in the midst of an excited and of a dangerous mob.

Mr. T. D. SULLIVAN: I wish to ask the right hon. Gentleman, if he will direct a sworn inquiry into the circumstances of the case, as I am informed evidence can be given in support of this allegation?

Mr. TREVELYAN: No, Sir.

PREVENTION OF CRIME (IRELAND) ACT, 1882 — COMPENSATION FOR MALICIOUS INJURIES CLAUSE — CASE OF PATRICK KINNANE, ENNIS.

Mr. KENNY asked the Chief Secretary to the Lord Lieutenant of Ireland, If he has had his attention directed to an application for compensation for injuries, under the Crimes Prevention (Ireland) Act, made by one Patrick Kinnane and investigated at Ennis on Wednesday, August 1st, 1883; if it is a fact that Kinnane has claimed £1,000 under the Act; if it is a fact that he has been employed as an overseer by the Waterford and Limerick Railway Company, and sustained the injuries in question while in discharge of his duty in connection with attending to repairs on the Railway line; if he is aware that certain threatening letters alleged to have been sent him threatened a strike of the hands employed under him, unless he resigned his post; if it is a fact that Kinnane's counsel admitted that the outrage was in no way agrarian, but the result of trade differences amongst the Railway servants; if he can state the section of the Crimes Act which provides for the award of compensation to persons injured in such trade disputes and for the holding of special courts of investigation into such occurrences; and, if the Crimes Act contains no such provision why such a claim as that of Kinnane's has been entertained?

Mr. TREVELYAN: Sir, a claim was made by Patrick Kinnane as stated, and has been investigated; but the Lord Lieutenant has not as yet received the investigator's Report, or come to any conclusion on the subject. When the Report is received, all the facts and circumstances of the case will, of course, be most carefully considered by His Excellency. Pending such consideration, I cannot give any further answer to this Question, beyond reminding the hon. Member opposite (Mr. Kenny) that Section 19 of the Act enables a person injured to apply for compensation not merely in agrarian cases, but also, in express terms, in cases arising out of any unlawful association.

CRIMINAL LAW (IRELAND)—CASE OF MR. P. W. NALLY.

Mr. HEALY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is the fact that the letter of Mr. P. W. Nally, repudiating the suggestion that he had turned informer, was cut out of the copies of the newspaper allowed within Castlebar Prison to his co-accused; who is responsible for this excision; whether, in view of the statement given in the House that, if it was not inconsistent with prison rules, such letter might be read by the prisoners, he will state with what prison rule Mr. Nally's letter is inconsistent, or why objection should be made to his comrades having the information it contained; and, whether it is true that detectives or other Crown officials have gone round among several of those prisoners, telling them that some of their number had turned informer, and that they had better also give information?

Mr. TREVELYAN: Sir, I have received a Report from the Prisons Department, from which it appears that an extract from *The Irishman*, containing a letter from Mr. Nally, was cut out of the newspaper. That letter was not exactly of the character indicated in the Question, but complained that he was not brought up in Court with his fellow-prisoners, and that he was kept separate from them. The excision was made by the Governor of the prison, under the authority and discretion vested in him by Rule 24. I am not aware to what statement made in the House the hon. Member for Monaghan refers. I understood my right hon. and learned Friend the Attorney General for Ireland to say that, though personally he saw no objection to the circulation of the paragraph among the prisoners, he thought it would be a matter for the prison authorities to decide. Neither detectives or Crown officials have gone round among these prisoners making statements of the character suggested.

Mr. HEALY: I may say, as the right hon. Gentleman has thrown some doubt on the matter, that the letter to which I referred was read out by me in the House; and I wish to ask him now what objection there is to Mr. Nally's letter being communicated to his fellow-prisoners, and whether there is any objection to cutting the letter out of the paper and enclosing it in an envelope to Mr. Nally's fellow-prisoners?

Mr. TREVELYAN: I shall not interfere with the discretion of the prison officials in the matter.

Mr. HEALY: Well, then, I beg to give Notice that I will call attention to the mode of obtaining informers by the ruffianly system of Irish gaolers.

ENDOWED SCHOOLS (IRELAND)—THE SWORDS BOROUGH SCHOOL, DUBLIN.

Mr. P. MARTIN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the charter of the Swords Borough School, Dublin, which is under the management of the Protestant Rector, provides that the annual endowment of some £800 a year, derived from the compensation awarded by Parliament to the ancient borough, should be applied for the daily education of the children of the borough in reading, writing, and arithmetic, and any surplus should be expended in apprenticing the children to useful trades and occupations, and in premiums for the encouragement of agriculture and manufactures; have the Royal Commissioners on Endowed Schools in Ireland called attention to the facts that, though the benefits of the charity were intended to be conferred on the children of the poorer classes in the borough without religious distinction, the objects of the charter had been neglected, and misapplications of the fund made in many instances, and that to the extent of only some £80 a-year at the utmost is any portion of this endowment made available for Roman Catholics, and that all the witnesses, Protestants and Catholics, examined united in saying the present state of affairs was most unsatisfactory; is the number of the children now attending the Borough School only some forty, and one-half, at least, of them the children of "comfortable farmers and shopkeepers," and fourteen of them the children of non-residents within the borough; whether Catholic children on the rolls of the National School number in or about 400; and, since the Lord Chancellor is a trustee under the charter, will the Government now communicate with him, so that the endowment may be distributed in accordance with the suggestions of the Royal Commissioners, and with a due regard to the feelings and interests of the entire of the poorest inhabitants of Swords; and, will he have any objection to lay the result of such communication on the Table of the House?

Mr. TREVELYAN: Sir, the statements embodied in this Question appear, so far as I can ascertain, to be correct. There is no objection to communicating with the Lord Chancellor on the subject; yet, as he is a Trustee acting under the Charter pursuant to which the school was established, and which Charter regulates the application of the fund, it is apprehended that neither he nor the other Trustees can of themselves alter the present distribution, and that any such alteration must be the subject of legislation. It is my intention to consider the whole subject of endowed schools during the Recess; but I can make no positive promise on the subject.

Mr. SEXTON: With regard to this matter, I beg to give Notice that I will call attention to the whole subject on the Vote for Primary Education in Ireland; and I will then ask if there is any reason why trustees should defeat the object of their trust by making it possible for only 40 children to avail themselves of it, while 800 children who are equally entitled to it are deprived of its benefits?

Mr. P. MARTIN also asked the right hon. Gentleman, If he is aware that, though the children in the National School gain higher places than those in the Borough School, yet the children in the Borough School receive higher prizes?

Mr. TREVELYAN: I would ask the hon. Gentleman to give Notice of his Question, and I will be very glad to answer it.

ROYAL IRISH CONSTABULARY, LIMERICK CITY.

Mr. SYNAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether, notwithstanding the Roman Catholics of Limerick are over ninety per cent. of the population, all the officers of the Police force are Protestant; whether, until recently, the sub-inspector in Limerick was generally a Roman Catholic; and, whether in future a Catholic will be appointed?

Mr. TREVELYAN: Sir, the County and Sub-Inspector in the City of Limerick are Protestants. They have both been sent there within the last year, and they both succeeded officers of the same religious persuasion. The Inspector General informs me that he is not aware that there has ever been any complaint on this ground in Limerick. I cannot give any undertaking such as that asked for in the last part of the Question. The Inspector General further states that he never rejected any Roman Catholic who was recommended to him because of his religion, or on any other ground, except when he could not ascertain, after careful inquiry, that he was the most suitable candidate.

Mr. HEALY asked if the right hon. Gentleman would give a Return, showing the religious denomination of persons nominated as Sub-Inspectors during the last five years?

Mr. TREVELYAN was understood to consent.

THE MAGISTRACY (IRELAND)—FISHERY TRESPASS CASE AT GLIN, CO. LIMERICK.

Mr. O'SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is true that the party who has closed up the passage (left open by the Board of Public Works) received sixty-six pounds compensation for the land taken from him for the Glin Fishery Pier; whether it is true that this small portion of land which the fishermen of the Glin district claim as a right of passage for hauling up their boats and drying their nets does not contain more than one statute perch; and, if he would direct Mr. Brady, one of the Fishery Commissioners, to hold an inquiry into the matter so as to come to some understanding to enable the fishermen of that district to carry on their lawful calling?

Mr. TREVELYAN: Sir, the Board of Works inform me that they paid £66 as compensation for the land taken to make the approach road to the Glin Fishery Pier. That approach, as I stated in reply to a former Question, remains open and has not been interfered with as the hon. Members seems to think. That payment had nothing whatever to do with the passage now in dispute, or the land on which it is situated. The dispute relates to an alleged right of way, which this is not the place to determine. I have no objection to ask the Inspectors of Fisheries to examine the pier and ascertain whether it requires any additional approaches, or facility for communication with the beach, in order to enable the fishermen to carry on their calling, and I will communicate with the Inspectors accordingly.

POOR LAW (IRELAND)—ELECTION OF GUARDIANS FOR THE GREENAN DIVISION OF THE OMAGH UNION.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the election of Poor Law Guardian for the Greenan Division of the Omagh Union has been invalidated owing to the misconduct of the returning officer in suppressing duly filled voting papers which should have been counted for the National candidate, Mr. Slevin, and illegally counting others for the Conservative candidate, Mr. Deazley; whether the Local Government Board has visited that officer with any censure; and, whether, at the new election which has been ordered, Mr. M'Knight will again be entrusted with the office of returning officer; and, if so, what guarantee the National candidate has against a repetition of the returning officer's misconduct?

Mr. TREVELYAN, in reply, said, the election had been set aside. The Returning Officer made some irregular decisions; but he did not wilfully suppress any voting papers, and, under the circumstances, the Local Government Board did not consider that he was guilty of any misconduct. The usual course was, that the Clerk of the Union should be Returning Officer; and, if he did not do his duty correctly, he would be again complained of, and the Board would see what should be done.

Mr. O'BRIEN: I did not say a word about wilful from the beginning to the end of my Question.

Mr. TREVELYAN: I am bound to say that, before a public officer is interfered with, his misconduct should be wilful unless it was flagrant.

LOCAL GOVERNMENT BOARD (IRELAND)—MR. H. J. M'FARLANE, INSPECTOR FOR DONEGAL.

Mr. O'BRIEN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether his attention has been called to the conviction of Mr. H. J. M'Farlane, Local Government Board Inspector for Donegal, at the Southern Police Court in Dublin, on a charge of attempting to defraud an English Railway Company by travelling on a ticket out of date; whether he was ordered to pay a fine of £2 and costs, together with the full railway fare; whether it was on this gentleman's reports that the Government formed their opinion as to the character of the distress in Donegal; and, whether Mr. M'Farlane will be retained in his position?

Mr. TREVELYAN: Sir, my attention has been called to this case. I find that Mr. M'Farlane, having travelled on the Great Northern Railway, on a return ticket which was out of date, was decreed at the suit of the Company for the price of the ticket for the journey, and £2 2*s*. costs. He was not fined, as stated in the Question. The magistrate who heard the case inflicted no penalty, as he believed that it was a mere misunderstanding on Mr. M'Farlane's part. I do not think, therefore, that the transaction calls for further notice. Mr. M'Farlane was only one of the Inspectors on whose Reports the Local Government Board formed their opinion as to the character of the distress in Donegal, and nothing has transpired to throw the least doubt on the accuracy of the information the Board obtained as to the condition of the poor in that county.

Mr. O'BRIEN: May I ask the right hon. Gentleman, whether he thinks the infliction of a penalty of two guineas costs was meant by the magistrate as a delicate compliment to Mr. M'Farlane's veracity; and, also, whether Mr. M'Farlane was not supposed to be on duty in Donegal, when he was discovered travelling on a ticket out of date on an English railway?

[No reply.]

Mr. O'BRIEN thereupon gave Notice that he should repeat the Question on a subsequent occasion.

Mr. TREVELYAN: It was not an English railway.

EDUCATION—REPORT OF THE LUNACY COMMISSIONERS.

Mr. ROUND (for Mr. S. Leighton) asked the Vice President of the Council, If his attention has been called to the fact stated in the last Report of the Lunacy Commissioners that, while the number of pauper children has decreased since the passing of the Education Act from 393,000 in 1871 to 270,000 in 1882, the number of pauper lunatic children has increased from 962 to 1,332; and that the proportion of pauper lunatic children to pauper children has increased during the same period from ·24 to ·49 per-centage; and, whether he will cause special inquiry to be made by Her Majesty's School Inspectors during the ensuing year on the subject of over pressure in the elementary schools of the Country?

Mr. MUNDELLA: Sir, the figures stated in the hon. Member's Question are perfectly accurate; but I must qualify that statement by pointing out that they have no relation to each other, or to the Education Act of 1870. It is gratifying to find that, notwithstanding an increase of population between 1871 and 1882 of about 4,000,000, the number of pauper children fell, in these 11 years, from 393,000 to 270,000. It is true there was an increase of 369 pauper children of defective intellect during the same period; but these are a permanent and growing charge on the community, whereas the larger figures, representing children in receipt of relief, are fluctuating, and since 1863 have, with occasional variations, been steadily declining. The increased number of 369 insane pauper children is due to the increase of population, to the advantages of better treatment and inspection of idiot asylums and licensed houses, and to the fact that a Government grant was given in 1875 towards the maintenance of this class in asylums. I have conferred with the noble Earl the Chairman of the Lunacy Commissioners (the Earl of Shaftesbury), and he informs me that an insane child is rarely met with, that it is not monomania or dementia from which these children suffer, but that they are generally idiots or imbecile children who, being afflicted with cerebral weakness from their birth, require special care and treatment. He authorized me to add that, in his opinion, seven-tenths of the lunacy of the country is due to intemperance. I have already made inquiry of several of the senior Inspectors as to the alleged over-pressure, and I shall continue to watch very carefully the effect of the New Code in this respect. I am as sincerely anxious to prevent the over-taxing of children and teachers as my hon. Friend who has put the Question, or anyone in this House can be. I hope he will forgive me for reminding him that he was one of the members of a deputation who came to remonstrate with me for reducing the hours of pupil-teachers.

NATIONAL EDUCATION (IRELAND)—MUNGRET VESTED NATIONAL SCHOOL—ACTION OF THE TRUSTEES.

MR. SYNAN asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether the trustees had power, under the local Act 42 & 43 Vic. c. 220, to exclude primary instruction from the Mungret Vested National School, and to transfer the scholars to a temporary out office at an inconvenient distance; whether they had the power, under said Act, to deprive the parishioners of their rights in said vested school enjoyed for nearly 40 years, and to impose upon them the expense of building a new school house; and, when will the promised opinion of the Irish Law Officers on the subject be produced and laid upon the Table?

MR. TREVELYAN, in reply, said, that he was still waiting for the Opinion referred to as to the effect of the 42 & 43 *Vict.* c. 220, and he would rather leave over the matter until he had obtained that Opinion. He would not, of course, engage to lay the Opinion upon the Table.

MR. SYNAN said, that, in consequence of the answer, he would give Notice to call the attention of the House to the exclusion of Primary Instruction and the removal of the children from the Mungret National School by the Trustees under the 42 & 43 *Vict.* c. 220, and to move—

> "That, in the opinion of this House, the conduct of the Trustees is not warranted by said Act, and that the Government do call upon them to open said school to the parish children for primary education and agricultural science."

POST OFFICE—REMUNERATION OF SUB-POSTMASTERS.

MR. SYNAN asked the Postmaster General, Whether, on the 31st of March last, the commission on the sale of stamps was taken away from the Irish sub-postmasters; whether, in consequence, they were promised an increase in their salaries; whether any increase will be granted them; what increase of salary or commission will be given to them in consequence of the new and increased duties imposed upon them by the Parcels Post system; and, whether he will take any steps to equalise the salaries of said officers, and fix them in proportion to their duties?

MR. HARRINGTON asked the Postmaster General, Whether it is true that only an increase of £2 per annum is given to sub-postmasters to remunerate them for the additional labour entailed by the parcel post; whether, since this increase has been made, the commission or poundage hitherto allowed them for the sale of stamps is withdrawn; whether this commission was generally higher than the increase now offered as a remuneration for discharging the duties of the parcel post; whether this £2 per annum also represents the increase given to the letter-carriers who have to convey those parcels daily; and, whether it is true that a scale of fines has been arranged to punish postmasters for any errors committed by them in discharging duties for which they get so little remuneration?

MR. FAWCETT: Sir, as stated in the Annual Report of the Post Office, which has recently been laid before Parliament, the rates of remuneration granted to sub-postmasters throughout the whole of the United Kingdom have been re-adjusted and improved, at an estimated additional annual cost of £34,000. On the 27th of March a Notice was issued stating that, as part of a general measure for re-adjusting these rates of pay, the separate payment of poundage on the sale of stamps of all kinds would cease from the 1st of April, and that, thenceforward, the remuneration for that branch of business would be given in the shape of fixed payments, based upon the actual amount of business done. It was further notified that, as some time must necessarily elapse before the whole of the changes could be carried into effect, all the re-adjustments would date from the 1st of April last. The somewhat complicated process of re-adjusting these rates has now been completed as regards Ireland, and authority has been issued to the Office in Dublin to carry out the changes. The general effect of the revision is to give sub-postmasters an improved rate of pay; but, as heretofore, the total amount which a sub-postmaster receives in the course of a year will depend upon the total amount of business which he has to perform. As regards parcels post work, the pay given to sub-postmasters for such work is 2*s.* 6*d.* per 100 parcels posted, 1*s.* 6*d.* per 100 parcels received for delivery, with a minimum of £2 a-year, whether a single parcel is dealt with or not. The remuneration for the sale of stamps is altogether independent of the allowance granted for work connected with the parcels post. The scale of fines for irregularities in regard to parcels is on the same basis as that which relates to the letter service of the ordinary post.

ARMY—COMPULSORY RETIREMENT—SIR DANIEL LYSONS.

Mr. LABOUCHERE asked the Secretary of State for War, Whether it is the case that General Sir Daniel Lysons, having to give up the command of the troops at Aldershot before the expiration of his five years' term, in consequence of having attained the age at which retirement for general officers is compulsory, is to receive, in addition to a general's retired pay, a sum of money as compensation for the loss of his command; and, whether, in making future appointments to general commands, regard will be had to the age of the officer appointed, and care be taken that there shall be no demand for compensation in the event of the rules of the service requiring the officer to retire before the expiration of five years?

The Marquess of HARTINGTON: Sir, compensation for the loss of a Staff appointment is limited to those officers who, holding Staff appointments on July 1, 1881, were prevented, by regulations made in the Royal Warrant which then came into force, from completing the five year's tenure for which they had been appointed. Sir Daniel Lysons is compensated under this clause; but the cases for compensation are few. The amount becomes smaller as time goes on; and the last which can occur would be in 1886.

SOUTH AFRICA—BECHUANALAND.

Mr. W. E. FORSTER asked the Under Secretary of State for the Colonies, Whether he can give the House any further information with regard to the telegram which arrived at Cape Town from the interior on July 13th, and which he read to the House last Monday; and especially in confirmation or otherwise of the success of the Bechuana Chiefs to regain possession of the farms of which they have been despoiled by freebooters?

Mr. EVELYN ASHLEY: Sir, before answering the right hon. Gentleman, I would ask leave to correct his Question in this respect, that the despatch I read to the House did not point to any success of the Bechuanas to regain possession of their farms, but to preparation for an attempt to do so. However, we have inquired by telegraph of the Acting Governor at the Cape, whether there was any confirmation of the report that Mankoroane had gathered together 2,000 men for an attack on the freebooters, and the reply is that he has no confirmation. But, perhaps, in justice to myself, or rather in justice to the argument which I used in debate, the House will allow me to draw their attention to pages 96 and 98 of the last Transvaal Blue Book—[Mr. W. E. Forster: I quoted them myself.]—in which will be found that Mr. Bethell, the Resident with Montsioa, whom the right hon. Gentleman has quoted more than once in this House, as worthy of trust, makes the following statement:—"Montsioa has arranged confederation of Chiefs in West and South-West; that a Native outbreak would occur in July; that the freebooters were quarrelling among themselves; and that the 12 confederate Chiefs intended in a month to drive out the freebooters from Stellaland." That statement, I think, is corroborated by this message. Whether it turns out true or not, there we have Mr. Bethell, who represent sone of the Chiefs, and whom my right hon. Friend has quoted, making a statement to this effect; and, therefore, in quoting Mr. Bethell, I have quoted what I think is reasonable confirmation.

Mr. W. E. FORSTER asked, whether it was the case that Mr. Bethell, on account of the Chief he represented, complained that he could not get ammunition?

Mr. GORST asked, whether Mr. Bethell's observation, quoted from the Blue Book, did not refer exclusively to Montsoia, and not to Mankoroane?

Mr. EVELYN ASHLEY, in reply, said, certainly not. On page 96 of the Blue Book the hon. and learned Member would find that Mr. Bethell said that 12 Chiefs had confederated to drive out the freebooters from Montsoia's territory and Stellaland. It was quite true, as his right hon. Friend said, that Mr. Bethel had complained of not being able to get ammunition.

Mr. W. E. FORSTER asked, if the telegram would be circulated?

Mr. EVELYN ASHLEY: Yes; it was already in the hands of the printer.

INDIAN RAILWAYS—THE DIVIDENDS.

Mr. PULESTON asked the Under Secretary of State for India, Whether he desired it to be understood that the large average of the dividends mentioned as earned on Indian Railways was calulated on the whole capital guaranteed by the Government up to the present time, or only on that portion represented by finished Railways, and in regular working order; and, when the official Report on this subject, to which he referred, will be laid upon the Table of the House?

Mr. J. K. CROSS: Sir, the dividend of 5·37 per cent, mentioned by my hon. Friend as earned by Indian railways last year, was calulated upon the capital of all the lines which were open for traffic. The amount of this capital is 143 crores of rupees, or nominally £143,000,000 sterling. The Report in question was presented on the 16th of July. It is still in the hands of the printers.

METROPOLITAN WATER SUPPLY—ANALYSIS OF WATERS.

Mr. FIRTH asked the President of the Local Government Board, Whether his attention has been called to the Report of Dr. Frankland, the analyst to the Local Government Board, published in the Report of the Board for 1881, page 290, that of the water delivered in London in the previous year "71,879,776 gallons were sometimes grossly polluted by sewage matters," and to the statement that this pollution was greater than in any previous recorded year, and that—

> "Much filthy matter from sewers, cesspools, and cultivated fields was swept into it"

during those periods of the year when the river was flooded, and that—

> "No practicable amount of storage could have prevented the supply of such water to London during the last three years (p. 292). The water both of the Thames and Lea is becoming year by year less suitable for domestic use. There is no protection against noxious organic matter in polluted river water even when efficiently filtered;"

whether his attention has also been called to the following paragraph in Dr. Frankland's Report for 1882 (p. 208, and re-stated by the Local Government Board, p. ccxxiii.):—

> "The inner circle of London was supplied as usual by eight companies with water, the average daily volume of which was 149,190,193 gallons, being an increase of nearly 7 millions of gallons upon the previous year. Of this 74,311,816 gallons were at times largely polluted with organic matters; 65,999,067 gallons were occasionally so polluted, but to a less degree; whilst only 8,879,310 gallons were of uniformly good quality for drinking . . . . . The supply was abundant, and the quality of the river water, though much better than usual, left much to be desired, and was at times very objectionable. The samples were all taken directly from the mains at places recommended by the respective companies. They were therefore unattended by impurities contracted in the cisterns of the consumers;"

and, whether he is able to state what has been for the last twelve months the number of gallons—

(a.) "At times largely polluted with organic matter;" (b.) "occasionally so polluted, but to a less degree ;" (c.) " of uniformly good quality for drinking ?"

Sir CHARLES W. DILKE: Sir, the statements referred to appear in the Reports of Professor Frankland for the years 1880 and 1881. Dr. Frankland's general Report for 1882 is qualified by the statement that—

> The comparative freedom from excessive organic pollution, which has been observed in Thames water since the year 1875, is probably due to the increased storage space acquired by the Companies drawing from this source. In consequence ot this increased storage capacity it is no longer necessary to impound the worst flood waters."

The most recent Reports of Professor Frankland, with the exception of that for the month of June, which was read in the House on Monday last, are the Reports for April and May of the present year. The Report for April, 1883, states—

> " The Thames water sent out by the Chelsea, West Middlesex, Southwark, Grand Junction, and Lambeth Companies was, for river water, unusually free from organic matter. The supplies were also in every case delivered in an efficiently filtered condition. The water drawn from the Lea and distributed by the New River and East London Companies also showed the same marked improvement in quality as the Thames waters, the New River Company's supply containing even a still smaller proportion of organic matter."

The Report for May, 1883, states—

> " The Thames water sent out by the Chelsea, West Middlesex, Southwark, Grand Junction, and Lambeth Companies was, for river water, unusually free from organic matter, though not quite so much so as in the previous month. The water drawn from the Lea by the New River and East London Companies was delivered in an efficiently filtered condition, and contained also an exceptionally small proportion of organic matter."

MADAGASCAR — ACTION OF THE FRENCH AT TAMATAVE—INSULT TO THE BRITISH FLAG.

Mr. ASHMEAD-BARTLETT asked the Under Secretary of State for Foreign Affairs, Whether he can give the House any further information from Madagascar with regard to the insult of the British Flag at Tamatave ?

Lord EDMOND FITZMAURICE: Sir, despatches have been received at the Admiralty. They are voluminous, and are now being printed for the consideration of Her Majesty's Government. Under these circumstances, the House will see that it is not possible for me to make a premature statement.

Mr. ASHMEAD - BARTLETT: I shall repeat the Question on Monday.

Sir STAFFORD NORTHCOTE: Is there any Correspondence connected with this case at the Foreign Office ?

Lord EDMOND FITZMAURICE: Yes, Sir; two despatches have come, but those despatches are of no importance. The important despatches are those to the Admiralty.

THE PARKS (METROPOLIS)—THE INCLOSURES IN REGENT'S PARK.

Mr. D. GRANT asked the Secretary to the Treasury, If he can now state whether there are some sixty or seventy acres of grass land in Regent's Park which have, up to the present time, been held on yearly tenancies; if it is proposed, under the new arrangement, that a considerable portion of this land is to be converted into leaseholds for a considerable term, and at purely nominal rentals; and, if he can state what proportion of those lands are to be thrown into the Park ?

Mr. MOLLOY also asked the hon. Gentleman, Whether his attention has been drawn to the report of a large public meeting, held on Saturday last, protesting against the large area of grass lands in Regent's Park, hitherto held on yearly tenancies, being handed over to leaseholders for grazing purposes; why those lands are not thrown open to the public for recreation purposes; and, the date of the making of those leases, what rent is to be paid for these acres, and to what purposes the rents are to be applied ?

Mr. COURTNEY: Sir, I have seen reports of the meeting referred to; but gather that it was neither numerous nor influential. Full information upon all the points raised will be given in the Papers now being printed for Parliament; but I may say that half of what is called " the Inclosure " will be thrown open, and also 14 acres out of 52 formerly held on yearly tenancies. Of the remainder, 31 acres will be let for the periods of the leases of the houses to which they are attached, expiring between 1914 and 1932, and the remainder on annual tenancies. The rentals charged exceed £6 an acre, and the sums received are carried to the Exchequer in the usual course. I demur to the statement that the 52 acres are now at the disposal of the public. The Papers are now being printed, and I hope they may be issued before Parliament rises.

GIBRALTAR—CUSTOMS DUTIES.

Captain AYLMER asked the Under Secretary of State for the Colonies, If the Gibraltar Chamber of Commerce has been consulted on the proposed Customs Duties; and, if he will lay upon the Table of the House a statement showing the articles which will be charged Duty, and the amount to be charged on each article?

Mr. EVELYN ASHLEY: Sir, the Chamber of Commerce have not been consulted—the scheme being still in embryo and unsettled; but, before anything is done, the proposed changes will be locally published in detail, and sufficient time allowed for the Chamber of Commerce, or any other persons interested, to make any objections. It is impossible, as yet, to lay anything on the Table of the House, seeing that nothing has been decided.

CRIME AND OUTRAGE (IRELAND)—MURDER OF MRS. SMYTHE—MAGISTERIAL INVESTIGATION.

Mr. T. D. SULLIVAN asked the Chief Secretary to the Lord Lieutenant of Ireland, If it is a fact that Captain Boileau, the magistrate appointed to preside at the investigation held at Mullingar into the circumstances connected with the murder of Mrs. Smythe, was, prior to the opening of the investigation on the 17th of July, closeted with the Crown Solicitor, the Sub-Inspector of Constabulary, and one of the approvers, for over an hour in the room known as the Judges' Chamber; and, whether he was similarly closeted with the Crown Solicitor and the Crown witnesses on the 10th of July; and, if so, what was the nature of the duties the magistrate was on those occasions discharging?

Mr. TREVELYAN: Sir, Captain Boileau was the Presiding Magistrate at the investigation of this case. On each occasion he was in the Judges' Chamber before going into Court. The Crown Solicitor and Sub.Inspector of Constabulary also used that room, for the purpose of consulting before proceeding with the case; but Captain Boileau was never on any occasion present when one of the approvers, or any other witness, was being examined or questioned by the Crown Solicitor or Sub-Inspector. Captain Boileau never saw any witness in the case except in open Court.

SOUTH AFRICA—THE TRANSVAAL—THE GOLD LAW.

Mr. A. M'ARTHUR asked the Under Secretary of State for the Colonies, Whether the British Resident at Pretoria had called the attention of Her Majesty's Government to those provisions of the Gold Law lately passed by the Transvaal Volksraad, which declare that any native buying or bartering rough gold shall be subject to fifty lashes and imprisonment for twelve months, and which also render diggers who pay their native servants wages in rough gold as well as persons who purchase rough gold from natives, liable to fines up to £1,000, and to imprisonment for five years; and, whether Her Majesty's Government will ascertain why the coloured population of the Transvaal are to be subject to those exceptional laws?

Mr. EVELYN ASHLEY: Sir, the British Resident has not yet reported on this Gold Law; but he has been asked to do so. I think it better, therefore, to refrain from saying anything about it until we have an authentic Report from him, of what he has to say about it.

EGYPT—ARMY OF OCCUPATION—FAMILIES OF SOLDIERS.

Sir GEORGE CAMPBELL asked the Secretary of State for War, Whether there was any truth in the statement which appeared a few weeks ago in the public journals, that it had been determined to send to Egypt the families of the British soldiers there; and, whether it was still intended to send them, when the season and an abatement of the epidemic permit, in view of a probable Military occupation of considerable duration?

The Marquess of HARTINGTON: No, Sir; the statement is not accurate. Inquiries have, however, been made as to the accommodation available for such a purpose, in the event of a possible prolongation of the service of the battalions now in Egypt. The question will be duly considered when the hot season is over and the cholera has ceased, and when a further decision has been come to by the Government on the amount of force to be retained in Egypt, and the duration of its detention.

ARMY—STAFF OFFICERS OF PENSIONERS.

CAPTAIN PRICE asked the Secretary of State for War, Whether it was correct that certain Staff Officers of Pensioners who were Brevet Majors, had been refused promotion, although it was still continued to other officers of the same department, who were in some cases their juniors in point of length of service; and, if so, whether he would grant promotion to these officers for length of service, as in the case of officers of Royal Artillery, Royal Engineers, and Royal Marines, and thus secure to them the advantages they held previously to July 1881, and under which conditions they, the Staff Officers of Pensioners, accepted their appointments?

THE MARQUESS OF HARTINGTON: No, Sir; brevet promotion has not been given to other officers in the same Department junior to those brevet majors to whom it has been refused. When these officers were appointed Staff Officers of Pensioners they had the right, being brevet majors, of succeeding as vacancies occurred to brevet lieutenant-colonelcies; but the promotion carried neither increased pay, nor retired pay. Successional brevet promotion was abolished from the 1st of July, 1881, and these officers are consequently debarred from attaining the rank of lieutenant-colonel while serving. On the other hand, they now obtain that honorary rank when they retire, and their maximum retired pay has been increased from £292 to £350 a-year. Under these circumstances, I am not prepared to depart from the decision of my Predecessor, which was adverse to the grant of rank to these officers.

REPORTS OF THE LUNACY COMMISSIONERS.

MR. W. J. CORBET asked the Secretary of State for the Home Department, with reference to his statement on 25th June last, that the Report of the English Lunacy Commissioners for the year ending 31st December 1882, was in type, and would soon be presented, What is the cause of the delay in its issue to Members; and, if he can state why the Report of the Lunacy Board, Scotland, has not been issued before this, the Report of the Irish Department, with a numerically inferior staff, having been circulated more than a month since?

MR. HIBBERT, in reply, said, the Report of the English Lunacy Commissioners was laid on the Table on the 16th of July, and he was surprised that it had not been put in the hands of Members; but he would urge upon the authorities the necessity of doing so at once. With respect to the Scotch Report, he had communicated with the Scotch Lunacy Commissioners about a week ago, and was informed by them the Report would be ready in a few days. It had been delayed in consequence of a discussion about the accommodation of lunatics in Scotland.

MR. W. J. CORBET asked the Secretary of State for the Home Department, with reference to the Return just issued of the expenditure incurred in providing accommodation for pauper lunatics in England and Wales up to 31st December 1881, Whether he has observed that no Returns of the cost of land, buildings, repairs, &c. are given from Beds, Herts, Hunts, Ipswich Borough, and York North Riding Asylums, and that the Paper is in other respects imperfect; whether he can state if the sum of £8,200,000, mentioned in note at foot of page 9 as being about the total amount spent by the existing authorities on land and buildings, represents the actual cost ab initio, or was there other expenditure, and, if so, how much, before the present authorities came into existence; and, can the whole amount expended on the maintenance of pauper lunatics from public sources, wherever located, be given?

MR. HIBBERT, in reply, said, the Return as issued was undoubtedly imperfect. He regretted that; but it was owing to the difficulty of obtaining the information with respect to the five counties named. If it was desired, a supplemental Return would be issued. The sum named in the Question represented the actual expenditure on land and buildings so far as the Commissioners could ascertain it.

LAW AND JUSTICE—RECENT EXECUTION AT DURHAM.

MR. JOSEPH COWEN asked the Secretary of State for the Home Department, If he has caused any inquiry to be made into the circumstances attending the execution of James Burton at Durham on Monday last?

SIR WILLIAM HARCOURT: Yes, Sir; I have asked for an official Report from the local authorities who, as the hon. Member is aware, are responsible for the proper carrying out of executions. I have not received that Report yet; but I have been furnished with a newspaper report of the inquest before the Coroner's Jury. I find that the medical officer who was present stated, in answer to a question from the jury, that what took place was an accident which could scarcely have been foreseen. The jury seem to have found the usual verdict in the case; and, therefore, I presume that they were satisfied with that account of the transaction, as most, if not all, who were present on the occasion seem to have been examined, and gave evidence.

MR. JOSEPH COWEN said, he wished to ask whether the right hon. Gentleman was aware that there had been more than one case of these revolting exhibitions? He (Mr. Joseph Cowen) believed there had been two others within comparatively recent years. He did not ask him to censure the local authorities; but could the right hon. Gentleman not exercise some supervision over the public hangman, so that these barbarous proceedings should not be repeated? Would it not be possible to devise some more scientific mode of dealing with criminals —electricity or poisoning—rather than hanging?

SIR WALTER B. BARTTELOT said, it appeared from the accounts that the platform was placed on a hole dug in the ground. If that were so, it more than accounted for the accident; and he wished to ask whether the right hon. Gentleman had satisfied himself that there was a proper platform and place for the execution, because, if that were not so, the authorities at Durham were much to blame.

MR. SEXTON asked, whether the right hon. Gentleman would make an inquiry into a shocking occurrence which recently took place at Galway, in the case of a capital sentence carried out by Marwood? When the body was dropped into the pit, the rope became entangled in the man's arms, and he struggled for some time in the pit. Marwood thrust his leg into the pit, and kicked the rope clear and completed the execution, at the same time saying—"Bother the fellow!" He wished to know whether any report of the personal habits of the public executioner had been made to the Home Office?

MR. HARRINGTON asked, whether the person referred to by the hon. Member (Mr. Sexton) was not Miles Joyce, who had been unjustly executed by the Irish Government?

MR. SMALL inquired, whether it was true that, in that case, the authorities refused to produce Marwood as a witness?

SIR WILLIAM HARCOURT: I am sure, Sir, the House will not expect me to give an opinion upon these matters before I have received any official Report with regard to them. I can assure hon. Gentlemen that no one can be more sensible than I am of the shock to public feeling produced by these terrible occurrences, and anything I could do by inquiry, or by taking precautions to prevent such shocking occurrences, would not be wanting. With reference to the Question of the hon. and gallant Baronet opposite (Sir Walter B. Barttelot), I find that the executioner was examined before the Coroner's Jury, and he said—

> "I think it would be better for the future to have two planks laid across the platform, so that two warders can stand, one on each side, and prevent the rope from getting entangled."

Therefore, it is to be hoped that these are precautions which may be taken to prevent the recurrence of such shocking events.

MR. JOSEPH COWEN asked, whether the right hon. Gentleman had any control over the appointment of the public hangman? The Question was important, because it affected the personal character of that officer.

SIR WILLIAM HARCOURT: Sir, I have made inquiries, and that matter had better be left until I have received the Report.

HARBOUR ACCOMMODATION—REPORT OF THE SELECT COMMITTEE.

SIR JOHN KENNAWAY asked Mr. Chancellor of the Exchequer, Whether he proposes to take any steps to carry out recommendations of Select Committee on Harbour Accommodation to the effect that the old practice in regard to granting loans for purposes of making harbours be reverted to, and that the question of policy of harbour works proposed to be executed with loans of public money should be decided by the Board of Trade, leaving to the Public Works Loan Commissioners to judge of the security offered?

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS), in reply, said, he might remind the hon. Baronet that the Report on this question had only very recently been printed; but the evidence had not yet been printed. The Treasury had, therefore, not been able to consider what came before the Committee; but they would do so at the earliest opportunity.

ROYAL IRISH CONSTABULARY—APPOINTMENT OF POLICE SURGEON AT WATERFORD.

MR. LEAMY asked the Chief Secretary to the Lord Lieutenant of Ireland, Why in the recent appointment of police surgeon at Waterford the dispensary medical officers were passed over, contrary to the rule that such appointments shall be given to dispensary medical officers, unless there is good reason to the contrary?

MR. TREVELYAN: Sir, in making the selection which he had done, the Inspector General believes that he has secured for the Constabulary the best available medical advice, and that is the ground of the appointment. Dr. Connolly, the gentleman appointed, is also medical officer of the Fever Hospital where the Constabulary are treated.

MR. LEAMY, while wishing it to be understood that he had no objection whatever to Dr. Connolly, desired to know why the appointment was not given as usual to the dispensary medical officer?

MR. TREVELYAN, in reply, said, such a rule had existed, but it was a Departmental rule. It was always intended that it should within the province of the Inspector General to override the rule in case of necessity. The Inspector General regarded it as a rule adopted originally for the purpose of saving trouble to the officers who had the appointment. He (Mr. Trevelyan) intended, on his return to Dublin, to inquire into the method by which the appointments were made.

MR. LEAMY intimated that he should ask a further Question on the subject next week.

NAVY—THE DOCKYARDS—ENGINEERS' DEPARTMENT.

MR. GORST asked the Secretary to the Admiralty, Whether, as the Admiralty have recognised the important and responsible duties that the leading men of the Chief Engineer's Department in the Royal dockyards have to perform, they will make a similar improvement in their position and pay to that made in the case of the leading men of shipwrights in the Chief Constructor's Department?

SIR THOMAS BRASSEY (for Mr. CAMPBELL-BANNERMAN): Sir, the case of the leading men of the Chief Engineer's Department in the Royal Dockyards is under consideration, but no decision has yet been arrived at. I hope, however, shortly to be able to announce it.

LAND LAW (IRELAND) ACT, 1881—FAIR RENT—CASE OF R. DRISCOLL.

MR. HEALY asked the First Lord of the Treasury, Whether his attention has been drawn to the following facts, that, on a sub-tenant, R. Driscoll, to a middleman, John Hall, whose rent is £10 10*s*., being 30*s*. more than Hall pays his own landlord for twice the acreage held by Driscoll, going into court at Bantry to get a fair rent fixed, the Sub-Commission dismissed the case on a technical legal point without hearing evidence as to value or sending a court valuer; that Driscoll having appealed, the Head Commission reversed this decision, but without going into evidence or sending a court valuer they fixed a judicial rent leaving the old rent, £12, unaltered; that so fixing it the Head Commissioners were in absolute ignorance of the facts connected with the holding, as neither they nor the Sub-Commission went into evidence or sent a valuer; that Driscoll is now bound for fifteen years, without appeal, to pay Hall a rent of 30*s*. per annum over the amount which the middleman gives his own landlord for Driscoll's lands and for as much again in his own cultivation; and, if he can suggest any remedy for the action of the Land Commissioners?

MR. TREVELYAN: Sir, my right hon. Friend (Mr. Gladstone) asks me to answer this Question. I think the hon. Member for Monagham (Mr. Healy) can hardly have expected an answer from any one else, because I am practically the channel through which all information from the Land Commission comes.

MR. HEALY: I desired, in asking the Question as I did, to let the Prime Minister see how his Land Act in Ireland has been carried out.

MR. TREVELYAN: When Questions of this sort are put to the Prime Minister, he examines them, to ascertain whether it is a Question he should answer. The Land Commissioners inform me that they decided this case, having heard the evidence of the tenant and that produced for the landlord, and they came to the conclusion which they considered just, having regard to all the circumstances of the case. They also state, with regard to the contention in the Question, that they consider it would be inconsistent with their duty to make a statement in reply to a Question in Parliament as to the grounds of their judicial decision.

MR. HEALY: Mr. Speaker, the statement of the Land Commissioners is absolutely untrue, and I will call attention to this case at an early date. Their conduct is disgraceful in the matter. [*Cries of* "Order, order!"]

MR. SPEAKER: I must point out to the hon. Member that if he applies these epithets to the statement of the right hon. Gentleman, he knows very well they are entirely out of Order.

MR. HEALY: I did not apply them to the statement of the right hon. Gentleman. I applied them to the statement of the Land Commissioners.

METROPOLIS — ST. PAUL'S CATHEDRAL — PROPOSED TRANSFER OF THE WELLINGTON MONUMENT.

LORD JOHN MANNERS asked the First Lord of the Treasury, If he has received a Memorial praying for the appointment of a Committee of Experts to consider the advisability of removing the Wellington Monument in St. Paul's from the Wellington Chapel to the Nave; and, if, should the Government decide to appoint such a Committee, the alternative of leaving the monument where it is, and removing the screen from before it, will be included in the terms of reference?

MR. GLADSTONE, in reply, said, he was glad to see the noble Lord back again in his place, and putting a Question upon a public matter in which he took an interest. The Memorial to which the noble Lord referred had reached the Government very recently, and it had not yet been in their power to give it full consideration. They would do so, of course, as soon as they were able; but he had no hesitation in saying that, whether such a Committee be appointed or not, care would be taken to consider and examine thoroughly the suggestion raised by the noble Lord as to the removal of the screen from the monument.

EGYPT (RE-ORGANIZATION)—TAXATION OF FOREIGNERS.

SIR STAFFORD NORTHCOTE asked the First Lord of the Treasury, Whether he can state what progress has been made towards the settlement of the questions of the Taxation of foreigners in Egypt and of the administration of justice in cases in which foreigners are concerned; and, whether any Papers can be presented on these subjects?

MR. GLADSTONE: Sir, With regard to the taxation of foreigners, I have substantially nothing to add to what I stated the other day; but I may refer to one or two matters of fact with regard to Papers which are not before the House for the purposes of giving greater completeness to what I have said. The House is aware that the Egyptian Government was invited by the British Government to submit a plan to the Powers. They have produced that plan, and have submitted it to the Powers; but it has not yet been adequately considered so far as we know—certainly, it has not yet been conclusively considered by ourselves. We do not think there would be any advantage in producing the plan, until we know more of the manner in which it has been received now that it has come out in a definite shape; but the Papers which are already before the House show that both the Italian and French Governments, the only Governments of whose opinions we are aware, are, in principle, favourable to the taxation of foreigners in Egypt. With regard to the second part of the Question, in respect to the administration of justice in cases in which foreigners are concerned, the right hon. Gentleman, and probably the House, are well aware that that is a complicated and difficult subject which has been under consideration, and still continues so, quite apart from any matter immediately connected with the controversies of government, or with the military operations of last year. The great subject of the extension of international jurisdiction in criminal cases yet remains to be determined. Upon that, all I have to say is, that in principle we are favourable to it, but no plan has yet been prepared on the subject. As to the question of administration of justice, it is likely Papers will shortly be in a condition to be presented, as soon as any results sufficiently substantial have been attained. With regard to the other subject, the taxation of foreigners, there are no Papers at present which can be produced; but I should hope that at no very long time we shall be able to bring a question of so much interest to the practical issue. It certainly will not be from any want of interest on the part of Her Majesty's Government that that will not be the case.

PARLIAMENT—ORDER—RULES OF DEBATE—PRODUCTION OF DOCUMENTS.

Mr. RAIKES said, he desired to ask Mr. Speaker a Question with respect to the Rules of Debate, arising out of an answer given on Tuesday by the right hon. Gentleman at the head of the Government. In doing so, he (Mr. Raikes) would venture to refer to a decision given by his (the Speaker's) Predecessor in the Chair, upon the 18th of May, 1865, on an occasion on which a Question was put by the noble Lord the then Member for Stamford (Lord Robert Cecil) with regard to the production of documents, quoted by a Minister in answer to a Question asked in the House. He (Mr. Raikes) found that, on that occasion, the Attorney General of the day (the present Lord Chancellor) excused himself from producing what he had quoted in the House in consequence of its being—[Mr. Gladstone: I did not quote the document.]—of a private character; and the Speaker on that occasion, while allowing that excuse on the part of the Attorney General, was reported to have said that—

> "Public despatches, documents, and papers relating to public affairs, if read and quoted by Ministers, may be called for to be laid on the Table."—(3 *Hansard*, [179] 490.)

The right hon. Gentleman in the Chair then proceeded to draw up a distinction with regard to that particular case, having reference to the private nature of the communication which had been quoted. He (Mr. Raikes) begged to ask Mr. Speaker, Whether he will still lay down the Rule as interpreted by his Predecessor in the Chair, that Public Despatches, Documents, and Papers relating to public affairs, if read and quoted by Ministers, may be called for to be laid on the Table; and, whether he will also inform the House whether, in his opinion, a Memorandum upon a public topic, composed, not by a Colleague of a Minister, but by an Ambassador in Her Majesty's Service, and relating to a Mission in which he had been expressly employed by the Government, and communicated to a Minister, did not, if cited by a Minister, come within the range of that ruling?

Mr. SPEAKER: As to the latter part of the Question of the right hon. Gentleman the Member for the University of Cambridge, my answer will depend upon the character of the Memorandum in question. If it was of a private character, I should say it could not be called for in order to be laid on the Table of the House. My Predecessor has laid down very distinctly the Rule of Debate in this matter as quoted by the right hon. Gentleman. I have only to add that it is a well-known Rule of the House that, when a Despatch or other State Paper is cited by a Minister, it should be laid on the Table of the House; but it has always been held that that Rule does not extend to private communications. Such documents are never ordered to be produced by the House, or presented by a Command of Her Majesty. I did not answer the Question of the right hon. Gentleman on Tuesday last, because the explanation of the right hon. Gentleman the First Lord of the Treasury as to the character of the Paper to which he referred appeared to me to be satisfactory, and I thought that the right hon. Gentleman himself would accept that explanation, and see that it was such a document as could not be properly laid on the Table of the House.

MR. GLADSTONE: Sir, there is no Memorandum in my possession. There was a letter; but I quoted nothing from it. I merely confined myself to giving to the House a general impression of my own founded upon it, which I thought would be interesting as being the best intelligence I had embodying Lord Dufferin's opinion.

SUEZ CANAL—MEETING OF THE DIRECTORS—EXCLUSIVE CLAIM OF M. DE LESSEPS.

SIR H. DRUMMOND WOLFF asked the First Lord of the Treasury, Whether his attention has been called to the statement in the papers to-day, to the effect that the Directors of the Suez Canal Company held their monthly meeting in Paris yesterday, and that the three English members of the Board present gave their unqualified approval to the letter of M. de Lesseps to Mr. Gladstone; whether the letter in question contains the statement that—

> "M. de Lesseps claims the exclusive right of piercing through the Isthmus of Suez for 99 years;"

and, whether the English Directors of the Suez Canal Company, who gave that opinion, are authorized to do so by Her Majesty's Government?

MR. GLADSTONE: Sir, as to the proceedings of the Suez Canal Company, I have no information, at the present moment, other than that which is contained in the papers of this morning, and which may or may not be correct; but there is one part of the hon. Gentleman's Question upon which I can give him an answer at once. Her Majesty's Government gave no instructions whatever to the Directors bearing upon the matter to which he has referred—namely, the alleged exclusive claim or otherwise of M. de Lesseps to a monopoly of Canal communication through the Isthmus of Suez. We can, of course, obtain an official account of what occurred; but I repeat that no instructions to give any assent was issued to the English Directors. Of course, we shall, in due time, receive further information.

SIR H. DRUMMOND WOLFF gave Notice that he would repeat his Question on Monday.

BARON HENRY DE WORMS asked, whether Her Majesty's Government had the Despatch of the 14th of September, 1872, under their consideration at the time the Chancellor of the Exchequer had his interview with the deputation of shipowners regarding M. de Lesseps's alleged monopoly.

MR. GLADSTONE: I am not cognizant of it. The hon. Gentleman had better give Notice of the Question.

MR. BOURKE said, he understood the right hon. Gentleman to say the other day that in 1872 there was no question before the Government with respect to the Suez Canal. He (Mr. Bourke) would like to ask the right hon. Gentleman whether there was not at that very time a proposition before Her Majesty's Government for the sale of the Suez Canal to all the Powers?

MR. GLADSTONE, in reply, said, he was not aware that, at that time, any question with regard to the sale of the Suez Canal to all the Powers was entertained by Her Majesty's Government.

MR. BOURKE asked, whether a despatch in his hand was not written in January, 1872?

MR. GLADSTONE: You had probably better give Notice of the Question.

MR. BOURKE said he would give Notice for Monday.

BARON HENRY DE WORMS asked the First Lord of the Treasury, With reference to Colonel Stanton's Despatch of the 14th of September 1872, in which he states, with regard to M. de Lesseps' claim to the exclusive right of ship communication between the Mediterranean and the Red Sea—

> "A pretension which the Khedive is, however, by no means prepared to admit, as he maintains, and I imagine justly, that no such construction can be attached to the terms of M. de Lesseps' Concession, and that there can be no doubt as to his own right to make canals or carry out any other public work within Egyptian Territory;"

and, whether any reply was sent to that Despatch; and, if so, whether it will be laid upon the Table of the House, together with any other communication made by Her Majesty's Government as to the refusal of the Khedive to admit that the Concession which he had granted to M. de Lesseps involved the exclusive right of making a second canal on Egyptian Territory?

MR. GLADSTONE: Sir, no answer was made whatever to the letter to which the hon. Member refers. The Government have no measure before them relating to the Suez Canal, or the acquisition of any interest in it.

Baron HENRY DE WORMS: I would like to ask, whether it is a fact that the document in which the Khedive denied giving M. de Lesseps a monopoly to cut a Canal through the Isthmus was laid before the Law Officers of the Crown before they gave their opinion upon the point?

Mr. GLADSTONE: This is a Question as to the nature of the case that was laid before the Law Officers of the Crown. I cannot make any answer with regard to the particulars of that case. It was a case the Government considered fully placed the merits of the question before them.

Baron HENRY DE WORMS: I will ask the Question of the hon. and learned Gentleman the Attorney General to-morrow.

The ATTORNEY GENERAL (Sir Henry James): You will receive the same answer from me that you have just received from the right hon. Gentleman.

NATIONAL DEBT BILL.

Mr. J. G. HUBBARD asked Mr. Chancellor of the Exchequer, Whether he will authorize the publication of the six statements made by the National Debt Commissioners respecting the National Debt Bill, between this and the Committee stage on the Bill?

The CHANCELLOR of the EXCHEQUER (Mr. Childers), in reply, said, he had stated yesterday that he intended to ask the House to go into Committee *pro formâ* on the National Debt Bill, with the view of introducing the Amendment he promised on Tuesday to introduce. That Amendment had reference to the term of what was called in debate the "rolling up" of certain Annuities. He did not know what statements the right hon. Gentleman referred to.

PARLIAMENT—BUSINESS OF THE HOUSE—ORDER OF BUSINESS.

Sir. JOHN LUBBOCK asked when the Bankruptcy Bill would be taken; and, after what hour it would be taken?

Mr. GLADSTONE, in reply, said, that they proposed to take the Bankruptcy Bill on Saturday, subject always to the condition that they got clear before that day of the Parliamentary Elections (Corrupt and Illegal Practices) Bill, the debate on which would be resumed to-morrow at 2 o'clock. He could not, however, fix an hour after which it would not be taken.

Sir STAFFORD NORTHCOTE asked, whether the Government proposed to interrupt Supply to-night, in order to take the Parliamentary Elections (Corrupt and Illegal Practices) Bill; and, with regard to Saturday, if the Bankruptcy Bill was to be taken on that day, would the right hon. Gentleman say after what hour it would not be proceeded with? He thought they ought to have an undertaking from the Government that such an important Bill would not be taken at a late hour on Saturday.

Mr. GLADSTONE, in reply, said, they did not propose to interrupt Supply to-night in order to take the Bill referred to by the right hon. Gentleman. They intended to devote the whole available time to Supply. The Bill in question would not be taken until to-morrow. He would rather not name an hour of limitation for the Bankrupty Bill; but they should not wish to sit into the evening, and therefore they would not take it at a late hour.

Sir JOHN LUBBOCK said, he would urge upon the right hon. Gentleman not to take the Bankruptcy Bill on Saturday.

Mr. BROADHURST said, that the measure was one which excited the greatest possible interest among the industrial classes, and he hoped the right hon. Gentleman would proceed with it on Saturday.

Mr. A. M'ARTHUR said, he also hoped it would be proceeded with.

Mr. ASHMEAD-BARTLETT asked, whether the Government intended to take to-morrow evening?

Mr. GLADSTONE, in reply, said, that he was quite convinced of the inconvenience of Saturday Sittings; but, at that period of the Session, they must try to get on with the Bankruptcy Bill. It would, he thought, be a very great mistake if they were to decline to go on with the Bill on Saturday. The discussion on the Supreme Court of Judicature (New Rules of Procedure) would also, he hoped, be taken on Saturday. With respect to to-morrow evening, there was no important question down, except one in the name of his hon. Friend the Member for Salford (Mr. Arthur Arnold). He might to-morrow make an appeal to his hon. Friend to withdraw it, provided he saw that no other question would be interposed to prevent the Government from deriving the benefit of the evening. But he would not ask his hon. Friend to take that course, unless it could be arranged that no other private Notices should be put on the Paper, and the evening thus lost to the Government.

MR. ARTHUR ARNOLD said, that in the present state of Public Business, if to-morrow evening were secured for the Government, he would make a willing surrender of his position?

SIR STAFFORD NORTHCOTE asked, what other Business would be taken after Supply, if the Parliamentary Elections (Corrupt and Illegal Practices) Bill was not taken to-night?

SIR WALTER B. BARTTELOT asked, when the Army Estimates would be taken again?

MR. GLADSTONE, in reply, said, they would make the best progress they could with the Civil Service Estimates; and, after closing them, they would proceed with the remaining Votes for the Army Services. After Supply they proposed to proceed, if the House was willing, with the Parliamentary Registration (Ireland) Bill.

MR. GIBSON asked, whether it was not contemplated to go on with Supply the whole evening?

In reply to Sir JOSEPH M'KENNA,

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, there was no doubt that the National Debt Bill was a Money Bill, and could be taken after half-past 12.

SIR JOHN HAY asked the Secretary of State for the Home Department, On what day he would take the Committee on the Local Government Board (Scotland) Bill? He did not think Scotch Members would like that it should be taken next week. Moreover, he would remind the right hon. Gentleman that, as next week included the 12th of August, he would not be able to obtain that expression of opinion he must desire on the part of Scottish Representatives if it were delayed till that time?

SIR WILLIAM HARCOURT said, in reply, while thanking the right hon. and gallant Baronet for his reminder, he knew such a day as the 12th of August was approaching; but he thought the fact that it was so would make no difference to Scotch Members who really wished to attend to Scotch Business. He was rather afraid that they would not thank the right hon. and gallant Baronet for suggesting that the 12th of August would interfere with their regard for the interests of their country. He was not able to state at that moment on what day Committee would be taken.

MR. GORST: Do the Government mean to go on with that Bill at all?

SIR WILLIAM HARCOURT: Most decidedly.

EGYPT—RISE OF THE NILE.

MR. TOMLINSON asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to a telegram from Egypt, published in the morning papers, to the effect that there will probably be an inundation of Egypt by the Nile; that nothing has been done to avert the calamity which will be sure to result, if the inundation occurs; and that in ten days' time it will be too late; and also that more concern was felt on the subject in Egypt, than as to the cholera?

LORD EDMOND FITZMAURICE: Sir, I cannot say, in this short Notice, whether it is true, or not, that there is likely to be a flood, and also what steps the Egyptian Government may take; but the Egyptian Government has in its service an engineering officer (Major Moncrieff) who has special charge of the Department, and he will naturally deal with the subject.

MADAGASCAR — ACTION OF THE FRENCH AT TAMATAVE—THE DESPATCHES.

SIR WALTER B. BARTTELOT said, that the right hon. Gentleman the First Lord of the Treasury was reported to have made a statement last night, with regard to the Tamatave affair, that he had received despatches which altered the whole complexion of the matter, as it appeared when he made his statement to the House. He would like to ask, Whether the right hon. Gentleman can state to the House the purport of the despatches from Tamatave to which he referred last night; whether he can state who sent the telegram which first misled Her Majesty's Government; and, whether the despatches in their correct form can be laid upon the Table of the House?

Mr. GLADSTONE said, that there had not been time for the perusal of the despatches by Her Majesty's Government; and, therefore, it would be impossible for him to make any answer to the Question whether the despatches could be presented to the House. All that he stated last night was substantially this—that the Government always anticipated, even from the imperfect and very brief information in their possession, that the spirit of the two Governments would be equal to dealing with the circumstances; that there was nothing in them which would lead to a misunderstanding, or to any interruption of the good understanding which happily united both England and France; that that impression was greatly confirmed by the more enlarged information with which Her Majesty's Government were now supplied; and that what they had, in the nature of additional evidence, confirmed what he had already stated.

SOUTH AFRICA—ZULULAND—CETEWAYO.

Mr. J. R. YORKE: Can the Under Secretary of State for the Colonies say whether Cetewayo is dead or alive?

Mr. EVELYN ASHLEY: Yes, Sir; we have received a telegram this afternoon from Sir Henry Bulwer to this effect—

> "Osborn has received information that Cetewayo is now in the Reserve, and a reliable witness says that he has seen him alive."

So I think we may argue from that that Cetewayo is still with us.

STATE OF IRELAND—EXCURSION TO MR. PARNELL'S ESTATE.

Mr. SEXTON asked the Chief Secretary to the Lord Lieutenant, Whether there is any truth in the report that a pleasure excursion, which had been organized several weeks ago by working men's clubs and other associations, for the purpose of visiting Mr. Charles Stewart Parnell's estate in Wicklow on Sunday next, has been prohibited, or is intended to be prohibited, by the authorities; and, if so, on what ground?

Mr. TREVELYAN: Sir, the Government have taken no action with reference to the proposed excursion. It is stated, however, in to-day's *Freeman's Journal*, that the excursion has been abandoned, owing to some difference between the promoters and the Railway Company.

IRELAND—STATE-AIDED EMIGRATION—THE PROPOSED GRANT.

Mr. LEAMY asked the Chief Secretary to the Lord Lieutenant of Ireland, Whether it is not intended to hand over a part of the £100,000, to be taken for the purpose of emigration from the Church Surplus Fund by the Tramways and Public Companies (Ireland) Bill to a Company of undertakers; and, if so, whether the names of those undertakers will be printed in the Bill?

Mr. TREVELYAN: Sir, the £100,000 proposed to be taken under the Bill in question will be applied for under the same conditions as the previous £100,000.

EGYPT (RE-ORGANIZATION) — APPOINTMENT OF MR. CLIFFORD LLOYD.

Mr. HEALY: I want to ask the right hon. Gentleman the Chief Secretary for Ireland something with regard to Mr. Clifford Lloyd. I read in the papers yesterday that, when leaving Ireland, he was presented with a silver jug by his magisterial brothers, and a diamond pin by some policemen, and that he departed amidst enthusiastic cheering from the people. Now, I want to know, Whether Mr. Clifford Lloyd has or has not received an appointment from Her Majesty's Government; whether he is still to remain in Ireland; and, if so, whether, under the Constabulary Rules, it is allowable for him to accept the presents to which I have referred?

Mr. TREVELYAN: I have not heard anything about it yet. Certainly, no arrangement has been made by which Mr. Clifford Lloyd will leave Ireland.

Mr. HEALY: I wish to ask, whether Mr. Clifford Lloyd is still a Special Resident Magistrate in Ireland; and, whether he intends to remain there?

Mr. TREVELYAN: He is still a Special Magistrate. I cannot state whether he intends to remain so.

Mr. HEALY: I beg to give Notice that I will renew my Question on this matter to-morrow. The statement that I refer to is made in two Dublin newspapers.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Class V.—Foreign and Colonial Services.

(1.) Motion made, and Question proposed,

> "That a sum, not exceeding £113,300 (including a Supplementary sum of £6,000), be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Expenses of Her Majesty's Embassies and Missions Abroad."

Mr. **JOHN MORLEY** said, he rose with no intention of moving a reduction or otherwise affecting the Resolution which had just been read from the Chair; but it had been understood that the Vote for the Diplomatic Salaries would be the proper occasion for a certain amount of discussion upon the salaries of Sir Edward Malet and his successor, Major Baring. No one would be less willing than he was to make any comment other than that of the warmest agreement and approval upon the commission of Egyptian affairs to hands so competent as those of Major Baring; and he felt particularly unwilling to say a word against any Diplomatic Representative in Egypt, because he accepted and emphasized, as a definition of the policy of Her Majesty's Government in Egypt, the words of the noble Marquess the Secretary of State for War at Darwen in January, when the noble Marquess said that they were to look for the future to the political influence which they ought to exercise in Egypt as springing from the position that they had acquired there, and resting on the ability and the authority of their Diplomatic Representative. It was from no doubt in his own mind that Her Majesty's Government still adhered to the intention which the noble Marquess then expressed, that he (Mr. Morley) ventured to ask the Prime Minister, on Monday last, whether Her Majesty's Government still held to these views. It was rather because the maintenance of their troops in Egypt was made the constant text of those who were partizans of a policy of annexation or a Protectorate; and it, therefore, became essential that those who distrusted a policy of annexation should have it placed upon record that Her Majesty's Government still intended in the ultimate settlement to rely, not upon a military occupation, not upon a Protectorate, but simply and solely upon the moral position they had already acquired in Egypt, and upon the ability and authority of their Diplomatic Representative. The answer which the Prime Minister gave to his Question on Monday night was entirely satisfactory to him, and to the Friends who sat around him. The only doubt that arose in one's mind was, whether, by the same indecision, if he might call it so, which allowed Europe to think that they were not going into Egypt, they might not bring upon themselves new complications, by allowing Europe to go on thinking that they were not coming out? They were now responsible for everything that happened in that country. Whatever went on they got the blame for it—from the payment of dividends, or their possible non-payment, down to the salubrity of the prisons, and even to the cleansing of the latrines. For everything Her Majesty's Government were held responsible by Foreign Powers, and even by many journalists and politicians at home. What he thought was wanted, when he put his Question to the Prime Minister, was a pledge or undertaking from Her Majesty's Government that the troops should be withdrawn when the time and hour were suitable; because so long as they had so much as a corporal's guard in Egypt, for so long it was a symbol of annexation. What were the arguments which had been urged to show that their troops should not be withdrawn? Roughly speaking, they were two. The first was that, if their troops came out of Egypt, some other Power would go in. But there was only one Power which the most excited imagination could conceive as at all likely to go in, and that Power obviously was France. If an European war were to break out, and the English and the French Governments were to come to some misunderstanding, and there were no material obstacles in the way of it, he could suppose that France might be inclined to move. But it was pretty well known that one of the reasons why France did not join us in the original movement last summer was found in her apprehensions and suspicions of, at least, one of her neighbours. He believed that the movement of France upon Egypt would not depend upon our being there or not, but would depend entirely upon larger diplomatic considerations with which our presence there had little or no concern. The second reason—and he admitted that it was a much more formidable one—was that if their troops were withdrawn there was the risk—the undoubted risk—of a rising on the part of the turbulent population of Alexandria. But his contention was that, so far as the general state of the country was concerned, not only now, but for three or four months past, there had been a very general tranquillity — tranquillity which would in time allow the total withdrawal of their troops, the greater number of whom had already silently disappeared. What was the evidence of the state of things at present existing in Egypt? They saw every day the comments in the papers — alarmist rumours proceeding from writers who had all along been advising that England should boldly annex Egypt, and who disapproved of the action of Her Majesty's Government when they intervened on behalf of Arabi. But he looked upon those papers with the greatest suspicion; and he would take instead the words of Lord Dufferin himself, who said in February last—and this was so important that he (Mr. Morley) hoped he might be allowed to read a few lines—who said on the 20th of February last, in a despatch to Earl Granville—

"As far as I can learn, the most absolute tranquillity prevails from one end of the country to the other. Nowhere are there signs of disaffection, or of a desire to revolt against the established order of things."

In April, Lord Dufferin wrote again—

"The moral agitation excited by recent events has disappeared. The material tranquillity of the country is absolute from one end to the other."

And he said further—

"The progress made in the reconstruction of the Army has excited the surprise and admiration of all who have witnessed its evolutions."

There was one other remarkable passage which was written on the 7th of April by Lord Dufferin, and which particularly referred to these European residents, correspondents, and others, in Cairo and Alexandria, who were constantly alarming the minds of the public at home here. The passage was worth reading, because it enabled them to understand the people from whom those rumours spread. Lord Dufferin said—

"On the one hand, the recent experience of these European residents must, undoubtedly, predispose them to take a gloomy view of the future, and to entertain grave misgivings; and, on the other hand, their chief occupation is naturally the promotion of their own material and mercantile prosperity. As a consequence,"

Lord Dufferin went on to say—

"it is not necessary to consider their views as infallible or conclusive."

Lower down, Lord Dufferin remarked, of the American Missionary Society—

"They assure me that they consider that nothing but the continued presence of the British Force for some time longer can insure the tranquillity of Egypt."

That, no doubt, was a view which many hon. Members would maintain that night; but Lord Dufferin went on to say—

"I confess, however, that in spite of the trustworthy source from which they emanate, I cannot bring myself to coincide with all these gloomy prognostics. Considering how the country has suffered from these revolutionary crises there is general tranquillity in Egypt."

It was clear that if the tranquillity of Egypt was to depend upon the continuance of their occupation, that occupation would have to go on for ever. He hoped that the right hon. Member for King's Lynn (Mr. Bourke) would let the Committee have the benefit of his views on the subject, and that the right hon. Gentleman would say when he thought the occupation, which he, no doubt, believed to be necessary, ought to cease and determine. If it was to depend upon the tranquillity of the country, they were not likely to get any better evidence of that tranquillity, nor was there anything likely to lead to a better condition of the country than, judging from the evidence afforded by Lord Dufferin's despatch, the country had attained from February down to the 29th of April. It would, no doubt, be urged that the moment they withdrew their troops, and were content to rely, as the Secretary of State for War had announced that the Government intended to do, upon the authority of Major Baring, that would be the signal for the instant revival of international jealousies and intrigues; and they would again see the Consuls of the different nations plotting against each other, one pushing for this object, and another pushing for that, and all turning Egypt once more into a focus of international rivalry and fierce jealousy among the European Colonies. Well, they had that state of things before; and though, no doubt, it was bad, he did not believe that it was found to be absolutely intolerable; and even if the symbol of annexation—as he had ventured to call the maintenance of the troops—were not withdrawn, these intrigues would go on with precisely the same force and with unabated activity. They would go on in any case. They were not, he supposed, going to exclude the French Consul General. That official would be there as before, but there with this difference—that whereas, for example, Baron de Ring was before recalled, it would be a point of honour with any French Government, if we were there in occupation, that the Baron de Ring of the future should not be recalled, but should receive support. On the principles and in accordance with the policy under which the Government hesitated to employ isolated action last year, he submitted that on the same principles, and in accordance with the same policy, they should now avoid an indefinite prolongation of an isolated occupation. He might be told that if they came out of Egypt—that was to say, that if the 5,000 or 6,000 troops that they still had there were withdrawn—the policy of the Government would have failed. But he submitted, on the contrary, that it was by maintaining their troops there that the policy of the Government would be shown to have miscarried, and their pledges to be falsified. What were the objects with which the Government commenced the undertaking? They were written in a hundred despatches, and had been declared in a hundred speeches. They were—an independent Administration, an autonomous Government, and Egypt for the Egyptians. Every day that their troops stayed there made the possibility of every one of these three things by so much the more remote. It weakened the habit of responsibility instead of strengthening it; it surrounded the Native Government, which they professed to wish to support, with all the odium of the unpopularity which always attended a Government that was supported by foreign bayonets. He would ask what else it did? It inflicted a heavy blow upon the Party in France which, according to his views of politics, it was to their utmost interest to fortify in every direction that they could—he meant the Peace Party in France. For there was such a Party there; and, as those who had followed the events of last July were well aware, it was principally owing to the energetic efforts of that Peace Party—politicians who obtained their influence in the discussions on the Egyptian Question at that moment—that the French Chamber were prevailed upon to abstain from intervention a year ago. That Peace Party acted as they did, no doubt, from other motives as well, but, still, mainly from their firm faith in our protestations, and their conviction of the sincerity of the assurances that we then gave that we were not going beyond an act of international police. How, did anyone suppose, would that Party now feel, when they read articles in the English Press, telling them that we were going to govern Egypt as we governed India. How would they feel when they heard politicians of great importance insisting that we should use our military occupation in order to drive a hard bargain with M. de Lesseps, and make the Khedive set aside an Instrument which our own Law Officers told us was binding: when they heard on every side that though Her Majesty's Government might profess the intention of coming out of Egypt, yet they did not mean it, and if they did mean it the public opinion of this country would not permit it? How could they expect this Party of peace and non-intervention —a Party of the utmost importance for English interests—to thrive in France if they betrayed them, and left them exposed, as they had been for six months, to the taunts of their Chauvinist adversaries as the dupes of Lord Granville's civil words and the spurious professions of the Ministry? There was one phrase in the statement of the Prime Minister on Monday last, which was not in all respects what he (Mr. Morley) should have expected. The right hon. Gentleman, quoting, he thought, from certain expressions in Lord Dufferin's despatch, said they must "avoid the danger of future perturbations." But he (Mr. Morley) would like to know whether there was a single Government in the world that was free from all danger of perturbations? He would like to ask hon. Gentlemen whom he saw opposite (the Irish Parliamentary Party) whether Lord Dufferin's own native land was free from such a thing? To illustrate the view which foreign nations might justly take of the contrast between our proceedings now and what we did a year ago, he might point out that there was a time when we urged the Sultan to restore order in Egypt, and even limited the time within which he was to do it, and to retire from the country afterwards. But did any of them expect that the Sultan would remain there until he succeeded in setting up a good Government? Why, they knew that he was the very last person in the world to undertake a task of that kind. Foreign observers, then, had some excuse if they regarded this new-born anxiety of ours for an ideal perfection of Government in Egypt as something very like a piece of hypocrisy. He (Mr. Morley) could not find, in the earlier history of this Egyptian business, that it was ever contended that they went into Egypt to secure for that country a first-class Government, with all the newest contrivances and manifold improvements of Western civilization. A Government of that sort they had now; they had a new Constitution, which not only gave them universal suffrage and vote by ballot, but even the refinement of the cumulative vote. He thought, however, that in such a country they might be satisfied with something a great deal short of perfection. They might be contented in Egypt with a Government of a lower and simpler kind, and with a much less imposing organization. It was only because Governments in such countries were loose in organization and lower in type that they possessed such vitality as they had. Therefore, it was not by their action in Egypt that they had made anarchy. They found it there, and it would remain there, whether they remained there or not. If they waited until these new institutions had thoroughly ripened, it was perfectly clear that not only months, but years, must elapse before they could make sure whether the new Egyptian Government was going to land safely, or going to be submerged in whirlpools and rapids. Were they never to withdraw until this new Constitutional experiment had been exhaustively tried? If not, they would remain there as long as the Pyramids. There was one point to which he wished particularly to invite the attention of those hon. Gentlemen who were in favour of a Protectorate or of annexation in any shape or form, and that was this. If they were going to set up in Egypt such a Government as they would care to make themselves responsible for in every particular and branch, it would not be a cheap Government; it would have to be so dear a Government that Egypt could not afford it. He might, perhaps, be excused for mentioning a circumstance that happened four or five years ago, when a very eminent Egyptian statesman was in England, and came into contact with an experienced Indian official. The Egyptian statesman was all for annexation by this country, and the establishment of a Government similar to that which they had set up in India; but the Indian official suggested the question of cost, and told him on what principles they governed India—how elaborate the administration, how costly the machinery; and when the Egyptian statesman heard that, he agreed that such an experiment was impossible in Egypt. Indeed, it was a question whether they did not give India, and, perhaps, some other countries nearer home, a much more costly machinery than they could well afford. There had been horrible accounts of the prisons in Egypt—indeed, he had never been more sickened with horror than when he had read those descriptions; he did not let himself forget that 100 years ago all the prisons in the most civilized countries of Europe were in an equally low condition of barbarism. He mentioned this matter of the prisons because he was now submitting that good government would be very dear, and that Egypt had not the money at present to give her people even decent government. What did Lord Dufferin say on the subject?

> "No very considerable improvement in the foregoing state of things will be possible until new gaols are erected. Unfortunately, the Egyptian Government is not at present in a position to embark on the required expenditure."

He (Mr. Morley) would take another instance. Everybody knew that one of the greatest curses that afflicted Egypt was the horrible corruption of its minor officials. From all the evidence, it appeared that this corruption existed because the Judges and official Administrators had such low salaries, and were so ill paid, that they had to live upon bribes. But where was the money to be got to pay them better and more regularly? He would only say, further, that when they heard and read columns of fine language about extending the blessings of Western civilization to a country like Egypt, it ought not to be forgotten that they were not going to pay for it out of their own pockets; and to exact from the Egyptian Government £4 per mouth per man for the English Force in Egypt was hardly the most hopeful way of easing the strain of Egyptian finance. If they were to carry all our Western blessings to Egypt, it was clear that that impoverished country would have to pay for them; and they would be paying for that which they did not want, and did not value. It was notorious that among all the difficulties of Egypt the greatest was the financial difficulty—it was much more financial than either political or military. All the evidence showed that the unrest which preceded Arabi's movement was caused, not by political or military affairs, but by something like an economic crisis. The important passage which the right hon. Member for King's Lynn (Mr. Bourke) quoted in his Question to the Prime Minister, on Monday last, contained, in his (Mr. Morley's) opinion, a most alarming account, both of the present, and still more of the future. He would not read it again; but the point of it was that agriculture was deteriorating; that land was going out of cultivation; and that good observers had come to the conclusion that the productiveness of the soil was actually decreasing. He was aware that this was disputed; but even the risk of such an apprehension being well founded was surely a good reason for studying economy, and for advising the Egyptian Government to study economy also, before any other consideration that they or we could place before them. He would not detain the Committee more than a few moments longer; but he urged that they would incur enormous responsibilities in this matter if they allowed even a corporal's guard to remain at Alexandria or elsewhere in Egypt. In fact, they could not limit our responsibilities in such a case. He would venture to give an instance. There was the Soudan, which, with the territory belonging to it, would carry us something like 2,000 miles South of the Mediterranean. Were they going to undertake even an indirect responsibility for an enormous territory like that? They might look at it in another way. The Soudan was for the moment tranquil; but it was notorious that the inhabitants of that vast region were by no means reconciled to Egyptian misrule, and that the Egyptian Government was hopelessly unable to maintain even a semblance of order there. His contention was that they were making themselves responsible by-and-bye for the Arab population of that vast district—a population that was emotional, superstitious, and fanatical. They had had a Mahdi or "False Prophet" put down there the other day; but there was no security that another would not appear to-morrow, and every probability that he would. The administration of justice was barbarously corrupt and tyrannical, and excessive tribute was exacted. The people could not easily pay up, and in order to get the means they resorted to slave dealing, and if they could not pay up after that they revolted. The taxes of the Government—a Government which they were invited by their counsellors in Cairo, and by some politicians in this country, to make themselves responsible for—were collected by Bashi-Bazouks, who were described in Colonel Shute's Report as swaggering bullies, plundering and maltreating the wretched people under them with perfect impunity. The question, then, which they had to ask themselves was this—were they going to acquiesce in the military occupation of the Soudan, and if they were going to exercise a *quasi*-Protectorate there, should they acquiesce in such a state of things as now existed in that district? If they were to compel the Egyptian Government to retire from the Soudan they would scarcely deserve the name of protectors; they would really become masters; and if they did, the task of governing half India would be child's play compared with the difficulties and embarrassments that would accompany the attempt to introduce even the semblance of order into the Soudan. The fact was that they could not afford to be responsible. He would only make one more remark—he would invite the Committee to recall what happened in the Northern part of the Ottoman Empire some half-dozen years ago, before they went into the Southern part. As everybody knew, Russia went into Bulgaria, and Austria into Bosnia and Herzegovina. He would not go into the history of these two great transactions, nor examine the motives of the two Powers; but he wished to recall what actually happened, because he saw, or thought he saw, a most instructive example in the one case, and a most instructive warning in the other. He thought he saw in the course of the one case exactly what they ought to do, and in the other exactly what they ought not to do; and he felt sure that the same Minister who warned Austria to keep her hands off one portion of the Ottoman Dominion was not at all likely to run any risk of putting his own hands upon another portion of it. He would not discuss whether Russia would have fulfilled her undertaking to evacuate Bulgaria had there been no pressure from this country; but the fact remained that in spite of the bitter assurances of some English politicians that when once she went into the country she would never come out of it, and that Bulgaria would fall into a state of anarchy and be unfit for government—in spite of that, Russia fulfilled her pledge and brought her military occupation to an end. What did Austria do? He had no criticism to offer upon her motives—it would be unbecoming were he to attempt to criticize them. She had her own difficulties, and went in, perhaps, not entirely without compulsion from another side. But what was the result? There used to be a strong Austrian Party in Bosnia; but now there was none. The population hated her laws, resented her schools, and only accepted the rule of her officials with sullenness; finally, the military expense of that occupation was last year £3,000,000 sterling. He ventured to say that they would do well not to impose on themselves an equally thankless burden. The views that he had always held prevented him from being identified with those who said they ought never to go to war, or who said that they might repudiate national responsibilities or shirk all burdens. It was exactly because he felt the weight of those obligations, and desired them to be discharged, that he hoped occasion would be taken to assure Parliament once more—it could not be repeated too often—that they were not going to land themselves in a new series of obligations of great obscurity and enormous magnitude. The risks of withdrawing from Egypt were great—and he recognized them fully—yet he believed that to overrate the possible risks of withdrawal was the surest way to bring down upon themselves the certain disasters of permanent annexation.

Mr. BOURKE said, it was always very agreeable to listen to the hon. Member for Newcastle, because he treated the subject with which he dealt in an extremely fair and candid manner. On the present occasion the hon. Gentleman had made no exception to the rule; but he had been thinking, during the hon. Gentleman's speech, that one might fairly ask him this question—"Why did they go to Egypt at all?" The hon. Gentleman had shown conclusively that they had incurred enormous responsibilities; and the only question that seemed to stand between different Members of the House was this—"How could they best exercise those responsibilities which they had most decidedly undertaken?" When the hon. Gentleman described the state of anarchy which did exist in Egypt, he seemed to have forgotten that the state of anarchy existing at the present moment seemed to be much worse than it was before, and everybody who took an unimpassioned view of the subject must admit that that was the case. In point of fact, it must be so, because the effect of the intervention of Her Majesty's Government in Egypt had been to sweep away a great deal that existed before, and, among other things, to sweep away many institutions which were doing a great deal of good, and which promised to do a great deal more. He need not mention what those institutions were; but they must all remember a good deal of what had been said for and against the Control. The Control was not an institution which anyone would have chosen to set up; but they had abolished it, and left nothing in its place, and Egypt would be left in a much worse position now than she was in before if they did not set up something in place of the Control they had abolished. The hon. Member for Newcastle had spoken about the cost of governing Egypt if they undertook to govern it in the same way that they governed their Indian territory. But the hon. Gentleman went a little too far in his declarations on that subject; because he (Mr. Bourke) was not at all certain that even if Egypt were to be governed upon the same principles as those upon which India was governed—he was not at all certain that the expense need be anything that anybody need be afraid of; but, on the other hand, he was quite certain of this—that if Egypt were well governed the resources of the country would improve so much and so rapidly that she could afford before long, over-taxed as she now was, to pay even a still greater price for a good administration. They all knew very well that if a larger amount were spent upon the good administration of any Eastern country, the poor people would have to pay even less than they paid now for a very poor administration. Let them take Turkey and Egypt as examples. They knew very well that the poor people in those countries were impoverished by the enormous sums which they had to give in bribes, owing to the corrupt administration of the State; and, therefore, if one of those countries were to cost a great deal more than it did at present for better government, he did not think the people themselves would be worse off —on the contrary, they would really be very much better off. The hon. Member for Newcastle had quoted many passages from Lord Dufferin's despatch; but, if the hon. Gentleman would allow him to say so, he (Mr. Bourke) did not think the hon. Gentleman had been quite candid in the use he had made of that despatch, in which Lord Dufferin spoke of the great tranquillity of the country. The hon. Gentleman seemed to argue that as the country was tranquil, in the opinion of Lord Dufferin it was, therefore, time for them to leave. But anybody who read the despatch must come to the conclusion that that was exactly the reverse of anything said by Lord Dufferin. The noble Lord showed that the country was tranquil; but, instead of drawing the conclusion which was drawn by the hon. Member for Newcastle, any sensible man with a candid mind must draw the very opposite conclusion, because he would ask—Why was the country tranquil?—and the answer was obvious; because they had introduced a certain amount of order there. They had not only a large Army there, comparatively speaking, but officials in every branch of the administration. The hon. Member seemed to attach a great deal of importance to the withdrawal of their Army; but he said nothing at all about the withdrawal of their Civil servants, who were in every branch of the administration; and, so far as the responsibility which this country had undertaken was concerned, they were just as much responsible for the government of the country as long as their Civil servants were employed in the administration as they were responsible so long as their Army remained in Egypt—in fact, he should say that, so far as Parliamentary and political expediency went, they were a great deal more responsible in the first case than in the last; because everybody knew that an Army of Occupation could do very little either in favour of or against the good administration of a country; whereas Civil servants did a great deal. The hon. Member did not lead them in the least degree to suppose that he was in favour of a policy that would remove their Civil servants who were now in the pay of the Egyptian Government. It was needless to remind the Committee that those who sat on the Opposition Benches had always been opposed to the policy which led to the Egyptian War, and to the Egyptian War itself. They had always opposed it, because they thought it was unnecessary. [*A laugh.*] The late Under Secretary of State for Foreign Affairs (Sir Charles W. Dilke), who always spoke with great authority on this subject, seemed to laugh at the notion that the Opposition opposed the war as unnecessary; but the fact was that they never used any language except language of that kind in that House, and certainly the Government had taken very good care to give them as few opportunities of discussing the matter as possible, and the events which led to that war. The Committee would remember that it was not until the Vote of Credit was asked for that they were allowed to discuss the subject. The fact remained that the Opposition were opposed to the war, because they saw very well that it would entail enormous responsibilities;

and they believed that if those responsibilities were undertaken by England, they would, in all probability, have questions arise with regard to Foreign Powers which at that time would certainly have been found extremely inconvenient. He did not wish now to raise any question with respect to difficulties with Foreign Powers—it would be time enough to deal with anything of that sort when it came prominently forward. No person who had had anything to do with the government of a country would wish to anticipate in any way such questions as that. But, much as the Opposition did oppose the policy of Her Majesty's Government which led to the Egyptian War, he was sure that they never denied that the course of events which led to it would, if properly guided, be in the end a great benefit, both to Egypt and to England; and he thought that even now, if the Government acted with firmness, with discretion, with prudence, and with statesmanship, they might do a great deal to justify the war which they unnecessarily undertook. Nobody could deny that they undertook that war in opposition to everything they had said with respect to foreign intervention whilst they were in Opposition. But if they were allowed to accept these responsibilities he thought it was necessary that the Government should tell Parliament exactly what it was that they were going to do. It was the duty of Her Majesty's Government to tell Parliament whether or not they were going to follow in the steps of Lord Dufferin's despatch — that able production which went so minutely into all the details of every branch of the administration. It was essential that the House should know that; because if Lord Dufferin's despatch meant nothing more than a dream of the "Arabian Nights"—a dream for future generations—the Government were almost trifling with the House and with the country in putting that despatch before them. The hon. Member for Newcastle had referred to the long Question which he (Mr. Bourke) addressed to the Prime Minister on Monday night; and that Question gave those portions of Lord Dufferin's despatch in which, after going through a most elaborate description of all branches of the administration, Lord Dufferin clearly pointed out that these reforms would all be perfectly useless if British protection were withdrawn from Egypt. That, then, was the question for the House to decide. The hon. Member for Newcastle seemed to think that if the Army were withdrawn from Egypt —which was a very vague term which did not seem to take into account their Civil servants — their responsibilities would cease. Well, if that was to be the case, at all events Parliament should know what was going to be done. But if they were to go upon the lines of Lord Dufferin's despatch it was perfectly clear that the sooner they accepted their responsibilities the better, and the sooner that Foreign Powers knew what their position was to be the more likely they would be to have peace in Europe. As to the Egyptian people, who, after all, ought to be their first consideration—he was sure they had been with him, for he had endeavoured, in his humble way, to approach these questions with the view of seeing what, after all, was best for the Egyptian people — everybody knew that if these people were to be told that they were to produce these autonomous institutions, and to work out their own salvation as best they could, the whole thing would collapse in a very few weeks. Lord Dufferin had pointed that out in far better language than he (Mr. Bourke) could use. He was quite sure that the hon. Member for Newcastle, who so worthily represented a large section of the Radical Party, would not acquiesce in their leaving Egypt under circumstances in which, if they did leave the country, they would leave nothing behind them except the ruins of Alexandria, and a paper Constitution, thrown at the heads of the people, which really meant nothing at all. He wished now to say a few words as to the attitude of Her Majesty's Government. From the first, in answer to all Questions put to them about Egypt, they had ostentatiously put it forward that it was the Egyptian Government, and not the British, who were responsible for the events which were now going on. He was sorry to say that that was nothing but hypocrisy on the part of Her Majesty's Government, and hypocrisy by which nobody could be deceived. In the Egyptian administration, there was nothing but a dummy at the head of every Department. There was a dummy Finance Minister, a dummy

Prefect of Police, a dummy Minister of Justice, and dummy Judges, a dummy Minister of Public Works, and a dummy Commander-in-Chief. It was, therefore, hypocrisy on the part of Her Majesty's Government to say that, with such an administration as that, the Egyptian Government were really governing Egypt. They had European officers in every Department; and what he wanted to know was, whether these European officers were to be withdrawn, because their responsibility would remain just the same —the same morally, and far more politically—if they withdrew the Army and left them in Egypt. Another subject on which he would like to say a word was the despatch of Lord Granville respecting the Suez Canal. He would not read the proposals made by Lord Granville, which amounted, practically, to the neutralization of the Canal; but if they wanted to be in Egypt for the purpose of obtaining that, they had gone to war for a very unnecessary object, for they certainly might have obtained it without going to war at all. The subject had been before the Powers for the last 12 years, and it was a subject which the late Government certainly thought they had better leave alone. He was very much puzzled to think how the arrangements proposed for the future neutralization of the Suez Canal were to be carried out. In the first place, it would be impossible to say who was to carry them out; and, certainly, if the Egyptian Government were to be saddled with a responsibility which it could not fulfil, it would necessarily devolve upon us. He must also remind the Committee that these Treaties were exceedingly vague; they not only diminished their power in time of war, but they increased their responsibility in time of peace. Therefore, he hoped Her Majesty's Government would pause before they gave effect to the Treaty which had been shadowed forth in one of the despatches. He had no hesitation in saying that, in his opinion, it might become the imperative duty of England, as a matter of self-preservation, to violate that Treaty to-morrow, and he did not think that anyone would deny the truth of that proposition. Certainly, if the circumstances were to take place over again which took place last year with regard to the opposition given to their Fleet in the Suez Canal it would be the duty of the English Government to take that course. That was a strong expression; but he hoped that the common sense of it would approve itself to the Committee. With regard to the salary of Major Baring, he had nothing to say, and he was certainly not going to move any reduction of the Vote. He had no doubt the Government had exercised a wise choice in their selection, and he would only remark that the strongest man in their Diplomatic Service should be sent to Egypt; because all Lord Dufferin's experience went to show that it only required a master hand and a master mind to make everything they wished with respect to the Government of Egypt to go smoothly. If Egypt was to have the great blessing of Constitutional Government, that result could not be arrived at by the policy of leaving the people to themselves, which would only lead to disaster. The only hope of Egypt obtaining Constitutional Government was by their keeping in the country for the present, and taking Egypt under their protection, and by showing, both to the Egyptian people and to Foreign Powers, that they could not allow any interference between them and the Egyptian people in carrying out those reforms which everyone in this country desired to see effected.

SIR CHARLES W. DILKE said, before he replied to the extremely interesting and valuable speech of the hon. Member for Newcastle (Mr. Morley) it was necessary that he should make some observations in answer to the right hon. Gentleman who had just spoken, and who had addressed the Committee in a speech which he could not fancy would be considered very judicious by those who belonged to his Party. Of course, it was not for him to consider the effect of that speech on the Conservative Party in the House of Commons; but certainly he should be inclined to doubt whether the whole of that Party in the country would give their adhesion to a speech which had fallen very little short, if at all, of a proposal for the annexation of Egypt. According to the right hon. Gentleman, Her Majesty's Government had swept away from Egypt a large number of institutions which had existed, and which had preserved the country against anarchy. The hon. Member for Newcastle (Mr. Cowen) cheered that statement; perhaps he could tell the Committee what those institutions were which had been swept away. The only one selected for mention had been the institution of the Dual Control; and in spite of the good which, in certain respects, had been done by it, the right hon. Gentleman himself appeared to throw some doubt on the value of that institution had they been starting it afresh; and he spoke of it as an institution which no one would care to set up. But he (Sir Charles W. Dilke) was under the impression that the Dual Control had been set up by the Conservative Party; and if it had not been invented by the right hon. Gentleman and his Friends he could not conceive how it came into existence at all. [Mr. BOURKE: The right hon. Member for Ripon (Mr. Goschen).] The right hon. Member for Ripon! The Dual Control had been altered from an unofficial Control by the late Government into an official Control; the British Controller to be named from that time forward by the British Government; and it was that re-creation of the Dual Control which, according to his right hon. Friend, no one would care to set up again. The Dual Control, in the form in which it was best known to the House of Commons, was an institution for which he believed the country held the late Government entirely responsible, and for which Her Majesty's Government held them responsible. The right hon. Gentleman said that they had swept away that institution without having put anything in its place. He would not press him by asking what he meant by the other institutions which Her Majesty's Government had swept away; but in the latter portion of his remarks the right hon. Gentleman spoke of the character and authority of their agents, by whom they and the Egyptian Government were served, saying that Egypt was safe in their hands, and yet he told the Committee that Her Majesty's Government had substituted nothing for the Dual Control. He went on to speak of their governing Egypt on the principle on which their Indian territory was governed. Well, in one sense, no doubt, it might be for the benefit of all less civilized people in the world that they should be governed by them. The right hon. Gentleman said the happiness of the Egyptian people should be the first consideration with us, and that it was in their interests that he advocated the government of Egypt on the principles referred to. No doubt they could produce a more effective administration if they exercised more care than was usually exercised; and, no doubt, they could produce a cheaper administration; but that was scarcely a reason for violating every pledge that had been given, and for taking the administration into their own hands. Not only would that, in the opinion of Her Majesty's Government, be an insufficient reason, but they believed that the act itself would be contrary to the true interests of the country at the present time. Lord Dufferin's despatch (No. 13) had been quoted by the hon. Member for Newcastle, as well as by his right hon. Friend, with approval. That despatch, however, had led each of those hon. Members to an entirely opposite conclusion; it led the hon. Member for Newcastle to the conclusion that the policy of the Government should be carried into effect; but the right hon. Gentleman opposite said that the despatch in question would lead every intelligent person to a conclusion opposite to that which the hon. Member for Newcastle had drawn from it—that was to say, it would lead to the conclusion that their troops should remain in Egypt. Now, if every intelligent person would draw that conclusion from the principles laid down by Lord Dufferin in his despatch, Lord Dufferin himself was certainly not one of those intelligent persons, because he supported the policy of Her Majesty's Government, and he had been a party to that policy throughout, which was the steady reduction of the Forces in Egypt, with the view to their ultimate withdrawal. The right hon. Gentleman had told the Committee that the Conservative Party had always opposed the Egyptian War, and that they never held any other language in that House. He was quite willing to admit that the right hon. Gentleman himself had never held any other language; but the Members of the Party with whom he ordinarily acted had done so, in words that had been quoted over and over again, and which were repeated in a speech delivered by the Marquess of Salisbury at Willis's Rooms. At that meeting, which was held before the operations in Egypt began, the Marquess of Salisbury, in the strongest terms, declared it to be the duty of the Government to conduct those operations with vigour, to which the right hon. Gentleman now said he had been always opposed. The only point on which he cordially concurred with the right hon. Gentleman was that the happiness of the Egyptian people ought to be their first consideration; but as the right hon. Gentleman had said, with regard to Lord Dufferin's despatch, that any intelligent person would draw from it a conclusion different from that of the hon. Member for Newcastle, so he (Sir Charles W. Dilke) must draw an opposite conclusion from the phrase of the right hon. Gentleman from that which he drew himself. In almost the last words of his speech, before his right hon. Friend came to the few sentences about the Suez Canal, with which he concluded, he asked whether all the European officials in Egypt, upon whom he said the government really rested, were to be withdrawn, and that at once? He (Sir Charles W. Dilke) had heard no such proposal from the hon. Member for Newcastle as that all the servants of the Egyptian Government who happened to be Europeans were to be withdrawn; and, although it was not for him to put a statement into the mouth of the hon. Member, he probably shared the opinion that there were too many European officials in Egypt, although he would not pick out for withdrawal those able and intelligent men who were at the head of the Departments of Egyptian administration. What he understood the hon. Member for Newcastle to advocate was not the withdrawal of those officials, but the withdrawal of the British troops. The right hon. Gentleman concluded his speech by a passage referring to the Suez Canal; and the point of his declaration appeared to be that if Lord Granville's principles had been carried into effect, we should, in the operations of last year, and in any future operations in Egypt, be violating the neutrality of the Canal. We should be doing nothing of the kind. He would point out, however, that the Khedive himself had power to exercise authority over the Suez Canal. [Mr. BOURKE: That is a fiction.] Whether it was a fiction or not, that was the view taken, not only by the British Government, but by other Governments with regard to the operations of last year. The Government of Germany had consistently maintained its refusal to pay dues for its men-of-war which used the Canal during those operations for police purposes; the view of the German Government was that, if any question of war arose, vessels of war were exempt from the ordinary restrictions imposed on vessels which used the Canal at other times. He now passed to the extremely able and valuable speech of the hon. Member for Newcastle, on which, perhaps, he might be allowed to congratulate, not only the hon. Member himself, but the House of Commons. In that speech he found very little to which, personally, he could not agree; but there were, perhaps, two or three points to which exception might be taken. The hon. Member had used the word "indecision" with regard to the policy of Her Majesty's Government in the matter of the withdrawal of British troops from Egypt, and he asked whether their retention depended upon the tranquillity of the country. In one sense it did; but it had always been put forward by Her Majesty's Government that they were neutral, and acted through the Egyptian Army or Police to maintain that tranquillity. The hon. Member said nothing else than that in the course of his main argument; he asked whether the British Army would be withdrawn from Egypt when the time and hour were suitable. That was the declaration which the Prime Minister had made a short time ago; and, putting aside any difference there might be on points of detail, that was the main policy advocated by the hon. Gentleman, and Her Majesty's Government were perfectly prepared to adopt that main line of his argument. The hon. Member pressed for the steady reduction of the British Forces in Egypt; he did not press for their immediate withdrawal, but their ultimate withdrawal from that country, and on that point Her Majesty's Government were entirely agreed with the hon. Member. The position taken up by Her Majesty's Government had never varied during the last 13 months. When the British troops were sent to Egypt, under the pressure of overwhelming necessity, Her Majesty's Government stated that it was their duty to restore settled government in that country. The policy of Her Majesty's Government might be summed up in the words of Lord Derby in a speech delivered last winter, when the noble Lord said—

> "We have no business in Egypt a day longer than is absolutely necessary to restore order there."

and he pointed out to the Committee that, in the phrase "restoration of order," the noble Lord included the leaving of tranquillity behind. On the 29th of September the Government addressed to the Agent in Egypt a despatch, which had been laid before Parliament in February last—page 32, Blue Book No. 2 of the present year. In that despatch they laid down no new departure; but they said that the British Force of 14,000 men was to be brought down to 12,000 men at once, and was to be reduced from time to time in view of the formation of a Native Force ready and able to take its place. That was the policy of Her Majesty's Government as set forth in the despatch on the military question. In February last the noble Marquess the Secretary of State for War, who, during the absence of the Prime Minister, was acting as Leader of the Liberal Party, explained that despatch to mean that their Forces would remain in Egypt until a new Egyptian Army, organized on a moderate, but at the same time on a scale sufficient to undertake the defence of the country, was established, and that, as soon as that work was accomplished, it was the intention of the Government that the British Army should not remain in Egypt. On the 15th of February the noble Marquess again stated the policy of Her Majesty's Government to the House in the debate on the Address to the Throne, when he said that he trusted the British occupation of Egypt for the purpose of preserving the tranquillity of the country would not be prolonged. The Secretary of State for War had been sometimes blamed for naming a definite period for the withdrawal; but his noble Friend had repeatedly shown that the declaration as to the number of months was entirely misunderstood; at all events, the circumstances under which that statement was made had been clearly explained to the House. The declarations of his noble Friend were exactly similar to the declarations made by all the Members of Her Majesty's Government, and conformable to the main doctrine set forth in their despatches. General Wood had been organizing in Egypt a Force which, although not yet completely organized, was becoming extremely efficient, and had been declared to be entirely satisfactory by those who had seen it on parade. Whilst that Force had been organized, the British Army had been steadily reduced. It was reduced from 13,840 men, the number at which it stood when Parliament met, to 6,763; and, therefore, his hon. Friend was fairly right in the figures he employed. The British Force had been reduced during the period he had mentioned to little more than one-half of its strength, and the cholera had alone prevented its further reduction. Had it not been for that, Her Majesty's Government would have reduced the Force in Egypt to less than 6,000 men by the present time. Now, that course of steady reduction was the course which Her Majesty's Government intended to pursue, and it was that which had arisen out of their declarations on the subject during the last 13 months. They had great confidence in the character of the Force commanded by General Sir Evelyn Wood, and Her Majesty's Government believed that by November next he would have one regiment of Cavalry, one battery of Artillery, and eight battalions of Infantry, with which he would be able to answer for the tranquillity of the capital. At all events, the reduction was likely to be rather accelerated than the reverse; and they hoped that before the winter a further large reduction would be effected. Their policy, therefore, was the same as they explained in July, when they went to Egypt; the same as it continued after the operations were over, and was absolutely consistent with the speeches made by the various Members of the Government during the Recess and afterwards, and the same as was recommended in the despatches which had been laid before Parliament. He could assure his hon. Friend the Member for Newcastle that the word "indecision" which he applied to the policy of the Government in respect of the withdrawal of the British troops from Egypt was undeserved. There had been no indecision; there had been no reconsideration of the principles which had guided them, because there was no necessity for such reconsideration. It was the opinion of agents of the Government that the policy of reduction of the British Force was wise and prudent as well as inevitable—inevitable, because to refuse to reduce the Force after the Egyptian Army had been formed would be to violate every pledge they had given to Parliament, and through Parliament to the whole of Europe. He had said thus much with regard to the reduction of the Force, and it was not necessary for him to say anything with regard to its withdrawal. His hon. Friend knew that he was not himself prepared, at the present time, to advocate the immediate withdrawal of the troops. It was not possible for Her Majesty's Government to speak with regard to months or any specific time, and the only statement he could make was that which had been made so often before—namely, that they would not keep the Forces in Egypt longer than it was absolutely necessary to keep them there; for to do so, in their opinion, would be a breach of their pledges, as well as a violation of sound policy. Nor would they, on the other hand, actually withdraw their troops from Egypt until they were sure that the conditions which they themselves had laid down had been fulfilled. He need only say, in conclusion, that he could not adopt the hopeless view expressed by the right hon. Gentleman opposite, that the withdrawal of the British Forces would be followed by that anarchy which the right hon. Gentleman dreaded. He agreed with him that the happiness of the Egyptian people should be the first consideration with Her Majesty's Government in their policy in Egypt. It was the policy of this country that there should be order and peace in Egypt; it was almost a necessity that that should be the case; and Her Majesty's Government believed that by the policy they were advocating and steadily pursuing they were reconciling the interests of this country in the maintenance of peace and order in Egypt with the happiness of the Egyptian people.

SIR H. DRUMMOND WOLFF said, he should not endeavour to reduce the Vote for the salary of Major Baring, because he considered the choice of the Government with respect to that gentleman was most fortunate, he being one of the few men who were able to cope with the difficult position of affairs in Egypt. What he did object to was that Major Baring was not invested with any higher functions or character than that of Consul General. It was, unfortunately, the case that on some occasions the Consul General came into collision with the Controller; and he wanted to know whether it was intended to appoint a Financial Adviser to the Khedive; and, if so, what his relations would be to Major Baring?

SIR CHARLES W. DILKE said, there would be a Financial Adviser.

SIR H. DRUMMOND WOLFF remarked, that there had been one before.

SIR CHARLES W. DILKE said, it would be the same person.

SIR H. DRUMMOND WOLFF said, he was sorry for it. He thought it would be most unfortunate that there should be an English officer attached to the Khedive as Financial Adviser, as it would probably lead to a collision between the English officials in Egypt. When Mr. Cave was sent out in the first instance to advise the Khedive, the first thing that occurred was a quarrel between him and Colonel Stanton. Colonel Stanton felt himself perfectly independent of Mr. Cave, and gave such advice to the Khedive as entirely ruined the Mission of Mr. Cave. Then, again, it was well known that Sir Rivers Wilson and Mr. Vivian were not agreed upon matters of policy in regard to Egypt; and they could not help noticing, from the Correspondence which took place previous to the war, that there were certain points on which Sir Edward Malet and Sir Auckland Colvin were not agreed. Then, why should they repeat the same experiment now which had been so disastrous on three previous occasions? It appeared to him to be utterly hopeless to expect any good result if they were to send out two officers who were to be co-existent in Egypt at the same time. Two such officers occupying such positions could not exist without coming, some time or other, to a dissension, which dissension must inevitably be damaging to their policy in Egypt. He would go even further. He thought that the very position of Consul General was a distinction too low for the functions to be discharged by Major Baring. By the ordinary rule of diplomatic etiquette he would come below other Consul Generals occupying the same position; and the fact that he would hold an official dignity lower than that of their Representative in Sweden and other small countries would considerably damage his reputation in Egypt. His

(Sir H. Drummond Wolff's) impression was that he should be called a High Commissioner, which was a designation that would separate him from the ordinary run of Consul Generals, and insure him the respect given in that country to official dignity. The hon. Gentleman the Member for Newcastle (Mr. Morley) had impressed upon them very much the desirability of retiring from Egypt, and the right hon. Gentleman the President of the Local Government Board had declared that they should withdraw from Egypt gradually, and that their ultimate retirement was to depend upon the institutions they prepared for preserving peace and order in that country, as peace and order were all they required. The right hon. Gentleman the Member for King's Lynn (Mr. Bourke) had rightly said that they ought to consult the happiness of the Egyptian people. Would they consult that happiness if they handed them over to a Government supported by an army of Turks and Circassians? Such a course could only lead to the perpetuation of a system of rule which had subjected the Egyptian people to debasing, degrading, and hideous tyranny in the past. Nothing could be more terrible than the position which the Egyptian Fellah had occupied for centuries. He had been systematically plundered and robbed by his rulers; and he (Sir H. Drummond Wolff) wanted the Government to tell the Committee what they intended to do to establish some system by which the Egyptian Fellah could live in decent comfort and freedom. The hon. Member for Newcastle said they could not expect to give to Egypt all the civilizing institutions which they possessed in this country; but if they were to give them any liberties whatever, when were they to begin to confer them upon them? When was the initial step to be taken? If they merely retired when Sir Evelyn Wood's Forces were strong enough to maintain the Government of the Khedive they might retire at the moment when they should be handing over this unfortunate people to one of the worst tyrannies that had ever existed. Lord Dufferin had sketched out certain popular institutions; but, as they were not yet in operation, it was not his (Sir H. Drummond Wolff's) duty, to criticize them. Lord Dufferin had proposed certain initial steps which were to be taken for the benefit of the Fellaheen and people of Egypt, and he supposed that at some time something would be done to give effect to Lord Dufferin's proposals. But would the Government undertake not to retire from Egypt the moment Sir Evelyn Wood's Forces were strong enough to maintain the power of the Khedive; and would they undertake not to abandon the country until they had placed the liberties of the Fellaheen upon a satisfactory footing? He did not expect that they were to give to the Egyptians a House of Commons, or those wide liberties which existed, fortunately, in this country; but they were to give them, at all events, such liberties as would preserve them from personal torture—some guarantee that they would not be robbed of their property; and they would be committing a political offence if they withdrew their troops before they had placed the country on a footing of law and order which they were satisfied would be permanent. The next point to which he wished to refer was the position of this country in Egypt towards the Sultan. He was more anxious to touch upon that point, because his noble Friend the Under Secretary of State for Foreign Affairs, some time ago, alarmed him by an answer which he gave upon that subject. He had asked the noble Lord whether he would produce a document, which had never yet been submitted to the House —namely, the Note addressed by the Porte to this country and to France in 1863, on which Note an appeal was made to the Emperor of the French, and the final award was given by him on the question of the Suez Canal? His reason for asking for that Note was, he thought, of some importance, both to their interest in the future government of Egypt, and still more in regard to their relations with the Sublime Porte. In 1863, the Sublime Porte consented to the concession of the Sweet Water Canal; but in view of the fact that it might be a menace against the independence of the Porte, and an interference with the regulations in reference to the furnishing of workmen, the Porte addressed a Diplomatic Note to its Representative in London in regard to the works connected with the Canal. Now, he (Sir H. Drummond Wolff) thought everyone must agree that the intervention of the Porte at that time in the continuance of the works of the Canal was a most valuable intervention, not only as regarded the rights of the Porte, but in the interests of civilization; because it put an end to the concession of forced labour which M. de Lesseps had obtained, a concession which, if carried out, would have been to the great injury and cruel treatment of Egyptian workmen. But, at the same time, the Porte declared that the large margin of land accorded to M. de Lesseps—including, as it did, Port Said, Ismailia, as well as the Port of Suez—was giving a great strip of country to French officials which might hereafter become most menacing to the Ottoman Empire. His noble Friend the Under Secretary of State, when he (Sir H. Drummond Wolff) asked for that Paper, said it was unnecessary to produce it, as the circumstances under which it was written, and the conditions, had been changed by the Firman of 1879. That Firman of 1879 was issued with a view to enable the Khedive to conclude Conventions of Commerce with other States. But it appeared to him (Sir H. Drummond Wolff), on looking at the original Note, which he had in his possession, although it had not been published, and on comparing it with the Firman of 1879, that that Firman in no way altered the conditions under which that Note of 1863 was written. According to the Note of 1863, the Porte considered the concessions of M. de Lesseps dangerous to its independence; and he (Sir H. Drummond Wolff) did not think the Firman conferred on the Khedive any right to give the concession of a second Canal, inasmuch as such a concession would be practically interfering with the Sovereign rights of the Porte. The Firman of 1880—published in Egypt, No. 1—said, amongst other things, that having given to the Khedive the right to enter into Commercial Treaties the Khedive would not be able, under any pretext or motive, to abandon to others, even temporally, the privileges accorded to Egypt which were confided to him, and which were privileges inherent in the Sovereign power of any part of the territory. He thought his noble Friend, when he gave him that answer, must have misapprehended the full force of that Firman, or he would have given it more force then he did. He (Sir H. Drummond Wolff) should have thought that in any question of a new Canal through the Isthmus of Suez, the right to make such a Canal could not be conceded without the sanction of the Porte. The answer of his noble Friend implied that the sanction of the Porte was not necessary. He hoped that was not the view taken by the Government; but he thought it would be well to have the point explained, because if the Government did take up that position, it would be a most dangerous one, not only injurious to the Porte, but one that might lead to great complications. It must be recollected that if they endeavoured in any way to put aside the rights of the Porte over any part of its territory, it was not the Porte alone they would have to deal with, but other countries, who would be glad to assume such a pretext for taking the part of the Porte against this country. From the speech of his right hon. Friend the President of the Local Government Board, he understood the Government had determined not at present to remove their troops from Egypt; but they had put a certain varnish upon their words by promising that whatever was done was to be done gradually. If they postponed their departure from Egypt until Sir Evelyn Wood was able to secure free institutions in that country, he thought it would be a long time before they went, and that, he could help thinking, was the real intention of Her Majesty's Government. They all knew that there were supporters below the Gangway as well as above it, and the Government were very much divided in their allegiance to the wishes of different sections of their own followers. But he hoped the Government would not sacrifice the position they had obtained, both internationally and in regard to the interests of the country, simply to some sentimental cry. Having taken the position which they now occupied in Egypt, they were bound to look to the interests and the happiness of the Egyptian people as well as their own interests. The hon. Member for Newcastle (Mr. Morley) told them that if they did such and such a thing, they would offend the susceptibilities of the French people. But surely the French people had not much regard for the susceptibilities of others when they took possession of Tunis, and secured a paramount influence in Syria. Surely it was to their interest to prevent the Mediterranean from being turned into a French lake. When they left Egypt, they should leave it only when the happiness and interests of the people of Egypt were secured; and they should at least see that their influence in that country should be, if not paramount, at least on a footing equal to that of France.

Mr. JOSEPH COWEN said, he entirely agreed with what had been said by his hon. Friend the Member for Portsmouth (Sir H. Drummond Wolff) respecting the authority possessed by the Khedive to grant concessions for the construction of Canals or Harbours. He believed the Khedive could not give any such concessions without the approval of the Sultan. The Khedive had certain powers of government in Egypt; but the right of disposing of Egyptian territory was vested in the Suzerain. He would cite a circumstance, which the Committee might not be generally aware of, that would bear out this opinion. Last year the King of Abyssinia sought to obtain from the Khedive—through the intercession of the English Government—a harbour on the Red Sea. We used our authority with the Khedive to obtain this concession. It was granted, and Massowah was accorded to the Abyssinian King as the seaport he desired. But the Sultan declined to confirm the concession; and, as a result, the King of Abyssinia did not get the port which he wished for, and which the Khedive and the English Government were willing to grant him. These facts justified the contention of the hon. Member for Portsmouth that the Khedive, of his own motion, had not the power, even if he had the wish, to grant any concession for the making of a second Canal between the Mediterranean and the Red Sea. But to recur to the subject more immediately before the Committee, he wished to say that he thought it was a question on which the least said the better. The Government occupied a peculiar position, and consideration ought to be shown them. They were assailed from one direction by a section of their partizans, and they were pressed on the other by a section of the English people. On one side there were Party pledges; on the other side there were British interests; and they very naturally hesitated as to the course they should adopt. The Prime Minister made, on Monday night, a statement which could be justly described as remarkable. It had the merit of pleasing everyone. It satisfied those Gentlemen who wished the Government to retreat from Egypt, and it satisfied those who wished them to remain. Nothing could be better than that. He, for one, was willing to allow matters to rest there, and neither by vote nor speech precipitate the Ministry into any course of action that they did not feel at the moment willing to adopt. The Prime Minister used a very happy phrase on the occasion in question. He said he would "adjust the balance of expression;" and as everybody was pleased with the adjustment, nothing further need be said. His hon. Friend and Colleague wished the Government to abandon Egypt. He dared say the Premier and some of his brother Ministers—perhaps all of them—were not unwilling to do this. But whether they could do it or could not was a different thing. Circumstances were often stronger than men—even the strongest—and the circumstances in Egypt, he believed, were such as would compel them to remain there. He, for one, objected to their going to Egypt. As far as his small influence was concerned, he used it to prevent their going. But the war having been entered into, Egypt having been beaten, a state of anarchy having been produced, it would be almost criminal to abandon the people to the confusion and misery into which our course of action had plunged them. Of course, it was a matter of opinion; but he had a strong belief that we should never retreat from Egypt. There would always be some pretext to keep us there. At one time it would be the better organization of the police; at another time the cholera; and at another time some other reason; but the date of our retreat would recede, like the poet's north, as time advanced. They might lessen the number of troops—probably would do so, and that soon. They might alter their place of location, and leave only a corporal's guard at Alexandria. But if they did take the troops away they had Cyprus at hand. That much-disparaged possession was nearer to Egypt than any French port; and he had a strong conviction that whenever the English authority in Egypt was in danger, troops—if we had not any or sufficient in the country at the time—would be drawn from Cyprus or elsewhere. This was a mere opinion; but he thought that Egypt was now, and would continue to remain, as much a portion of the British Dominions as India was. His hon. Friend had set before them the cases of Russia and Austria in European Turkey, and had counselled the Government to follow the example of Russia when she retreated from Bulgaria, and not of Austria when she retained possession of Bosnia and Herzegovina. The illustration did not cover the whole case, as Russia was driven from Bulgaria. She never would have left if the Indian troops had not been brought to Malta, if the English Fleet had not gone to the Sea of Marmora, and the £6,000,000 had not been voted by that House to resist her aggressive designs. But even as it was, although Russia had retreated in form, it was very doubtful whether she did not still hold a predominating influence in Bulgarian counsels. And as for Austria, it should be remembered that she occupied Bosnia after the Treaty of Berlin, and as a consequence of that Instrument. We could not deal with Egypt in the same way as Bosnia and Bulgaria had been dealt with. The conditions were altogether different. What did they propose to do in Egypt? Let them look straight at the proposals of the Government. They proposed to set up a modified form of Constitutional rule there. Alongside of the Khedive we were to have a British Representative. He was to be nominated by the Khedive, but sanctioned by England. If he was not approved by England, he could not be appointed. He had to have absolute control over the finances, and control of the finances in Egypt meant an absolute mastership. The theory was that he had to advise the Khedive in all difficulties; and the Khedive in his turn was to rule through responsible Ministers. Perhaps the plan might work. Perhaps it might not. Suppose the Khedive was submissive, suppose his Ministers were obedient, suppose the Legislative Council was tractable, suppose the Army did not mutiny, and suppose the people did not rebel, then possibly the Governmental machinery would run smoothly enough. But suppose any one of these contingencies occurred, what then? Suppose the Army did mutiny, and the people did rebel, where would our Agent be if he had not troops to enforce his authority and restore order? Power in Egypt, as in all other countries, rested in the last resort in the Army. He did not believe in the theory of a combined Eastern and Western Government. They might grow bulrushes on the Nile, but they could not grow oaks. They could not galvanize an English Constitution into life there. An Eastern Belgium was an idle dream. Whenever the Eastern and Western races touched, they came into collision. The instincts and feelings of the two were altogether distinct, and very often hostile. They could not mingle. Every attempt to join them had been futile, and every project of the kind they might evolve—either in Egypt or elsewhere—was foredoomed to failure. The Eastern people went down before the Western as rapidly and completely as the Redskins went down before the White men. The Orientals imbibed all the vices of Western civilization, and they could not learn the means we possessed of curing them. The Turk was an honest, sober, and truthful man until we debauched him by our finance, and degraded him by our diplomacy. If the Government imagined they could build up in Egypt a composite Constitution of the kind they spoke of, they were mistaken. It would be a mere house of cards. They could build up a genuine Native Constitution—or, rather, they could have done that before the war. He believed, and always had believed, that a Mahommedan Government in that country was not only practicable, but highly desirable. It might have been made an instrument of progress, and produced contentment and comfort for the population. The Arabs had often made an attempt to form a nationality; but there had been obstacles in the way—sometimes political, sometimes geographical. All their efforts after this end in North Africa had been defeated; but in the Nile Delta there was a fair chance of their being successful. They had the opportunity of constituting an Arab nationality which would have been a centre of Arab civilization. To the lasting disgrace of the English Liberal Party, they prevented that interesting and hopeful experiment being tried. He knew nothing in modern politics more dishonouring than the tergiversation of hon. Gentlemen who sat on that side of the House. They had made the world vocal with their clamour for nationalities, but had used the power of England to destroy an honest effort after Arab national life. Arabi was an Eastern soldier, and, he believed, a patriot. He had his faults, like every other man. His schemes might be visionary in some particulars; but, take it all round, his was a patriotic attempt to give national life and form to the Government in Egypt. We destroyed it. We created anarchy and occasioned bloodshed, and the men who did this with their eyes open were now bemoaning the mischief they had wrought. It was a pity that those who lamented the anarchy had not bethought themselves of what they were doing earlier. All they wanted in Egypt could have been got without war. Having destroyed the best—indeed, the only—chance of establishing a National Government in that country, he had no hope whatever from the scheme of dual or mitigated Constitutionalism that they were about to give a flickering existence to. It would fall a victim to Native intrigue and foreign ambition. Of course, he knew it was very unpleasant for the opponents of aggression to be saddled with such a very serious addition to British territory in Egypt; but they must accept the consequences of their own policy. He could but repeat that, however much they might regret it, he believed they would find that circumstances would compel them, in one form or other—either by a British Army or a Native Army under British control —to keep our predominating hold on Egypt.

Mr. SCLATER-BOOTH said, he had listened with regret to the views of the hon. Member for Newcastle (Mr. Cowen) in regard to Arabi and his insurrection; but he entirely agreed with many of the earlier remarks which fell from the hon. Member. He fully admitted that Her Majesty's Government were placed in a position of great difficulty as far as Egypt was concerned, and that they had been swayed to and fro by contending influences acting in contrary directions. He deprecated the frequent attempts which had been made, either on the one side or on the other, to draw the Government. They had an expression of opinion from the noble Marquess the Secretary of State for War, in an earlier part of the Session, which was speedily contradicted by an explanation of the Prime Minister on the evening the Estimates were first introduced. The other day, in consequence of a rumour which came from abroad, they had the Prime Minister questioned again as to the withdrawal of the troops. The Prime Minister on that occasion gave an answer which was satisfactory to most of the hon. Gentlemen who sat on that (the Opposition) side of the House, but was not so satisfactory to the hon. Gentleman who put the Question on that occasion. Now they had the question raised again by the hon. Member for Newcastle (Mr. Morley); and the President of the Local Government Board, in the able speech he had made, gave an answer which would certainly tend to an opposite direction, so far as public opinion was concerned, when contrasted with the answer given by the Prime Minister the other evening. It was impossible, in answering Questions put by their supporters, for the Government not to show some sympathy with their views. The truth was that the Government were controlled in the matter by circumstances; and while they had found themselves bound to delay the withdrawal of the troops beyond the term indicated by the noble Marquess, they would be compelled to continue in Egypt more or less until the object for which they went to Egypt had been practically accomplished. He wished to point out that the diminution of their Force in Egypt was one thing, and a complete withdrawal another. So far as he was aware, no one complained of the diminution of their Force. The President of the Local Government Board pointed out that it had been diminished from 17,000 to 14,000, and he did not know that anybody objected. For his own part, he should regard with satisfaction the gradual and continuous reduction of the strength of their Army of Occupation; but he should view the complete withdrawal of their troops with great dissatisfaction. He was sure that the Government would be acting in accordance with the opinion of all reasonable people who had any interest in the question, whether in this country or any other, if they were to reserve themselves upon the question, and were to hold themselves free to keep their grip upon the country until the objects for which they went to Egypt had been accomplished, and the interests of the people secured. He would remind hon. Gentlemen who deprecated the retention of their Forces in Egypt that they would not obtain what they desired by the withdrawal of troops as long as the Army was officered by men in the distinguished position of Sir Evelyn Wood. They could not be ignorant that Sir Evelyn Wood was one of the most distinguished and active officers in the English Army. Nobody supposed that he had been surrendered to Egypt for all time; but he retained his liability to serve this country whenever he might be called upon. The same might be said of all the other officers who had been sent to Egypt. The hon. Member for Newcastle (Mr. Morley) had referred to the war in the Soudan, 2,000 miles away from the Mediterranean, as a thing for which we might be held responsible if matters went on as at present. Who was the officer commanding in the Soudan? It was an Artillery officer, who had been lent to the Egyptian Government by this country, and who, undoubtedly, retained his rank in the English Army, and who had only taken service for two years, which period would not expire until Christmas twelvemonths. The same might be said of other English officers in the Egyptian Army. Therefore, he said, it would not be enough to withdraw the Army of Occupation in order to secure what hon. Members opposite had in view—namely, the withdrawal of English influence and control in the affairs of Egypt. It was not enough to say that the English Forces should be withdrawn as soon as Sir Evelyn Wood was in a position to maintain law and order in Cairo. Before their Forces were withdrawn they must be assured that the Egyptian Army, on the one hand, was loyal, and, on the other, that it would not be used for the purposes of tyranny and oppression. How were they to secure that the Army would be free from those two temptations? It was quite evident that the withdrawal of the troops must be delayed until both of those questions had been made clear by the result. He had said, in the first instance, that he was not, for one, in a position to find fault with the Government. On the contrary, he was rather desirous of sympathizing with them in the position in which they stood; and he expressed a hope that no definite prognostication would be given, from an endeavour to make things pleasant for the hon. Member for Newcastle (Mr. Morley), which would be disagreeable to hon. Members on that (the Opposition) side of the House. He entirely differed from his right hon. Friend the Member for King's Lynn (Mr. Bourke), and he had no desire to accuse the Government of having plunged the country into an unnecessary war. He congratulated the country on having escaped from the difficulties which would have arisen had we engaged in the war in conjunction with either France or Turkey. When they bore in mind the circumstances which occurred in the spring of 1882, they could not but remember that they were on the verge of entering into the war in association with M. Gambetta. From that danger they were relieved not by any effort of their own, but by the providential break-down of the negotiations. Again, within a few weeks, even within a few days, and almost at the very moment when warlike operations commenced, they were in the position of having saddled upon them the officers and troops of the Sultan. It was a matter for thankfulness that they were saved from incurring so great a risk, and that circumstances so turned out that, both as regarded France and Turkey, they were spared from the embarrassment of being accompanied in their occupation of Egypt by the Forces of either of those nations. They entered into the campaign single-handed, and they had conducted it to a satisfactory issue. He believed that no Power in Europe desired the hasty or premature withdrawal of our troops from Egypt. He did not think that France desired it, or that any other nation desired it; and if they only did their duty, and followed the dictates of common sense in the matter, they would secure the permanent interests of the country, the pacification and good order of Egypt, and they would have an opportunity of exercising a paramount and lasting influence in maintaining their communications with India. It would not be consistent with what he had already said if he were to enter into any controversial matters. He did not wish to see the Government pressed either on the one side or the other. He was satisfied with the position of things as they were, and he was convinced that the premature or sudden withdrawal of their troops before the objects for which they went to Egypt were secured would be disastrous. He regretted that the debate should have been brought about in a somewhat irregular manner on a Motion in Committee of Supply, because he believed that it would have been preferable to leave the Government to their responsibilities in the matter.

Sir GEORGE CAMPBELL said, that both the right hon. Gentleman (Mr. Sclater-Booth) and the hon. Member (Mr. Cowen) who preceded him had expressed an opinion that the debate should now cease—in point of fact, that they should make speeches, but that nobody else should. The right hon. Gentleman thought that they ought to remain in Egypt, and the hon. Member for Newcastle thought that it was likely that they should remain there. For his own part, he thought the sooner they got out of Egypt the better. He agreed with a great deal that the hon. Member for Newcastle had said, but not in thinking that they were likely to remain permanently in Egypt. He quite concurred with the junior Member for Newcastle (Mr. J. Morley) that there was no desire to reduce the Vote by the amount of Sir Evelyn Baring's salary. Sir Evelyn Baring was quite worth all that they could give to him. It was desirable that they should have a worthy Representative there, and they could not have selected a better. His only regret was that Sir Evelyn Baring should have been withdrawn from very important work in India. He thought it desirable on this occasion, which was probably the last on which the question of Egypt would be debated in that House during the present Session, that they should have a clear explanation of the intentions of the Government on subjects which seemed to be somewhat doubtful. He was one of those who had early thought that, although it might be easy to go to Egypt, it would be very difficult to come away again; and he thought it was quite evident that facts were now fulfilling his view of the case. In February last the noble Marquess the Secretary of State for War expressed a sanguine hope that they would be able to withdraw their troops in the month of August. They were now in the month of August, and they had received from the Government good reasons why they should stay a few months longer; and at the end of that time they would probably have again to consider the question of withdrawal. He gave the Government credit for the best intentions in desiring to withdraw from Egypt, and he thought that they should do so; but it did not appear at all clear when they would. They had been more than 100 years in India, and had not yet ventured to withdraw their troops; on the contrary, events had made it necessary to increase them. In India they had their own Administration, but in Egypt everything was against them; they had the Turks, the Sultan, and the Porte at Constantinople, who had intrigued against us as far as they could, and there would be a war of races in Egypt and other difficulties of various kinds. Then, again, it must be borne in mind that if they withdrew their troops from India they might go back again; but it would be very difficult to do so in the case of Egypt. In that case, in all probability, they would have again to consult France and the other nations of Europe. He wanted to know whether, if they withdrew their troops, they were also prepared to withdraw their Civil Administration? He quite agreed that while Sir Evelyn Wood and other British officers remained at the head of the Egyptian Army they would be still accountable for the administration of the country; but if they withdrew Sir Evelyn Wood they must withdraw also their Civil Administration. He had placed a Question on the Paper that day; but his noble Friend the Under Secretary of State for Foreign Affairs had asked him to defer it, because he thought it would be better answered in the course of the debate. As he agreed with the noble Lord, he had accordingly abstained from asking the Question, which was—

> "Whether it is still intended that a Foreign Financial Adviser to the Khedive of Egypt shall be appointed; whether the opportunity will be taken to reduce in some degree the excessive staff of highly-paid Controllers, Commissioners of one kind of Domain Lands, Commissioners of another kind of Domain Lands, and other Officers; and, whether the body of European *employés* of the Egyptian Government is to be reduced, or is to be increased by new appointments such as that proposed to Mr. Clifford Lloyd?"

That was a very important Question, which he should like to have answered; but, at the same time, he should like to admit that he was a little rash in putting the Question. At the time he placed it upon the Paper he had not completed his study of the Blue Book. He had since discovered, in one of the last letters of Lord Dufferin, a clear answer to that Question; and he wanted to know whether Her Majesty's Government adopted the view of Lord Dufferin or not? Lord Dufferin's view in regard to the administration of Egypt was quite clear and distinct. Lord Dufferin said—

> "The Khedive and his Ministers remain the real Rulers of Egypt; but, appreciating the sincerity of our intentions, they have, of their own accord, asked us to furnish them with a certain number of highly-trained, experienced, and able officers, whom they have attached to each of the Departments of the State. The same principle has been applied to the Army, the Police, and the Constabulary. As a consequence, the whole machinery of the Government will be assisted and inspired by an exceptionally able staff of Europeans, principally Englishmen, but in which both France and Germany will be represented, working in harmony with each other, and in loyal subjection to their Chiefs. . . . . Our representative institutions have been so contrived that while, on the one hand, neither the Legislative Council nor the Assembly could, through ignorance or perversity, obstruct the Government, on the other hand a strong and almost irresistible force of public opinion, as represented by the most intelligent men in the country, is focussed in such manner as to exercise an effectual control upon the arbitrary or capricious impulses of the Khedive's Ministers."

Then the noble Lord went on, in another Paper, to say—

> "I think it right to inform your Lordship that every new appointment has been made not merely with the consent, but at the solicitation of the Egyptian Ministers. In no case have I attempted to force upon them an European Administrator, if they themselves did not think his services required. . . . . The Egyptians are perfectly intelligent enough to understand what an insignificant relation the salaries of a dozen first-rate experts bear to the profits their ability and talents enable them to confer upon the country. It is when we descend into the inferior regions and return to the protected Administrations that the multiplication of European Clerks and Commissioners begins to breed bad blood and discontent."

The upshot of this letter was that, in the view of Lord Dufferin, it was desirable and expedient to appoint a certain number of high officers to assist the Egyptian officers; but he proposed to reduce the lower grade of servants, because their continued employment produced bad blood and discontent. That was, practically, the view of the Khedive; and Lord Dufferin in this represented the views of the Egyptian Government. It was with that view that Baker Pasha had been brought into Egypt, and established as the right hand of the Khedive; and it had become known lately that the Khedive desired to have the services of Mr. Clifford Lloyd. He (Sir George Campbell) knew nothing of Mr. Clifford Lloyd; he might be a good man or a bad man; but he knew he was reported to be a strong-handed man, and that he had been a leading man in Ireland under a very unfortunate system of policy. The deduction he drew from this was that the Khedive, acting in concert with our officers, was anxious to obtain the services of energetic, strong-handed English officers to rule the people of Egypt, but to get rid of many others. If this were persisted in, it seemed to him that it would be calculated to cause misunderstanding and ill-feeling between the different European nations who were represented in Egypt, as a large proportion of the lower grade of Government *employés* were foreigners—French, Italian, and others—and their removal, in order to substitute a higher class of Englishmen, was a policy which would not tend to create good humour and contentment. The policy of Lord Dufferin, which he had drawn up in charming anticipation of the future, was to have something in the nature of a British Resident, with a strong staff of able and energetic officers, who were to be the main-springs of the Departments presided over by Egyptian dummies. That was the policy of Lord Dufferin; and he wanted to know if it was also the policy of Her Majesty's Government? He disagreed with such a policy altogether, because he thought it was likely to lead them into trouble and difficulty, if not into annexation. Let them compare the introduction of this policy with what they had already realized. There had been a good deal of praise bestowed upon the late Dual Control. What had been the result of that Control? Lord Dufferin showed that it had egregiously failed in establishing anything like decent government in Egypt. If there was one thing they might have a hope for it was the Survey of the Land for Revenue; but Lord Dufferin told them that the Survey was an absolute and complete failure. It was filled by incompetent people, drawing large salaries, but doing next to nothing. He knew that in India occasions arose when it was necessary for the population of the neighbouring villages to come together, in order to keep out floods, and to maintain works for the benefit of the general community. But let them see how the system in Egypt was described by the hon. Member for Waterford (Mr. Villiers-Stuart). The hon. Member told them what he actually saw and heard himself in regard to the system of forced labour now going on in Egypt. The date of one letter was June, 1883. The writer said—

> "The overseer told me that the entire forced labour of the Provinces was 40,000 men in all; that they worked from sunrise to sunset without intermission, except a brief interval at midday, for a meal consisting of bread soaked in unfiltered Nile water. This bread was sent them by their relatives, and they had a meal of it before commencing work and another at night. They have also to provide their own baskets for carrying the excavated soil; they were engaged in filling their baskets with gravel (using their fingers for the purpose), climbing the sides of the cut and tipping them on the outer slope; the majority had no implement but their hands and a limited number of short picks a foot long, which they also have to provide, the Government contributing nothing whatever."

Lord Dufferin told them that the condition of the Egyptian Fellaheen, instead of having been improved, had gone from bad to worse; they were heavily loaded with debt to usurers, and the land was passing out of their hands. That had been the result of what had been done in the past; and what was to be the result of the present state of things? He was not one of those who placed implicit credence in Special Correspondents; but he believed that where there was so much smoke there was some fire, and that the circumstantial way in which the people of this country were told of the abuses which prevailed in Egypt could not be all pure imagination. He could not believe that the present administration was a decent administration, of which they ought to be proud or contented. The same might be said of the administration of justice. Only the other day Suleiman Sami was hanged while the House of Commons was debating his case. However guilty he might have been, the form of his trial was, undoubtedly, a disgrace to their control over Egypt. It did not even have the form of a decent trial; the witnesses were never heard in public; and the prisoner never had an opportunity of offering a defence, and, guilty or not, he was hanged even without the semblance of a decent trial. Then, again, there was the trial of Khandeel. No doubt, that was due to the English Government, and there was some form of trial; but what was the result? They had it on the authority of the English *Procureur Général*, one of the great institutions of the country, that there was evidence that the man was really ill on the day of the massacre; but it was said that he was not so ill as not to be able to go out and do his duty. Khandeel had been acquitted of any real complicity in the massacre at Alexandria; and yet, because he kept his bed through illness, but was not so ill that he ought to have been prevented from going out and doing his duty, he had been sentenced to seven years' penal servitude in the Soudan, which amounted virtually to a sentence of death. It did not appear possible that such a sentence could be carried out. He desired very much to impress on the noble Lord the Under Secretary of State for Foreign Affairs and Her Majesty's Government what had been the result of similar experience in India, in order to support his belief that no double Government could ever succeed. They must either have a Native Government or a European Government, and not one which was half Native and half European. He would allude to an experiment of the same kind in the Punjaub by Sir Henry Lawrence.

The CHAIRMAN: I must call the attention of the hon. Member to the fact that he is going far beyond the Question before the Committee. The Punjaub is altogether beyond the Question.

SIR GEORGE CAMPBELL said, he certainly had understood that this was an occasion upon which the policy of the Government in Egypt was to be debated. If the Chairman ruled that he was out of Order he must seize some other opportunity before the Session ended.

The CHAIRMAN: I referred to the hon. Member's excursion into the territory of the Punjaub.

SIR GEORGE CAMPBELL submitted that what he was arguing was, that the system of double government which had been introduced into Egypt had been tried in India and had failed;

and he was about to briefly illustrate that argument by his own personal experience in India. Was he to understand that he was not to go on with that argument?

The CHAIRMAN: The hon. Member may proceed until I rule him out of Order.

Sir GEORGE CAMPBELL said, he was only going to point out that in a Province in which he had had experience in India the system of double government was tried by a man most likely to make it succeed—namely, Sir Henry Lawrence—but it had failed; and in Egypt, with first-class European assistance, it would also fail. They might go back and find that throughout their whole history in India the same thing had occurred.

The CHAIRMAN: I must call the attention of the hon. Member to the fact that the Diplomatic Vote is under consideration, and not the history of our rule in India.

Sir GEORGE CAMPBELL said, he would, of course, submit to the Chairman's ruling; but he wished to point out that they were bringing from India a tried and efficient administrator, in order to make use in Egypt of the experience he had acquired in India to establish an efficient and sufficient system of government in Egypt; and if that system had not been successful in India, it was not likely to succeed in Egypt, because it would be tried in Egypt under conditions much more difficult than those in India. In Egypt they had to deal with conditions which did not exist in India. There was an enormous debt, a war of races, and Capitulations which had made government almost an impossibility. He should like to quote a passage from the Report of a very able Indian officer upon the question of carrying out a system of police administration in Egypt. He stated that it was an utter impossibility to carry on anything like administration in Egypt, when he was met at every turn by the claims of foreigners to be exempted from all police control. He stated—

> "A foreign subject may commit any crime, break the law, and refuse to abide by any regulations; assault any public servant in the execution of his duty with what may be termed practical immunity, and certainly without fear of any deterrent punishment such as would be awarded to other evil-doers."

That was an evil with which they would have to contend in Egypt. They tried to make other Powers grateful for the work we had done, and to help us in establishing good and able administration. Were there any signs that Foreign Powers were grateful to them, or were likely to assist their efforts? Were they not ready to blame us for everything—for everything that went wrong—for the cholera, and even for inundations that might come? He had no doubt, if inundations occurred, they would say we had tampered with the sources of the Nile. There was every indication that they would not be assisted by the foreign residents in Egypt, but rather that their hand would be forced, and they would be thwarted in their endeavour to establish a Native rule at every turn, as far as it was possible to thwart them. Then, what were they going to do about the financial question—about the great additions to the Debt? What were they going to do about the great Indemnities, the cost of the English troops in Egypt, and the losses through the cholera? Paper 13 showed that, of the sum assigned in satisfaction of the claims of the Mokabileh payers, not a farthing had been paid, and that fully £500,000 had now to be added to the difficulties of the administration. What was the source to which the Government were apparently inclined to turn? It was nothing but the old resource of a new loan, with the consent and goodwill of the Sovereign. The Sultan had expressed his willingness, and that was the way in which the Government were to get over the difficulty—by raising new debts to pay old debts. A much more important question was the vast private debts of the Fellaheen, which Lord Dufferin had so energetically stated, and which the hon. Member for Waterford (Mr. Villiers-Stuart) had done such great service in placing before the House. He was anxious also to know what the Government proposed to do with regard to the International Tribunals? It was those Tribunals that made the independence of Egypt impossible. They made it impossible for us to save the land from this vast loan of debt, and while they lasted would throw the land of the Fellaheen into the hands of foreigners. These International Tribunals would expire before Parliament met again, and he very much wished to know whether the Government proposed to renew them or not? He looked with great confidence to the clear-headedness of the President of the Local Government Board (Sir Charles W. Dilke); but if ever there was an occasion on which his belief in the foresight of the right hon. Gentleman was shaken it was when, 18 months ago, when he (Sir George Campbell) raised this question, the right hon. Gentleman stated that the International Tribunals were the one institution which everyone agreed was good. That was so, with the exception of one body of people—the people of Egypt. Not a word had been heard about their views; but the hon. Member for Waterford (Mr. Villiers-Stuart) had now laid those views before the House in most striking language. He had marked several passages to read, but hon. Members had had the Book in their hands for some time; and as they seemed so little inclined to prolong this debate, he would only say that it was clear that in the eyes of the people of Egypt these Tribunals were not their benefactors, but their oppressors. It was by those Tribunals that the land was being taken from them, and a social war was threatened, compared with which the rebellion of Arabi would be a mere fleabite. He hoped that before the evening closed the Government would state whether they proposed to continue these Tribunals, or whether they would, as he knew they could, put an end to them, and say they would not have the Egyptian people ruled over by Foreign Tribunals over which they had no control whatever. They had been led to believe that there was a good time coming, and that all these difficulties would be overcome by representative institutions. He believed that was quite possible, if only the Government had the courage to establish such institutions. There had been a Representative Assembly in Constantinople; but the Sultan found it so independent that he sent it to the right-about. He believed there might be representative institutions; but what were the institutions now proposed to be elected? It seemed to him that a mountain had conceived and only brought forth a mouse. So far as he could see, the only thing the Fellaheen would do was to elect Delegates who would elect a Body which would have no power of control, but would only be able to advise. So there was to be a consultative Council under a system of double election. What did Lord Dufferin state about this electoral body? He stated that neither the Legislative Assembly nor the General Assembly, through ignorance or perversity, could obstruct or control the functions of the Government. He thought there were a great many Governments which would be glad to have an Assembly of that kind, which would have no power to obstruct them. There was, perhaps, good reason why the Egyptian Assembly should not have that power, because, if it had, it would very likely sweep away the debt of the bondholders and the International Tribunals. If they were to maintain this system of Control, he thought it was clear they could not give this power to this Egyptian Representative Assembly. The two things were incompatible; and that was the reason why they proposed to give Egypt a sham Assembly and not a real Assembly. He had exposed what he believed to be the difficulties and dangers of the administration in Egypt; and he might be asked now what he would do. He thought they had better not have gone to Egypt at all; and the only view he could express was that they had better get out of it as soon as they could. The only plan was to leave Egypt to the Egyptians, and let them manage their own affairs. In an Oriental country, if the people were to be left to manage their own affairs in their own way, the Darwinian system must be allowed to operate until the strongest came to the top. He would not say anything against the present Khedive, for he believed he was a well-meaning man, and had been the faithful ally of the English Government. He was very much inclined to say to the Khedive—"We have maintained you on your Throne for some time; now you must manage your own affairs. If you are willing to try the experiment of ruling by yourself by all means try." He would give the Khedive every encouragement and assistance in attempting that work; but, on the other hand, if it should turn out that the Khedive was unable without their assistance to carry on the work of Government in Egypt, he was not at all sure that, in the end, they might not be obliged to do what they once did in Afghanistan. They had a strong Ruler there, and they turned him out; but when they found they could not govern Afghanistan without him, they had to bring him back. He was inclined to believe the same thing might occur in Egypt; they might have to get back Arabi. If they withdrew their troops they would have to withdraw their administration. He entirely agreed with the right hon. Gentleman the late President of the Local Government Board (Mr. Sclater-Booth) that, although they might withdraw their troops, and leave their officers to command the Egyptians and be at the head of the Departments, they would still be responsible for the well-being of Egypt. In such a position, if a rebellion broke out they would be responsible for putting it down; and so the mere withdrawal of the troops would lead to greater difficulties. Therefore, they must not attempt too much, but let the administration be as Oriental as possible, and let us get out of the country as soon as possible. With reference to the argument that those who wanted to get out of the country as soon as possible ought to be opposed to our interference with the discretion of the Khedive regarding political trials and other matters, he denied the soundness of that contention. It had always been a strong argument against their going to Egypt that, when they had got there, they would be responsible for seeing that injustice was not done. So long as they, by their arms and bayonets, suppressed the sacred right of rebellion, so long they were responsible for seeing that political opponents should not be put to death without trial, and that gross injustice should not be committed. They could not get rid of that difficulty without leaving the country. If they continued their present system, importing more and more energetic officers and more and more of the English element into the higher Departments of the administration, they would go further and further in the direction of that annexation which was prophesied by so many hon. Members. They would drift towards annexation; and, although they might very well administer Egypt for their own benefit and for the Egyptian people, still, in view of their political situation with respect to France and the other Powers, any attempt at annexation would lead to evils far counterbalancing any advantages from it. He was convinced that their only course was to get out of Egypt as soon as possible, and to abstain from interfering with the country, and to put themselves in a position in which they could fairly object to interference by other Powers.

MR. LABOUCHERE said, it was clear, from the explicit statement of the President of the Local Government Board, coupled with some other observations he had made, that, with the exception of a few details, he agreed with the speech of the hon. Member for Newcastle (Mr. Morley); and his speech, on the whole, would, he thought, be most satisfactory to those who were desirous that they should withdraw from Egypt as soon as possible. For his part, he did not see that it was necessary that the Government should make any such declaration. He thought the reply given the other day by the Prime Minister was perfectly clear in regard to that matter; but that, undoubtedly, was not the view of Conservative Members opposite. In point of fact, after the Prime Minister had made his statement he happened to be with some Conservatives, and they were strongly of opinion that the Prime Minister did not himself intend to withdraw; and four or five of them mentioned, as a new fact, that we should be in Egypt this time next year. He thought, however, that no Conservative Member would be of opinion, after the clear statement of the Prime Minister, that we should be in Egypt this time next year. But the Conservatives seemed to have taken that view; and, in fact, they had clearly and explicitly stated what their view of the matter was. The right hon. Member for King's Lynn (Mr. Bourke) had clearly stated that they ought to take advantage, in the view of the Conservatives, of their being in Egypt to remain there, and, practically, to annex the country. That, as he understood, was the view of the right hon. Gentleman.

SIR STAFFORD NORTHCOTE: It was nothing like annexation. The word used was not annexation.

MR. LABOUCHERE said, that was so; but he knew why the word "annexation" was not used, and why the right hon. Gentleman did not say anything about annexation. If he had done that there would have been an outcry at once; but hon. Gentlemen opposite hoped the Government would remain in

Egypt from year to year until the Conservatives came into Office, so that they could then throw it on the Liberals that they had remained so long in Egypt, and had violated their pledges, and that the Conservatives were only fulfilling them. Annexation! God forbid! But they were to remain there and rule in the name of some dummy Government. That was what he understood was the policy of the Conservatives—if not, he could not understand their speeches inside and outside the House. So far as he could make out, these speeches had shown practically a desire that the present Representatives of Her Majesty should remain in Egypt until the fact of their being there had become such an accomplished fact that it would be impossible for them to withdraw. The Press was just as bad as the Conservatives. The Press chose to ignore the plain, simple language of the Prime Minister. *The Times* said they were to read between the lines; and what did the other newspapers say? They rejoiced to think that the Prime Minister was not going to be bound by some random assertions he had made, but would remain in Egypt for an indefinite time. What did an indefinite time mean? It was not necessary to read between the lines to arrive at a conclusion; but an indefinite time obviously meant that they were to remain there for 20, 30, or 40 years. Practically, they were to remain there because they were there. He would not go into the question of the expediency of such a course; but he thought he could show that it would be inexpedient for them and for the Egyptians that they should remain there; but the question of expediency need not be raised now, because he considered that the Government and the country were absolutely bound in honour to withdraw as soon as possible after they had established order and tranquillity in the country. Whenever Her Majesty's Ministers had had an opportunity they had stated that their *bonâ fide* intention had been, and still was, to withdraw from Egypt. It was perfectly true that those statements were made in that House; but, although made in that House, they were made to foreign countries. Foreign countries took note of them, and recognized and accepted the fact that the Ministry would not make those solemn pledges in that House without intending to maintain them. There was only one point in the statement of the President of the Local Government Board with regard to which he must express regret. As far as he understood the right hon. Gentleman, the troops now numbered about 6,700, and were gradually to be reduced; and in a short time they would be reduced to 2,000. He imagined that they would be withdrawn from Cairo and from the country, and would be collected at Alexandria; but he did not gather that they would be withdrawn as soon as he thought was desirable. He perfectly understood that, at the present moment, it would be difficult to withdraw the troops, and that it must be a gradual matter. He understood that it was desirable to collect the few troops that remained at Alexandria; but he would venture to urge on the Government how desirable it was to withdraw these few troops as soon as possible. He did not say that every European in Egypt was a scoundrel—far from it; but he thought a great many of them were, and he suspected the majority of them were. They went there to dip their hands into the flesh-pots of Egypt, and that they had done for a very long time. They were anxious to make a fortune, and their rights were, generally speaking, the wrongs of the Egyptian people. Everyone knew how the Egyptian Debt had been piled up, and concessions had been obtained, and money made from them; how the Fellaheen had been oppressed, and who did it, and for whose profit it was done. It was for a small body of Europeans. They were influential owing to their wealth; they managed to induce England to believe that it was absolutely necessary that England should remain there. Why? In order that they should remain and continue to make money. He, however, did think it was desirable that they should withdraw as soon as possible; but, so far as he was concerned, the statement of the Prime Minister was satisfactory.] Several hon. Members did feel that it would be most desirable, as soon as possible, to withdraw this corporal's guard from Egypt. [As a matter of fact, there was a large body of wealthy and influential men who wished to bring back the English troops. Indeed, they would only be safely out of the Egyptian Business when the last soldier of the British Army had left the soil of Egypt. If it was requisite they could have their ships of war there. Their ships of war had a perfect right in the Alexandrian waters; and it would be only reasonable, if their troops were withdrawn, that the ships of war should remain. In that case, they would have their men on board ship. They would not have their troops on Egyptian soil, or have the English flag flying in Egypt. They would not then be always liable, in the possible contingency of some disturbance arising out there, of there being a great outcry for their troops to be sent to Egypt. Let the House, in the name of goodness, settle the matter as soon as possible. He thought it better that some ships should be out there. ["Oh! oh!"] He was speaking of the alternative of whether it was desirable to leave the soldiers on shore; and he believed it would be more desirable that they should simply have ships of war there. He thought that that alternative would be better than having their soldiers remaining in Egypt. Unquestionably, this Expedition was a great strain upon the Liberal Party. He did not believe that any man, except the right hon. Gentleman the Prime Minister, would ever have induced the Radicals to support such a policy as that which he had pursued in Egypt; and he must point out to the right hon. Gentleman that the Radical Party did support him, and did honestly stand by him —[Several hon. MEMBERS: Not all!]— Anyhow, the main body of the Radicals in the country—["No, no!"]—did stand by the right hon. Gentleman in his Egyptian policy. They might regret it; but it, nevertheless, was a fact. They supported his policy, however, under conditions. They did so because they had faith in the Prime Minister. It was because, when the Prime Minister told them he meant to withdraw as soon as possible, they knew by the prior speeches of the right hon. Gentleman on many other matters—they knew by the declarations he had made in regard to the Russian War, and the Afghan War, with respect to Cyprus and the Transvaal, that his policy was non-intervention in matters which did not concern them. They thoroughly believed that the right hon. Gentleman would withdraw from Egypt as soon as it was possible; that he would not, by entering the plea of fostering Liberal institutions, endeavour to gradually acquire power in that country. They knew that it was absolutely necessary, in the interests of peace and order, that they should remain, at least some short time, until the Khedive had surrounded himself with such a Force as would enable him to maintain peace and order. But now there was a distinct assurance given—an assurance which, for his part, he did not consider necessary on this occasion, because it had been made before—they had a distinct assurance that as soon as the Khedive was able to organize that Force, or until Sir Evelyn Wood was able to organize that Force, so soon would the last English soldier leave Egypt. He thought the Committee ought to be satisfied with that assurance; and he thanked the right hon. Gentleman the Prime Minister for having, against strong opposition on the other side of the House, and against the opposition of many interested persons, stood so nobly to his pledges. He fully believed that before 12 months were over the last English soldier would have left Egypt, and he rejoiced to think that such was the case. He had got an Amendment to this Vote on the Paper —namely, to reduce the sum by £2,000. His Amendment, however, had no reference to Egyptian matters, but related to the Special Mission to Russia. He estimated that £4,000 out of the £6,000 would be spent by Sir Edward Thornton at Constantinople, and that £2,000 would be spent by the Duke of Edinburgh upon his journey to Russia. He, therefore, begged to move the reduction of the Vote by the sum of £2,000.

SIR STAFFORD NORTHCOTE said, they were now in the middle of the discussion upon the Egyptian Question, and the Amendment of the hon. Gentleman had reference to another subject which would come under the Vote. He hoped the hon. Gentleman would not necessitate the stoppage of the present discussion at this point, which would be the effect of his moving the Amendment now.

MR. LABOUCHERE said, he understood the debate would not be stopped.

THE CHAIRMAN stated that the hon. Gentleman (Mr. Labouchere) would be perfectly in Order in moving the Amendment.

Sir WILFRID LAWSON said, he thought that if the hon. Gentleman moved his Amendment now, the debate must necessarily turn upon the Russian matter.

Mr. LABOUCHERE said, that if the right hon. Gentleman (Sir Stafford Northcote) thought that they would not be able to continue the present discussion, he would gladly withdraw his Amendment.

Mr. BOURKE considered that it would be for the convenience of the Committee that the hon. Member for Northampton should withdraw his Amendment for the present. There were several hon. Members who wished to speak upon Egyptian matters; and the moving of the Amendment now would only introduce another element of irregularity into their proceedings. They were supposed to be engaged in discussing Major Baring's salary; but, as a matter of fact, it did not arise on that Vote at all.

Lord EDMOND FITZMAURICE pointed out that one-half of Major Baring's salary was in this Vote, and one-half in the Consular Vote.

Mr. LABOUCHERE said, he was entirely in the hands of the Committee; but, in his opinion, it would certainly do no harm if he were to move his Amendment now.

The CHAIRMAN said, the hon. Gentleman was perfectly in Order.

Motion made, and Question proposed,

"That a sum, not exceeding £111,300 (including a Supplementary sum of £6,000), be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Expenses of Her Majesty's Embassies and Missions Abroad."—(*Mr. Labouchere.*)

Mr. M'COAN said, that the peg upon which the discussion had thus far hung was the speech of the hon. Gentleman the Member for Newcastle (Mr. Morley). It struck him (Mr. M'Coan), when the right hon. Gentleman the President of the Local Government Board (Sir Charles W. Dilke) was speaking, that there was a suspicious harmony between his observations and those of the hon. Gentleman the Member for Newcastle; and that led him to attach considerably less weight to the declarations of the right hon. Baronet than he should otherwise have done. He was bound to assume that the declarations of the President of the Local Government Board were made in all *bona fides*, and that they expressed the present intentions and purposes of Her Majesty's Government. Before, however, he ventured to offer a remark upon them, he would like to comment briefly upon some of the chief points in the speech of the hon. Member for Newcastle. The hon. Gentleman began his speech with a declaration in favour of the evacuation policy. He had referred to Lord Dufferin's statement in January, that peace and tranquillity reigned in Egypt; and contended that, if that were so, there was no need for our troops in Egypt. The hon. Gentleman, however, did not choose to see that the very cause of such peace and tranquillity was this presence of the troops in that country. The hon. Gentleman had then referred to the representatives of the Press, and of persons who had been present in Egypt during recent months, and had stated their views with regard to the condition of the country. He described them as alarmists, and endeavoured to detract from the value of the information they had given as to the state of affairs by the suggestion that they had selfish interests which gave colour to their evidence. He himself, however, happened to have some knowledge of the facts; and, speaking with reference to all the Correspondents of the London journals in Egypt, he could assure the Committee that they were men who knew the country well, and who were as incapable of misrepresenting the actual state of affairs as any Member of that House. But the hon. Member, unhappily, went further, and attacked a class of witnesses than whom he could not have mentioned any higher, or more trustworthy — namely, the American Missionaries in Egypt. Now, it had been his own good fortune to be personally acquainted with most of these gentlemen for many years; and, having been an eye-witness of the way in which they performed their work, both in Egypt and Turkey, he was able to testify that a more trustworthy and estimable class of men than these American Missionaries did not exist. They had no pecuniary interest in the state of Egypt; they lived amongst the Natives, whom they knew well, and were men of the very highest integrity. Well, these men had given evidence entirely confirmatory of what had appeared in the public Press;

and he had, therefore, no doubt whatever that the condition of the country was as the Correspondents of *The Times* and *Standard* described it. The hon. Member said that our diplomatic influence ought to be enough in Egypt; that we should not rely on a Protectorate or a military occupation, but on the action of our Diplomatic Representatives. But the hon. Member had quite overlooked the fact that our diplomatic influence would not be real unless there was force behind it. The hon. Member had further remarked, as an argument against a permanent occupation of Egypt, on the cost of governing the country; but there, again, the hon. Gentleman seemed to him to have fallen into a fallacy, because all our experience had proved that the better the country was governed the greater had been the Revenue, and therefore the cost to the Administration was less. They had heard, in the course of the discussion, a good deal on both sides of the question about the Dual Control. For his own part, he regarded that much-abused arrangement as a salutary one—certainly, it could not be denied that the taxes were never collected more regularly than they had been while it was in operation. But he thought that if a practically British Administration were set up in Egypt, the cost would, in the end, be found to be much less than any Native Government that could be set up. But when he heard the right hon. Baronet the President of the Local Government Board respond, point by point, to the speech of the hon. Member, he felt that the agreement of opinion between them was, to say the least, suspicious; it seemed to him, indeed, as if the hon. Member had risen with the set purpose of eliciting from the right hon. Baronet a declaration of policy which was intended to serve a particular Party purpose; and, having listened to the speech with that conviction, he confessed that it commanded less respect and carried less weight with it to his mind than if it had been delivered under other circumstances. But when the speech of the right hon. Baronet was tested, although it seemed sufficient to satisfy the most thorough-going Radical, it had not advanced the matter one step beyond the position in which it had been left by the Prime Minister. It said no more than that, as soon as the British troops could leave without mischief to our policy in Egypt, then, and not till then, would they be withdrawn. Believing that that was a very remote contingency indeed, he (Mr. M'Coan) felt re-assured, and was very confident that the withdrawal of our troops would be a very distant operation. Only three possible courses seemed open to us. The first would be to leave Egypt to the present Khedive, supported, as the hon. Member for Newcastle would have it, by the diplomatic influence of our Consul General; the second, to withdraw entirely, which meant abandoning the country to anarchy, or to remain, and govern it ourselves; and the third, to restore the late Khedive, who, after all, was the strongest Ruler that had governed Egypt since the days of Mehemet Ali. It was the fashion to speak ill of the late Khedive, and to magnify the abuses of his Government; but he would venture to remind the Committee that, however Ismail Pasha might have exacted money from the Fellaheen himself, he, at least, protected them from the extortions of the usurers and the tax-gatherers—a protection which had not been given to them either before or since. Our wisest policy, and the policy which events would compel us to adopt, was honestly to annex and govern the country ourselves.

Lord EDMOND FITZMAURICE said, before he touched on the various points connected with the present position of affairs in Egypt which had been dwelt upon by the several speakers in the course of this debate, he would first ask to be allowed to refer to one or two incidental points brought under the notice of the Committee by the hon. Member for Portsmouth (Sir H. Drummond Wolff). The hon. Member, in the course of his speech, alluded to a Question asked by him the other day, with regard to a despatch of the year 1863, in respect of which he was not satisfied with the answer he (Lord Edmond Fitzmaurice) had given, nor with the answer received a few days afterwards from the Prime Minister. The hon. Member had asked for the production of a despatch containing a protest on behalf of the Porte against the concession by the Khedive of Egypt to the Suez Canal Company of certain land adjacent to the Fresh Water Canal, and he wished for the production of that Paper at the present time, because he considered it relevant to the issue as to whether or not the Khedive had the right to sell the grant of a new Canal without the consent of the Porte. He had stated, on the occasion referred to, that he thought it was unnecessary to produce that Paper; because, since the year 1863, there had been two other Firmans issued which had greatly altered the relations between the Porte and the Khedive. They, however, carefully guarded themselves from expressing any opinion upon the very difficult legal question as to whether the Porte had the right, under possible circumstances, to give or withhold its consent to the construction of a second Canal. The Prime Minister and himself considered the production of the Paper unnecessary, on the ground that it was irrelevant to the present condition of affairs, and because it was not a protest on the ground of law, but on the ground of policy, the Porte considering that the grant of these enormous territories to the Suez Canal Company would be the source of future danger to the country. Hence arose that arbitration and award of the Emperor of the French, which was, no doubt, of great use, and which put this question upon a more satisfactory footing. But at that point he must object to the manner in which his hon. Friend, in his Question, described the document which he asked for; because, as the Question was placed on the Paper, any person reading it would suppose that the protest of the Porte was against the grant of the Fresh Water Canal itself, and also the lands adjacent; whereas it was, in reality, a protest against the granting of the lands adjacent. When he stated that the objection was to the granting of this large extent of territory to the Company, carrying, as it undoubtedly would, authority over the future growth of towns and cities, he meant that it would be the creation of an *imperium in imperio.* As he had before stated, his objection to the production of the despatch was that it was unnecessary to produce it, and, moreover, that it would involve a considerable amount of expense; but, as his hon. Friend was anxious to have the Paper, he would see whether it could be presented, and communicate further with him on the subject. Then his hon. Friend alluded to Syria, and said that Her Majesty's Government had allowed the French to establish a paramount authority in that country. He could not see any connection between the allusion of his hon. Friend and the subject of this debate; but he would say that Her Majesty's Government had no reason to complain of the attitude of France in regard to these negotiations, and in regard to the successor of Rustem Pasha in the Lebanon. A man had been appointed who, he believed, commanded universal respect in the district; and Her Majesty's Government, having exchanged communications on the subject with the French Government, believed they had taken a course most useful in every way to the country he was called upon to govern. He now passed to the more immediate subject of debate; and, first of all, he must pause to notice the very strange allegation which had been made by the right hon. Gentleman opposite (Mr. Bourke) with regard to the attitude of the Opposition upon the Egyptian policy of Her Majesty's Government. They had been told by the right hon. Gentleman, who had, perhaps, the right to say so for himself, but not for his Party, that they had always objected to the policy of Her Majesty's Government with regard to Egypt, and especially to that policy, culminating, as it did, in a military expedition. Now, he might, perhaps, be permitted to dwell for a moment upon that ever memorable speech delivered by the Marquess of Salisbury to a crowded and most fashionable audience in Willis's Rooms on the 22nd of June, after the massacre. The Marquess of Salisbury said—

> "You have sent to the Alexandrian waters a powerful Fleet, the bearers of a Note demanding what England is determined to exact the fulfilment of—the removal of a military adventurer from power in Egypt."

That observation was tolerably strong; but if it should be thought not strong enough, he would turn to an authority in that House. He found that the right hon. and gallant Gentleman who represented North Lancashire (Colonel Stanley) spoke on the Vote for Egypt in the most vigorous language. He said—

> "The Expedition is a grave matter; not, of course, only in a military point of view, but grave, possibly, beyond all recognition in the consequences that may ensue. If the Government is determined to go straight forward with single-heartedness to preserve British interests, and to keep British interests well before them, while by no means oblivious to those of other Powers, then they would find this country

united almost to a man behind them."—(3 *Hansard*, [272] 1700.)

And the right hon. and gallant Gentleman added that it would not then be necessary to enter into too minute calculations of material cost, and that the objects which Her Majesty's Government had in view would commend themselves to the universal approval and support of the country. He presumed that the right hon. and gallant Gentleman did not exclude from that the support of so important a body of persons as Her Majesty's Opposition. The hon. Member for Portsmouth (Sir H. Drummond Wolff), speaking of Major Baring, had expressed a fear that Her Majesty's Government had not given him a sufficient position and title to insure respect for his authority, saying that he was only a Consul General; and what was a Consul General? He said Major Baring was one of a numerous body of gentlemen bearing that name, and whose position was not precisely that which was demanded by the circumstances of the case; and that, therefore, he would not command that confidence and respect which it was desirable that he should possess. The answer to those comments of the hon. Member was plain and simple; in cases of this kind it was not a matter of name or title. The question was—"Who is the man?" For the man would create his own position. Major Baring was a man of great ability and of great reputation in Egypt; and it might be depended upon that he would require neither name, decoration, nor title to make his advice carry weight in the Councils of Egypt. He would speak with the whole weight and authority which his long previous experience, both in that country and in India, had given him. He might remind the Committee of the well-known story of Lord Castlereagh, who, although he appeared at the Congress of Vienna without star or decoration, was, nevertheless, said to be the most powerful and distinguished man there. And so, doubtless, Major Baring would stand first in the Councils of that Ruler whom, from time to time, he would probably be called upon to advise in difficult situations. The hon. Member also asked whether or not there was to be another Financial Adviser? That was a fair question. Her Majesty's Government had said nothing which would lead anyone to suppose that there would not be another Financial Adviser; there would be another, and at the proper time his name would be announced. Again, his hon. Friend said that if there were to be another Adviser, various disputes and wranglings would arise between him and the Consul General, and he referred to the relations between Colonel Stanton and Mr. Cave. He did not want to go back upon what might have occurred; but he would say that the circumstances which respectively surrounded those two gentlemen and Major Baring were not at all the same, and he believed there was no doubt that Major Baring and the gentleman who would be appointed in the capacity of Financial Adviser would know how to work harmoniously together. [Sir H. DRUMMOND WOLFF: I mentioned several cases.] The other cases referred to by the hon. Gentleman he did not think could be placed on all fours with the position of Major Baring and our Financial Adviser. Now, as to a matter of the greatest interest to the Committee. The Financial Adviser and the Consul General would advise the Khedive as to the good government of the country, which had known so many centuries of oppression. Whatever differences of opinion there might be; whether Gentlemen were in favour of the Expedition or against it; whether they were in favour of retaining Egypt or withdrawing from it; they had, he was satisfied, but the one desire that her suffering millions should be prosperous and happy. His right hon. Friend the President of the Local Government Board had sketched out what had been done in the matter of Army organization; and the Prime Minister the other day had stated that the plan with regard to the Constabulary and the Police was also well advanced. If nothing else had been accomplished than those three things, it would be an answer to what was said by the right hon. Gentleman the Member for King's Lynn (Mr. Bourke), who, with a touch of epigram, observed that when they left Egypt there would be no memorial of their stay there but the ruins of Alexandria and a paper Constitution. It was no small achievement to have re-organized the Army, Constabulary, and Police, whatever might be the opinion of hon. Members opposite. But these were not the only things that had been done. If anybody would examine the two last Blue Books that had been laid upon the Table with regard to the re-organization of Egypt, and the general subject of the condition of Egypt, he would find that progress had been made, and he would find from time to time in the despatches of Lord Dufferin clear indications and statements of what had been done. For example, a great number of Questions had been asked at various times, chiefly by hon. Members opposite, as to the ill-treatment of the Fellaheen by officials. In "Egypt No. 13" there was a Circular which had been issued to the Provincial authorities, warning them against the ill-treatment of the Fellaheen, and peremptorily forbidding the use of the kourbash or lash, which had been several times prohibited by Ministers of the Interior. [*A laugh.*] A Circular had also been issued with regard to the payment of the debts of the Fellaheen by instalments. Some hon. Members had cheered derisively when he had referred to these Circulars; but he would ask them to consider how any reforms could begin except in the first place by the drawing up of a scheme, and then by the Executive doing its best to carry it out. What other steps could be taken unless they were prepared to advocate what some hon. Members opposite were prepared to advocate—namely, that the Government should do the very thing that had been deprecated—take the government of the country into their own hands. Some hon. Members said—"Leave the Egyptians to themselves." But he found in this very statement what they might fairly suppose would be the immediate and only result. Who were they who so oppressed the population? Were they the agents of the central power? No. He believed there were some hon. Members who supposed these persons were agents sent down from the head-quarters to override the country; but in many parts of the East the Mudir was the person who was regarded as the local authority; and if they went back on the idea of Egypt for the Egyptians and carried it out, the Mudirs were the very persons upon whom they would have to rely, and those were the persons whom they would have to keep in order. In European Turkey there was a form of election in many districts, of these local authorities, and they were regarded not as being the agents of the central power, but as what would be called in India the headmen.

Mr. M'COAN said, that in every case these men were appointed directly by the Government, and were the actual Administrators of Provinces.

Lord EDMOND FITZMAURICE said, he was not speaking of Egypt but of Turkey. He was saying that it was not at all necessary to regard these persons as the agents of the central power; for they were in many ways regarded as the representatives of the localities, and as persons who had to charge themselves with the interests of their districts. Then he had referred to Turkey, and drawn a distinction; but his main proposition was this—that if the idea of Egypt for the Egyptians was carried out to its logical conclusion, it was, to a great extent, upon these men, and the men whom they represented, that they would have to depend; and when it was said that they must proclaim the doctrine of Egypt for the Egyptians, and push it to its logical conclusion, they must recollect the difficulty that there was no class in Egypt, so far as was known, which was at that moment fully able to rise to a conception of local administration, unless they were, to a certain extent, guided by the greater skill and longer experience of men whose services had been placed at the disposal of the Egyptian Government. Another question was that of prison re-organization. There was a despatch by Lord Dufferin in which he pointed out that no reform was more urgent than this, and that no considerable improvement could take place until new gaols were erected; and the Egyptian Government was at that moment turning its attention to that matter, notwithstanding the financial difficulties. That was a most practical and useful suggestion; and in regard to any objection that might be taken to it of the same kind as was taken with respect to the Circulars, he would simply say that there must be a beginning in some way; and he wanted to know how that was to be made except by carrying out careful inquiries into the real state of things? [An hon. Member: Has anything been done?] He had already stated that the prison organization question had received attention, notwithstanding the financial difficulties. As these Papers showed, with regard to the existing prisons, there had been an improvement, owing to the amount of attention given to them; but there could be no great improvement until the prisons had been rebuilt. The hon. Member for Kirkcaldy (Sir George Campbell) had said a great deal about the indebtedness of the Fellaheen, and he seemed to think that that was a matter which had not engaged any serious attention. He could hardly suppose that the hon. Member had looked very closely at the recent Blue Book, because the indebtedness of the Fellaheen was a constant subject of comment in Lord Dufferin's despatches. Lord Dufferin pointed out that he was inclined, in the first place, to modify in a favourable sense the estimate he had made of the magnitude of that debt. He first thought it was nearly £7,000,000; but on consideration he found that it might be put down at between £4,000,000 and £5,000,000. Then he also modified the opinion which had been expressed as to the very unfavourable action of the Mixed Courts on the ownership of land by peasants. He was inclined to think that the influence of those decisions had not been so dangerous or disastrous as had been represented, and that the Mixed Courts were an important institution in Egypt. No doubt, that modification of opinion was one which was supported. But, be that as it might, he pointed out that in our Tribunal a step had been taken to bring the Fellaheen into more direct connection with the land they tilled—namely, by a plan on which a separate Blue Book had presented, as to the disposal of the Domain Lands—to enable the peasants to acquire their holdings. Reference to the Fellaheen brought him to the subject of finance; and here he would at once state that the peculiar manner in which, until now, Egyptian finance had been regulated in regard to time did not enable him to place a complete statement before the Committee as to the financial condition of Egypt in 1882. The financial year ended on December 31; but under the system which at one time, he believed, existed in this country, all payments belonging to the year ending on December 31, were credited to that year so long as they were paid in before the 30th of April following, so that the closing of the books and the making up of the accounts was delayed for a considerable period. But that, he was glad to say, had been already remedied by the Egyptian Government, and their financial year would in future end on December 31, and any payments coming into the Exchequer subsequently would be credited to the following year, so that it would be possible more rapidly to present the financial accounts of the country. But, although he was not able to enter into any great detail upon this subject, he could say that, notwithstanding the disturbances of last year and the war which took place, the finances of Egypt were showing a most extraordinary and rapid power of recovery. The Revenue was coming in with regularity, and those preparing the Budget of 1883 had every reason to believe that the country was going through a rapid financial recovery. Nevertheless, the present year, it was quite certain, was an exceptional year, because there must be on both sides of the account certain important items which would probably not recur, and which deprived the present year of a normal character. For example, there was a deficit, though not a large one, upon last year. The recovery of the Revenue was, to a certain extent, bound up with the condition of the Domain and the Daira Lands; the accounts were separate, but each, under certain circumstances, might come on the Revenue of the country for the payment of any loss from the collection of the Revenue. Then there was the unfortunate war which had been going on in the Soudan, which was, no doubt, a considerable drain on the country. The Soudan had its own Budget; but, nevertheless, it had before now drawn on the finances of Egypt, and the war was still going on. Some of the many things to which he had alluded—the necessity of building new prisons, the improvement of the barracks, and several other matters of that kind—must come in this year, but they would not recur another year. Then there was the question of what must be done with regard to the Indemnity Loan, and how much of that might have to come on the current year; and then there was, of course, the cost of Army organization, which was rapidly decreasing, owing to the steps described by his right hon. Friend. These were all special and diminishing charges. Then there were certain items, on the other hand, which might come into the account on the credit side, some of which would not occur again—such as the sale of war *matériel* to a considerable extent; and other matters which it was hoped it would not again be necessary to have recourse to—for instance, the sale of certain lands to recover the deficit of last year. He only dwelt on these points to show that the present year was a transition year, and that it was idle to prophecy upon these subjects. With regard to the cholera, there was no doubt that that outbreak had had a most disastrous effect on the collection of the Revenue. Nevertheless, he was inclined to hope —and he was not speaking without having consulted those who were competent to know—that unless the cholera continued to rage with intensity for a far longer period than was at all deemed probable by those most conversant with the progress of development of that terrible disease, the disturbance to the Revenue would not be permanent. Still, there would be a loss. The Land Revenue fell off considerably during July. There would be considerable loss; and it was almost certain that in those country districts which had been most visited by this calamity, the Egyptian Government would find it necessary to make remissions of taxation. But, on the other hand, if there was this prospect of loss, there was also a prospect of gain by the taxation of all classes of property belonging to foreigners, which was alluded to in reply to a Question to-day. Negotiations were proceeding which he believed would before long put an end, not only to this most unjust privilege, but would bring into the coffers of the Egyptian Exchequer, if not a very large, at all events an appreciable sum. Two hon. Members had spoken of the Moukabala arrangement and the question of the foreign *employés* of the Egyptian Government. There seemed to be an impression that the Government were in some way responsible for the Moukabala arrangement, and they had been defended and apologized for in respect to that. But the Government had no responsibility whatever for that arrangement. That was an arrangement made many years ago. It was, in his opinion, a very unwise arrangement; but it was sanctioned by a Commission and settled by the Law of Liquidation, and the Government had every confidence that that Commission considered the immense difficulties of the case, and the Law of Liquidation was drawn up after careful inquiry which took place to make the very best arrangement possible under the disastrous circumstances of the day. He believed the Egyptian peasantry suffered great injustice by the arrangement; but, still, he believed the Commission made as just and equitable an arrangement as could be made. The injustice consisted not so much in the arrangement itself as in the way in which it was carried out. But the responsibility must not be put upon the wrong shoulders. He was not speaking of the present or the late Government; but the blame must not be put on the shoulders of the gentlemen who composed that Commission, out of which the Law of Liquidation eventually grew. They should rather go back to the time when the arrangement was made, and rest the responsibility on the proper shoulders. The other point was the question of the foreigners employed by the Egyptian Government. The hon. Member for Kirkcaldy (Sir George Campbell) devoted a large portion of his observations to that subject; but there, again, the hon. Member did not seem to have taken trouble to look at the most recent information which had been presented. He quoted largely from the earlier Blue Books of the Session; but he did not see that, as already stated in two of the recent Blue Books, a change had been effected in many cases by the removal of useless foreign *employés*. The Egyptian Government had shown great courage in this matter. The removal of *employés* was exceedingly difficult, and especially in Egypt; and the Egyptian Government had shown very great resolution, because they had not been afraid to incur the possible ill-will of many persons, who might think their claims had been very hardly dealt with. The economies effected in many Departments amounted to £148,000. The total dismissals up to the end of April numbered 148, of whom 75 were foreigners, receiving salaries amounting to £23,000 a-year. In connection with this matter, he wished to point out that there had been a good deal of misunderstanding in regard to the number of foreign *employés*. Out of 20,000, which was the Civil Service proportion of the people, there were only 5 per cent Europeans.

He had been told that all the Egyptian Government had done amounted only to what might be called virtuous intentions; but his answer was that a Constitution could not be founded in a day. They must begin by making the institutions carefully, and by adapting them to the habits of the people, and then proceed to carry them out. They were being carried out; and but for the outbreak of the cholera he believed the new organic law would have been completed by now. The electoral colleges were all voted for on June 19th. The cholera began before that date; but the electoral lists had been drawn up, which was a clear sign of intended action; and he found that the electors numbered 903,000 out of the total population. This was a clear proof that these plans of reform had already reached the stage of the electoral lists having been drawn up, and showed that when the cholera had passed away the elections would take place, and the foundation would be laid of something approaching that ideal of popular government which obtained in this country. These were the principal subjects mentioned in the debate that night; but there was one other matter. The hon. Member for Kirkcaldy made a strong appeal to him to say something more about the International Tribunals; but a very full answer—as full an answer as could be given consistently with the delicate nature of the subject and the circumstances of the hour—was made at Question time by the Prime Minister, and he was not now able to go beyond the terms of that answer. The answer was surely distinct—that the Government recognized the evils; but those evils had been recognized before—the evils of a mixed jurisdiction, the facilities of which, unfortunately, foreigners sometimes availed themselves—of evading one jurisdiction by another. These Tribunals were renewed in February last, and would expire in February next; but no doubt the time had come when the matter should receive the attention of the European Powers. That was, no doubt, desirable; but he could not join in the sweeping judgment which had been passed upon those Tribunals. They had their faults; they were, to a certain extent, due to the commercial and civil procedure under which they worked; but he believed, on the whole, that they had been the cause of great public advantage to Egypt, and that they ought not to attempt to destroy them, or limit their operation, but rather to reform them and strengthen their operation. A question had also been asked whether the statements which had been put forward in the Blue Books were correct or not, and what was the feeling of the people in regard to them? There had been a remarkable conversation between Suleiman Pasha and Lord Dufferin which was recorded in these Blue Books. He would not quote it; but he would ask hon. Members to look at it, and there they would see what the opinions of the people were. They would see that Lord Dufferin, and the able man to whom he was speaking, fully recognized that time must be given for the subsidence of the passions aroused by the war; but they believed that when a little more time had been allowed to elapse, and the new institutions had been allowed to operate, and an army of police had restored peace and security to the country, the Native population would recognize the great advantages of the new order of things. When that day came, then, no doubt, as his right hon. Friend the President of the Local Government Board had said, would come also the day when it would be possible to withdraw the British Army from Egypt. There had been no variation in the language and attitude of the Government upon this subject. As Under Secretary of State for Foreign Affairs he might be allowed to quote the language of the Chief whom he had the honour to serve. On the 15th of February, Lord Granville, speaking in "another place" on the question of fixing a date for the withdrawal of our troops, said—

> "I cannot conceive that it would be prudent for me to make such a statement. We shall not keep our troops there any longer than is necessary; but it would be an act of treachery to ourselves, to Egypt, and to Europe, if we withdrew them without having a certainty, or, if not a certainty—because we cannot have certainty in the affairs of this life—until there is a reasonable expectation of a stable, a permanent, and a beneficent Government being established in Egypt."—(3 *Hansard*, [276] 41-2.)

He believed that by the operation of the institutions he had described that evening, before long stable, and firm, and beneficent institutions would be established in Egypt; and that those who, at a future time, looked back on the events and debates of these times, would realize that they had succeeded in that land, where the monuments of the past stood shoulder to shoulder with the working realities of everyday life, in establishing something more useful than the Pyramids and sepulchres of early Kings, but something which might borrow something of their character, and might take at least one of their characteristics—which might have something of their grand solidity and their majestic splendour.

Sir STAFFORD NORTHCOTE: I almost expected, when the noble Lord indulged in his peroration, that he was going to give us a quotation from Horace, and to say—

> "Exegi monumentum aere perennius,
> Regalique situ pyramnidum altius,"

because he was pointing to something of a very permanent and solid kind. When he tells us—with a touch, I admit, of very pardonable pride—that he hopes the result of the British temporary occupation of Egypt will be to leave behind something which will be more permanent and more durable than the Pyramids——

Lord EDMOND FITZMAURICE: I said more useful.

Sir STAFFORD NORTHCOTE: I am sorry I misunderstood the noble Lord. When we couple that with the observation made a few minutes before by the noble Lord, that we could not found a Constitution in a day, I am bound to say he opened a very considerable vista as to the future of our connection with Egypt. I do not know whether the hon. Gentleman the Under Secretary of State for India (Mr. J. K. Cross) is in his place. If the hon. Gentleman were present, his mouth must have watered greatly when he considered how extremely difficult it was to induce the House of Commons to give a day for the discussion of the Indian Budget, and when he heard, on this occasion, the noble Lord the Under Secretary of State for Foreign Affairs giving us, in considerable detail, the Egyptian Budget, I could not but think there was something very significant in the whole tenour of the speech of the noble Lord. Sir, I have heard that it was questioned whether it was right or advantageous for us to have any discussion upon Egyptian affairs at the present time. There is something, no doubt, to be said against our having such a discussion; but I think, under all the circumstances of the case, the House and the public have a right to expect a full explanation should be given, before the termination of the present Session, of the real nature of our position in Egypt, and of the intention of Her Majesty's Government with regard to Egypt. Not only because the matter is one of very great importance and difficulty, but because, explain it as you will, there is no doubt that there is a great deal of uncertainty in the public mind as to what the intentions of Her Majesty's Government are. I do not mean that Her Majesty's Government have not stated, over and over again, what their intentions on the question are; but, somehow, their statements all bear a resemblance to the shield in the old story, which was silver on one side and gold on the other. You are always able to tell us that your occupation of Egypt—the maintenance of troops in that country—is not to be permanent, but temporary, and that we are to withdraw our Forces from that country as soon as possible—that is to say, as soon as the state of the country permits, and as soon as order is firmly established and tranquillity secured. On the one side, hon. Members who desire to see our Forces quickly withdrawn are gratified by the statement that our troops are to be withdrawn in a very reasonable and moderate period of time, that our troops shall come away in a very short period, so short that the hon. Member for Northampton (Mr. Labouchere) has made a very considerable and heavy engagement contingent upon the withdrawal within the next 12 months. But, on the other hand, we find that those who are anxious that we should not come away without having done the work which we went to do, can find comfort in such observations and speeches as those of the noble Lord the Under Secretary of State for Foreign Affairs, and in the language used by Lord Granville, to the effect that we are not to come away until order has been restored, and, not only that, but until tranquillity has been secured—which is a very different thing, and which involves something beyond the restoration of order. Under these circumstances, I cannot but think that the hon. Member for Newcastle (Mr. Morley) is acting perfectly reasonably and sensibly in bringing forward this question on the present occasion, and in endeavouring to obtain a somewhat more accurate and minute explanation of what those somewhat ambiguous statements meant. The hon. Gentleman (Mr. Morley) has made a speech on which he has been complimented; and I desire, on my part, to say it was, in my judgment, one of very great ability and clearness. But when I come to consider the substance of the speech, I am not able to agree with some of the views taken up by the hon. Gentleman. The hon. Gentlaman spoke of two grounds which he said were sometimes, or were generally, given by those who wished us to remain in Egypt. One of those grounds was that if we were to withdraw, some other Power would step in; and the other was that if we were to withdraw, risings might take place. He treated both those contingencies very lightly indeed. He said—"As regards the question of other Powers stepping in, after all that can only mean France, and the French would be guided not by what we might do, but by what might be the feelings of the other Powers." I am not sure that that is a sufficient answer to be given to the suggestion that if we were to withdraw, some other Power might step in; but I must take it in connection with the other ground—namely, that risings might take place. I think it perfectly reasonable to suppose that if it were simply a question of England withdrawing and clearing out of the way, some other Power would go to Egypt and would take the position vacated by us. I think it is more than probable that if we were to withdraw at the present time, there would be disturbances in Egypt, and those disturbances would not only affect the peace of Europe, but would threaten international interests, and would possibly affect European States very considerably. There would, I think, be very great probability, almost amounting to certainty, that some Power or Powers would be likely to step in. The hon. Gentleman tells us that we are incurring a very considerable and heavy responsibility as long as we have a Force in Egypt, and that we are thereby making ourselves responsible for the maintenance of the Government of that country; and the hon. Member said—and said, I think, with a great deal of force—that, as long as we have merely a corporal's guard in Egypt, we are responsible, because that is the visible sign of our interest in, and our influence over, the Government of the country. I quite agree with the hon. Gentleman that we do bear a heavy responsibility; and, however moderate may be the Force which we retain there, any Force at all gives us a responsibility which we cannot get rid of. The question whether we are to have 14,000, or 12,000, or 6,000, or 2,000 men there is comparatively unimportant. It is not the point at issue. The right hon. Gentleman the President of the Local Government Board (Sir Charles W. Dilke) drew a distinction between withdrawal and reduction, and, as far as he explained himself, his argument came to this—that we ought to proceed and act deliberately, but speedily, in the reduction of our Force, but that, as to withdrawal, that was another matter, upon which he entirely reserved his opinion, and there is nothing in what he said to lead us to believe he does contemplate any absolute and total withdrawal.

SIR CHARLES W. DILKE: On two occasions I used words most distinctly pointing to absolute withdrawal.

SIR STAFFORD NORTHCOTE: I certainly understood the right hon. Gentleman to speak with considerable precision with regard to the reduction of our Force—that is to say, he told us that we had reduced our Force; that the reduction was proceeding; that it might be accelerated; and that before the winter considerable progress would be made in it. The right hon. Gentleman guarded himself against expressing an opinion about the actual time of withdrawal. I was about to refer to two observations that have been made by Gentlemen who have taken part in this debate. One of these observations was made by the hon. Member for Kirkcaldy (Sir George Campbell), and the other by the hon. Member for Northampton (Mr. Labouchere). The hon. Member for Kirkcaldy went the whole length of saying that he wished to get rid of our responsibility with regard to Egypt. He said—"Not only do I desire and require that you should withdraw the great body of your Force, but I desire that you should withdraw them all. But

I am not content with that, for as long as you keep any of your officials in the country, you still retain a position there; you make yourselves responsible. And, therefore, I am in favour of withdrawing your officials, so as to allow Egypt to manage its own affairs." The hon. Gentleman would bring back Arabi, and would see what the Darwinian theory would produce in the country. Now, that is a policy which has the merit of being what may be called thorough; but I venture to think it is not a policy which Her Majesty's Government would be likely to adopt, nor do I think it is a policy which would relieve us of responsibility for what we have done. It is not the responsibility you incur from day to day; but if you were now absolutely to withdraw from Egypt, and left things in such a condition that there would be great misery and anarchy and disturbance in that country as the immediate consequence of your withdrawal, you would be responsible for having brought about that state of things, and for having then left it to develope itself in an unsatisfactory manner. This is what I say; and I will make one more observation with regard to the argument of the hon. Member for Kirkcaldy. The hon. Gentleman says — "Withdraw altogether from Egypt, and leave things to settle themselves." Yes; but would they settle themselves? Depend upon it that there would be others who would step in, and you would merely have brought about a state of things which would lead to something very different to that which you yourselves desired. The hon. Member for Northampton (Mr. Labouchere) was inclined to take a somewhat vigorous course, and he advised the withdrawal of the last corporal's guard. But then he could not get rid of the consciousness that, somehow or other, we should be responsible, and it would not do to leave things entirely by themselves; so that after he had elicited an unguarded cheer from the hon. Member for Newcastle (Mr. Morley) he said that, after all, you could leave your ships of war there. It might be more convenient to have ships of war there than a regiment of soldiers; but that is a question which must be dealt with upon a different footing. If you are to maintain any semblance of military or naval power, you cut the ground from under your feet when you go to the extreme conclusions to which the hon. Member wishes to draw you. I do not wish to weary the Committee by going at any great length into the whole question of the policy of Her Majesty's Government in Egypt; but I do think it desirable that we should have a rather clearer understanding with regard to the views of the Government than we have yet had. The fact is, we have rather too many understandings just now, because the understandings are hardly consistent one with the other; and what I am desirous of asking is, whether it is not possible to bring matters so far forward that we may form something of an idea of the real probabilities of our occupation of Egypt, and of the maintenance of the present policy in that country? I do not expect, and I do not desire, that the Government should talk about days, and times, and seasons. I do not want them to get up and say that the occupation will end in six months, or before the winter, or anything of that sort. I want rather to have some clear idea as to what are the circumstances, what is the position which they think we ought to attain before we begin to withdraw? I think we may, to a certain extent, arrive at this knowledge by referring to the very important despatch which was written by Lord Granville at the very beginning of this year—on the 3rd of January, I think. That despatch contained an explanation, addressed to foreign nations, of the position of Her Majesty's Government with regard to Egypt, and of the views which they entertained. Hon. Gentlemen will find in No. 2, page 34, the Circular Despatch addressed by Lord Granville to Her Majesty's Representatives at Paris, Vienna, Berlin, Rome, and St. Petersburg. Lord Granville began by pointing out that the course of events had thrown on Her Majesty's Government the task of suppressing the military rebellion in Egypt, and of restoring peace and order in that country; and then he proceeded to say that the position in which they were placed imposed upon Her Majesty's Government the duty of giving the Khedive advice, with the object of securing that the earlier things to be accomplished should be of a satisfactory character, and possess the elements of stability and progress. Having laid down that principle, the noble Lord went on to divide the subject to be treated into two categories—into those which concern other countries, and which are matters requiring the consent and concurrence of the European Powers, and those which are matters of internal administration. Then he proceeded to enumerate 13 points to which he was anxious to call attention. I will not trouble the Committee with all the 13 points; but I will mention one or two of them, which appear to me to be very important. Some of them were points which were to be disposed of between the British Government and the Government of Egypt as international matters; while others were matters upon which the opinion and the interests of foreign nations had to be consulted. What I want to know is, first of all, ought we not to remain and continue our occupation of Egypt until we have fairly disposed of those points which were laid down in the beginning of the year, immediately after we had obtained our position there, as being the essential points aimed at? If so, I want to know how far we have advanced in settling some of the chief of those points? The first point is the settlement of the Suez Canal Question. Lord Granville makes a suggestion of various conditions. He mentions eight conditions which he proposes should be agreed to with regard to the maintenance of the integrity of the Canal. I wish to know whether the Government have done anything, and how far they have gone towards obtaining the settlement of that great question? Everyone knows it is the great interest we have in the maintenance of this great waterway that has really given us occasion to take the line we have adopted. It is all very well to talk about having no selfish objects. I hope we have no selfish objects in the sense in which some use the phrase. I hope we have no object of obtaining territory or exclusive command; but if we are really going to commit ourselves to the doctrine that we are going about making war, and bombarding cities, and destroying places with no selfish object, but out of pure chivalry and good-will, I think it is a very dangerous doctrine to hold, and a doctrine much more dangerous than that of pursuing a policy in which we had in view our own legitimate interests—interests which are acknowledged, and which ought to be secured without injustice to anyone else; but in perfect harmony with the interests of other people. I say that the maintenance of the Suez Canal upon a proper footing is one of those objects. We are told that the Circular of the 3rd of January has been answered to a very limited extent by the Powers—by Russia and by Italy. But we have no notice whether any progress at all has been made in the settlement of this great and important question. Turning to another point—the taxation of foreigners—that, I believe, is a matter which is in progress; but it is a very difficult question, and it not only affects foreign countries, but the interests of Egypt itself. The country can never be in a satisfactory condition if foreigners are allowed to enjoy exclusive immunity from the taxation which is imposed on the Natives. But it is a difficult thing to get that matter settled, and it is not a matter to be settled by letters and communications. You will have to get the new system on foot, and see it regularly carried into effect. I do not think the communications we have yet received point to any great development of the plan devised. Something has been done, and I want to know how far it has proceeded? Then there is the question of the improved administration of justice. With regard to the Mixed Tribunals, I understand that they will probably be renewed; but with regard to the improved administration of justice in cases in which foreigners are concerned, that is a matter of the most essential character in the interest of Egypt. You can have no peace and prosperity in that country until that question is settled, and now is the time it is ripe to be settled. In order to illustrate the great importance of this point, may I trouble the Committee by referring to a letter written by a very able officer who was at the head of the police system—General La Touche? He is a gentleman who knows the wants and difficulties of Egypt as well as anyone. What he said was that the *status quo* might be summed up thus. A foreign subject in Egypt might commit any crime, break any law, refuse to abide by any regulation, police, sanitary or general, assault any public servant in the execution of his duty, and, in fact, enjoy practical immunity from all restraint, without fear of any deterrent measures being taken, while the Natives were obliged to be tractable and law-abiding. That is a state of things which I presume anyone who really knows the country will confirm and say is really no exaggeration. How can the country prosper, how can you have peace, as long as such an anomalous state of things continues in existence? Lord Granville, in his despatch of the 3rd of January, puts this forward as one of the points on which he wishes to have the assistance of Foreign Powers, in order to obtain a satisfactory settlement. Have the Government received any answer? Have they made any progress in the settlement of this question with the foreign nations who are interested, and whose consent is necessary before any alteration can be made? How far have the Government gone; and do they mean to maintain their position in Egypt until this question has been properly solved? I could take other points out of the 13 which are contained in Lord Granville's despatch; but I do not think it is necessary. I mention these as illustrating the position which I wish to take up; and I think it would be well if the Government would tell us what they intend to do—whether they have any hope of a practical settlement of these questions, and whether they are prepared to remain in their present position, with the responsibility which lies upon them, until these matters have been disposed of? I apologize to the Committee for having detained them on these points; but the question is one which seems to me to be of vital importance, and it is one on which there ought really to be no misunderstanding. I have no wish to embarrass the Government in this matter. I am only anxious that we should have a clear and distinct assurance, and that there should be an understanding which will enable all persons concerned to know where they are. Reference was made to the mischief which is done by uncertain language, and by anything which amounts to annexation and permanent occupation. I disclaim having anything to do with annexation or permanent occupation in the broad sense of those words. But it is, on the other hand, possible to use expressions of an opposite character, which are calculated to produce the greatest mischief, not only to the interests of the country, but to the prospects of a permanent settlement of these important Egyptian Questions.

MR. GLADSTONE: I came down to the House this evening with the lively hope that I should not be called upon in any manner to take part in any debate which might arise upon Egyptian affairs, because I have had to trouble the House several times of late, and I am sensible of the value of the public time, if we are to make any endeavour to arrive at the Prorogation on a reasonably early day. More especially I cherished this hope when I had heard the speech of my right hon. Friend the President of the Local Government Board (Sir Charles W. Dilke); because, I must say, he said everything I was desirous of hearing, and nothing I was not desirous to hear. Consequently, I hoped my duty was finished when I had listened to that speech. But the right hon. Gentleman opposite (Sir Stafford Northcote) has thrown out ideas which would tend, I think, to cause a degree of uncertainty upon the case, and to leave it not quite as it was left by the declarations made on the part of the Cabinet by my right hon. Friend. As the right hon. Gentleman is quite right in saying that there ought to be no misunderstanding as to the intentions of the Government, I am desirous of following him for the purpose of bringing back the matter to the point at which it was left by my right hon. Friend the President of the Local Government Board. In the closing sentence of his speech the right hon. Gentleman said—and I have nothing to complain of in the tone of that speech—that he disapproved in a certain sense, as I understand him, or declined to be responsible for languge savouring of the doctrine of annexation or of permanent occupation, and admitted that there might be danger in that language; but he said—and these, I think, to be ominous words—that there was great danger in language of an opposite description. I do not blame him for attaching the idea of danger to language which appears to point in the direction of annexation or lengthened occupation, or which, if it did not amount to annexation, would, perhaps, be found to entail and involve annexation; but I confess I have had no experience of the danger, and have no strong sense of the danger, of language of an opposite nature, and in that respect I differ from the right hon. Gentleman. The language which tends to propogate the idea of annexation, in the first place, I think, has an admitted likelihood of encouraging a sentiment which I think always exists in a portion of the community, and which not long ago was predominant in the country—a sentiment of greedy anxiety to appropriate what belongs to others, and to give, under no call of duty or necessity, unnecessary extensions to an Empire, the cares of which, in my opinion, are already such as to tax the strength of the best and ablest men tolerably and even perfectly prepared to bear them. Secondly, that language savouring of annexation is most injurious to the fair fame and honour of England. The right hon. Gentleman says there is uncertainty in the public mind about the intentions of the Government. If it be so, why does that uncertainty exist? Not because the declarations of the Government have been wanting in clearness, nor because those declarations, numerous as they were, have been in conflict with one another. The cause is of a very different description. As there are none so deaf as those who will not hear, so there are no men to whose minds it is so difficult to convey a clear idea as those who have an internal bias which leads and disposes them to affix a strained and unnatural construction to plain words for the purpose of favouring the views which they themselves entertain. In consequence, if there be uncertainty in the public mind with regard to the intentions of the Government, that is the cause to which I believe that uncertainty is due. But for the evil effects of this strained construction, I should think little of the unscrupulous and not very honourable doctrines that I sometimes hear proposed and propounded with regard to Egypt in particular, and public events generally, if only we could keep such constructions strictly amongst ourselves, because we are strong enough amongst ourselves to settle and dispose of such matters. But these declarations go abroad, and, going abroad, they come into contact with susceptible minds —they touch jealousies which naturally exist in every country with regard to the action of every other country. They there find a not unwarrantable and not unjustifiable disposition ready to construe such declarations as if they were clandestine efforts propagated by the English people, possibly by the English Government, for preparing the European mind for a total change in, or a total abandonment of, the solemn declarations which we made last year, and then the mischief of these comments and constructions is very great. I must confess that I think the declaration, made by the right hon. Gentleman opposite, that there is much danger in holding language the opposite to that which tends to annexation, and the opposite to that which tends to permanent occupation, will not be either to the interest or to the honour of this country. ["Oh!"] I am sorry to excite thus the—what shall I call them?—the instincts that find inarticulate expression in one quarter of the House; but I am afraid that the inarticulate expressions are only further evidence of the reality of the mischief I have in view. Sir, the right hon. Gentleman has raised an issue which I quite admit is a fair one. He has referred to a despatch of Lord Granville—a very important despatch—in which I think he said there were about 13 subjects of the greatest importance with respect to the condition of Egypt; two in particular that he named had relation, the one to the Suez Canal, and the other to the International Tribunal; and he said this despatch, and, so far, truly, was a despatch dated the 3rd of January, and addressed to Her Majesty's Representatives in the different capitals of Europe. Then came the grave question raised by the right hon. Gentleman, who said, in effect—"I cannot gather from this despatch whether or not you intend the military occupation of Egypt to continue until these 13 questions are disposed of;" and he said—"This is a subject on which some light ought to be thrown for the formation of our judgment." Well, Sir, I quite agree that the right hon. Gentleman is entitled to have light afforded for the formation of his judgment upon a question so portentous as to whether the military occupation of Egypt is to continue until those 13 subjects, of which many are great, complicated, and difficult, and likely to extend over years and years, are brought to a solution. I must say it appears to me that the right hon. Gentleman has got that light already, but that he has closed his eyes against its admission. In my opinion, two things are to be said—first of all, there is not a syllable in the despatch in any way connecting the military occupation of Egypt with the disposal of those 13 subjects. I am satisfied of this—no presumption whatever can be raised, from the contents of this despatch and from the fact that it enumerates these subjects, as to the duration of the occupation; and, secondly, I hold that the first paragraph of the despatch puts an absolute negative upon the idea of any such connection. Lord Granville felt—and I think very justly felt—that with the responsibility under which we lie towards Egypt, it was our duty to open to the Powers of Europe all the great subjects which appeared to us to offer themselves naturally to consideration in the interests of that country; because, be it observed, quite apart from military occupation there are many subjects in regard to Egypt which are of standing and permanent interest to all the Powers of Europe—to us, perhaps, most of all—with respect to which it was natural to communicate with them, desirous as we are to carry with us not only the knowledge, but the approval, of every country in Europe with reference to the occupation of Egypt. Lord Granville, in introducing the subject, refers to the military occupation. Here is his language—

> "The object has, happily, been accomplished; and although for the present a British Force remains in Egypt for the preservation of public tranquillity, Her Majesty's Government are desirous to withdraw it as soon as the state of the country and the organization of proper means for the maintenance of the Khedive's authority will admit of it."

[Sir STAFFORD NORTHCOTE: Will you read the remainder of the paragraph?] The noble Lord goes on to say—

> "In the meanwhile, the position in which the Government are placed towards Egypt imposes upon them the duty of giving advice, with the object of securing that an order of things shall be established of a satisfactory character, and possessing the elements of stability and progress."

Most proper words. This was our solemn declaration; and most certainly Lord Granville was not guilty of such an absurdity as to say that we should quit the country without admitting it to be any part of our duty to see that we left behind us a state of things without any guarantee of stability or progress. Stability has reference to the position of the country, and progress to the interests of the country. Surely I am right in saying that these words answer the question of the right hon. Gentleman, and in saying that the military occupation has no connection whatever with such questions as the question of the Suez Canal and the question of International Tribunals. Sir, the right hon. Gentleman says that my right hon. Friend the President of the Local Government Board has shown a desire to escape from the subject of the withdrawal of the British Forces from Egypt, and that he had spoken only of the reduction of those Forces. Now, my right hon. Friend says it is necessary to observe the distinction between the mode in which he spoke of reduction and the mode in which he spoke of withdrawal, because as to reduction my right hon. Friend pointed to the matter of time. He signified not a precise date, but a season, and he said that it was the hope of the Government before winter to bring about a large and effective reduction of the present Force. Having so pointed to a particular period, and not being prepared to name a day for the withdrawal from Egypt, which must depend upon a different set of considerations from those affecting the question of reduction, all he said was that he did not undertake to name a day or period for withdrawal; and in doing so he followed the rule which we have observed all along. The withdrawal of the British Forces from Egypt is, undoubtedly, a serious question; we have our views upon that question, and we have endeavoured to convey them to the House. But the application of those views is, undoubtedly, a matter of delicacy and great responsibility, and one which must depend upon the situation as a whole, having regard to certain contingencies, and the bringing about of a state of things which we most sincerely desire. The uncertainty, if there be uncertainty, in the public mind, as there may be in some small portion of it, has reference, in my opinion, to those desires which exist in a portion, though I trust in a small portion, of the community, and possibly even in the minds of some Members of this House—those desires which tend towards the permanent occupation of Egypt and its incorporation into this Empire. Sir, that is a consummation to which we are opposed at present, and with the bringing about of which we will have nothing to do. We are against everything that resembles it and approaches it, and against all language that tends to bring about the expectation of it. We are against it on the ground of the interests of England; we are against it on the ground of our duty to England; we are against it on the ground of the specific and solemn pledges given to the world in the most solemn manner and under the most critical circumstances—pledges which have earned us the confidence of Europe at large during the course of difficult and delicate operations, and which, if one pledge can be more sacred than another, special sacredness in this case binds us to fulfil. We are also sensible that occupation prolonged beyond a certain point may tend to annexation, and, consequently, that it is our duty to take the greatest care that the occupation does not gradually assume a permanent character. We cannot name a day, and do not undertake to name a day, for our final withdrawal; but we desire the arrival of that day, and no effort will be wanting on our part to hasten it. You will ask what are the conditions of the withdrawal. Well, Sir, our conditions are those which have been set out by Lord Granville—restored order in the state of the country, and the organization of proper means for the maintenance of the Khedive's authority. Our first duty was the restoration of order; happily, that has been achieved, and the achievement of it in an Oriental country is rather a severe task. But pestilence has come into Egypt. That trial has been, so far, withstood; and, sorrowful as has been the experience of the cholera, in other respects, I think, it has done something to increase and corroborate our confidence in the means which have been called into existence for bringing about order and stability in Egypt. Next to the fact of having secured order, is the provision of the means by which it is to be maintained. In the organization of an adequate force we were desirous that that force should be as little as possible a military force, and as much as possible a civil force. On that principle we have acted. Great progress has been made in the civil force, and not an inconsiderable progress in the other. So much for stability. What with reference to progress? The right hon. Gentleman has treated us as if we intended to remain in Egypt until we had brought about institutions worthy of Utopia. Sir, we have no such ideas. But in the circumstances in which we found ourselves in Egypt, we thought we should not be justified in confining ourselves simply to the restoration of order, and the supplying of the material means for its maintenance. We might have stopped at that point; but I doubt whether it would have been right to do so. There was an opinion most properly expressed by the hon. Member for Portsmouth (Sir H. Drummond Wolff), and by other Members of the House, that something should be done for the future; that some seeds should be sown which would bear fruits for the relief of the country from those great abuses which in former times disgraced its administration, and for enabling it to maintain some tolerable conditions of civil life. What have we done with respect to progress in that direction? We have looked at the most essential institutions of the country, and we have regarded it as part of our duty to have the Judiciary put into such a state as would at least bear fair promise of answering the primary conditions of justice and of civilized society; and, going one step beyond that, we have looked to the provision to be made for future legislation in the country. Sir, are we to say that we are to remain in Egypt until these institutions have reached such a condition that there can be no doubt whatever of their stability? Such a view would be absolutely and wholly visionary. How many countries are there in Europe—the most civilized and powerful countries — with regard to which any man would be bold enough to inform us what transmutations they might undergo before another century has passed over our heads? We have no such view, Sir. What may be said in popular language is this—that it is our duty to give Egypt a fair start, and I believe to make provision for peace and order there. If we see supplied a military and civil force suitable for the maintenance of that peace and order; if we have placed in control of the country a man in whose justice and benevolence we have confidence; if we know that the administration of justice is under enlightened supervision, and in competent hands; if we have made a reasonable beginning in legislative institutions, into which there is incorporated at least some seeds of freedom, and some elements of rectification; then, I think, a state of things may be said to exist in which, undoubtedly, some assumption may be made that our duty is complete. But we must have regard to the character of the work before us. We must not begin the work in Egypt with the assumption that we can efface from that country its Oriental mark, and that we can by any device of ours bring it into identity with Western lands. We must assume, and I believe safely—although I speak with reserve, and with an absence of all intention to dogmatize—the good disposition and the good capacity of the people themselves. With those assumptions, I believe the sort of work which we have repeatedly sketched in rough outline, and of which I have endeavoured to give a faint idea, may be carried to a conclusion. We shall then, I think, have brought about as much as is reasonably within our power to attempt, and as much as, if accomplished, will immensely contribute to the future happiness and prosperity of Egypt. Now, Sir, I will end, as I began, by saying that I was perfectly contented to leave this matter in the position in which it was left by my right hon. Friend who spoke on behalf of the Cabinet at the beginning of the evening. I hope I have explained the cause of uncertainty in the public mind, if any such uncertainty exists; and I hope I have shown that Lord Granville, in the despatch to which the right hon. Gentleman has referred, has given no ground whatever for extravagant ideas, or for the slightest imputation that we have forgotten the solemn engagements by which we stand bound, and from which we do not intend, either in the whole, or in part, to recede.

Mr. ASHMEAD - BARTLETT said, he thought the Committee would feel that the objections which the right hon. Gentleman had taken with respect to the military occupation of Egypt were, in view of a large portion of his speech, wholly unjustifiable. [*Interruption.*] He could assure hon. Members that those expressions of dissent would not prevent his addressing the Committee. He certainly did claim the privilege and the right of a fair hearing on this occasion. The right hon. Gentleman took exception to certain statements made by the Leader of the Opposition with regard to our duty to the Egyptian people; but in a portion of his speech, and notably in the last portion of his speech, he practically made the same admissions. Of course, it was perfectly clear that any interpretation might be put upon the speech of the right hon. Gentleman. In different portions of his speech he made statements absolutely contradictory. He threw out a word here for the extreme Radical section of his Party, to satisfy them that the Government were going to withdraw from Egypt as soon as possible; but, on the other hand, he made a distinct statement that the Government considered it their duty to remain in Egypt until the new institutions of the country had had a fair chance of success; and those institutions he mentioned to be the Legislative Assembly, the existence of a pure Judicature, a successful Police Force, and a sufficient and a disciplined Army. The contention of those who knew anything about Egypt at the present time was that the Government had not advanced in any degree towards these points. They asked the Government what proof there was that the then Government of Egypt, so far, had tended to produce any of these results? The Army they knew comparatively little about; but they did know that there had been a complete break down in all the branches of Egyptian administration. The evidence from all independent sources in support of this break down was overwhelming. He had been very much surprised by the remarks which fell from the hon. Member for Newcastle (Mr. Morley), by which he hoped to convince the Committee that Egypt was in a state of satisfaction and tranquillity. The hon. Member made two or three quotations from despatches, none of which related to the existing condition of Egypt. The latest despatch was one in April last. But the hon. Member gave no satisfactory proof that Egypt was not now in a state of absolute administrative anarchy. There was a great deal of evidence that Egypt was in that condition. There was evidence in the correspondence of gentlemen of great ability and of large experience in Egypt, who unanimously stated that Egypt was at present in a state of administrative anarchy; that every branch of the Public Service had broken down; that Egypt had suffered more during the past three or four months than during the 13 years of despotism she experienced under the late Khedive. The hon. Member for Newcastle had given nothing in disproof of that. He had quoted not one single jot of evidence to show that the state of Egypt at the present moment was not what it was represented to be by able judges—namely, administrative anarchy. It was incumbent on the hon. Member, who largely based his argument on the fact that Egypt was in a satisfactory condition, to give some evidence to prove that; but he failed to do so, and he would advise the hon. Member with great respect—and any other hon. Member who wished for information on this subject—to see the very interesting and remarkable letter which had been sent to *The Times* by its Correspondent at Alexandria. That gentleman stated most emphatically—and he was a gentleman of credit and position, and he had rested his reputation upon the statement—that Egyptian administration, in spite of our presence, had broken down in every detail. That statement had not been controverted. The noble Lord the Under Secretary of State for Foreign Affairs did not attempt to controvert it, and the Prime Minister did not attempt to do so; and, in view of these facts, he wished to ask the Government what they had gained in Egypt, and what they intended to do to justify their action in that country? There were two policies. One was to have left Egypt alone from the first, which was a consistent policy, and which, however dangerous and absurd, at least had the merit of consistency. For those Gentlemen who had supported the Government in the earlier stages of their interference in Egyptian affairs, or who condoned that interference, as the hon. Member for Newcastle did, to come down to the House and advise immediate withdrawal, in the face of the action taken by the Government, was utterly inconsistent and unjust, not only to the interests of this country, but to the interests of the Egyptian people. We had largely broken down the element of self-government which Egypt had possessed. The Prime Minister had taken credit for having established a strong Army in Egypt. That was a very doubtful assumption; but, granting it, he wished to ask whether the Army was in any better condition now than it was under Arabi—whether it was stronger or better disciplined at this moment? The condition of the Army was worse now than it was prior to the beginning of our joint intervention with France. With regard to all else, we had broken down the power of the people for self-government. We had destroyed their National Parliament, and we had broken down their independence, and refused them the Constitution they demanded; and now our Ministry pretended, after repelling by the bayonet the just demands of the Egyptians 18 months ago, to be anxious to grant them something similar to those demands now. The position of the Government in this matter was absolutely inconsistent. Having destroyed, they were bound to build up again. As the Under Secretary had said, Constitutions were not built up in a day; and the view he took was not that there should be annexation, or even a permanent protectorate, for there were many objections, but that we were bound, before leaving, to build up, on firm and lasting foundations, law and order and good administration in Egypt. We were bound to do that, regardless of what might be said by hon. Members below the Gangway or by Foreign Governments. The Prime Minister accused the right hon. Gentleman (Sir Stafford Northcote) of offending, and of running the risk of causing trouble with, Foreign Powers by his speech; but the right hon. Gentleman had said not one word in favour of annexation or protectorate. He said we must build up an administration so solid that we could be certain there would be no excuse for Foreign Powers to interfere themselves, or for such disturbances as brought about an interference last July. That was a perfectly clear and consistent position; and not only did our great interests in Egypt demand it, but it was due to the Egyptian people, whose power of self-government we had been largely instrumental in removing. The great danger in this matter was that the Government might be driven down hill by the representations of Foreign Powers. They had shown themselves remarkably susceptible to these representations. They believed all that was told them with regard to the feeling abroad on this question. It was, on the other hand, notorious that certain Powers would have no objection to our remaining in Egypt altogether; and no Power but one had any objection. That Power was France, which was anxious to drive England out of Egypt as fast as it could; and it was, no doubt, for that purpose that the diplomatists of France were constantly telling us that, unless we left at once, great exasperation might arise in France; and that, unless we left at once, France might not offer an apology or reparation for what had occurred at Madagascar. That was the way in which the matter was being worked all over Europe; and the danger was that the right hon. Gentleman, who was so susceptible to foreign representations, and who took everything for granted in these matters, and felt the "deepest emotion" when any representation was made by the French Republic, or by any other rival Power, might be driven down hill without cause, and induced to give up the interests of this country. That was exactly what was happening at the present moment; and he hoped the right hon. Gentleman would remember that it was the French who abandoned him at the critical moment last year. Very fortunate that was for us; for if French troops had joined ours in Egypt, as our Ministry at one time wished, we should never have got them out again without war. Still, the withdrawal of France then justified resolute action on our part now. He hoped the right hon. Gentleman would remember that, and take up this work alone. Our interests in Egypt were greater than those of any other Power—greater than the interests of all the other Powers. They were just and legitimate interests. By firmness and consistency in this matter we could carry our improvements in the administration of Egypt through without giving serious offence to any other Power. He would point out that the late Administration managed to keep on the most perfectly good terms with France, although they based their policy on the German alliance. The present Government had not only alienated the German Powers and Turkey, but they had all but come to blows with the French Republic. The fall of Lord Beaconsfield was universally regretted by the French Press; but the reason of all this was their firm and consistent course, which never neglected to defend our legitimate interests. He wished to make a protest against another statement by the hon. Member for Newcastle. The hon. Member attributed interested motives to those gentlemen who now had the conduct of the administration in Egypt. He considered that very unfair to gentleman who, he believed, had only the welfare of the Egyptian people at heart; and the hon. Gentleman advanced no proof in support of his statements. He would also make a fervent protest against the conversion of the fatal doctrine of non-intervention into a sort of fetish-worship in order to quiet the country. How could non-intervention ever be the policy of a great Empire like that of Britain? It was by the contrary doctrine that the power and the influence of this country were built up. It was the fearless extension, and not by the contraction, of our Dominions, by the refusal to be afraid of the responsibilities of Empire, that towns such as that represented by the hon. Member obtained their commercial importance and their wealth. Gentleman representing those towns owed everything to the enterprize and courage of their ancestors, and yet they were elevating this pusillanimous theory of non-intervention into a political dogma. He protested against this; and he hoped the time might never come when we should adopt a view so utterly unworthy of any great State, and so especially unworthy of the ancient and Imperial English race.

Mr. LABOUCHERE said, he gathered that the Supplementary Estimate would not be proposed, because he had a Motion to reduce that Estimate. He found that there was an item of £6,000 charged for the Special Embassy to St. Petersburg; but he wished to see a reduction. We had an Ambassador at St. Petersburg; it was right that he should go to the Coronation at Moscow, and it was equally natural that he should be paid for that, because at Coronations things were excessively dear; but it seemed to him that they had done enough for the Coronation of the Czar when they had given their Ambassador £4,000 to proceed to Moscow and take part in that ceremony. But it appeared to have been thought necessary to send the Duke of Edinburgh, accompanied by Lord Wolseley. His Royal Highness, as all knew, was the brother-in-law of the Czar, and it might be supposed that, in all probability, His Royal Highness would have gone to see this interesting ceremony performed upon the Czar if he had not been sent as Special Ambassador. In fact, he very much doubted whether anybody, except a small circle of the Court, knew that the Duke of Edinburgh was an English Ambassador. Most people were under the impression that His Royal Highness was there as a Member of the Royal Family of England, allied to the Royal Family of Russia, and that he went at his own expense. He did not see that it was desirable that they should, in addition to their regular Ambassador to Russia, send a Special Ambassador on this occasion; but if they must do so, he really thought it was undesirable that one of the Royal Family, particularly if he was allied to the Russian Royal Family, should receive a considerable sum of money to act as Ambassador. He did not want to go into the details; but he found "gratuities and unforeseen £1,000." What were these gratuities? He supposed that when a Gentleman went to take part in such things he gave the servants something; but to come on the country for £1,000 for gratuities was a great deal too much. He should move to reduce the Vote by £2,000, and should go to a Division upon it.

Mr. RYLANDS said, he objected to a Supplementary Vote like this being put in this irregular way. The course hitherto had been to put such a Supplementary Vote separately; but if there was to be a system of Supplementary Votes slipped into a Vote put from the Chair, it would be impossible for hon. Members to follow the Votes. He entirely objected to this, and contended that the usual course should be adhered to.

Mr. COURTNEY said, that the hon. Member was entirely in error. The usual course was for the Supplementary Estimate and the Original Estimate to be taken together. That was the case last Session.

Mr. BOURKE said, if the hon. Gentleman would look at this Estimate he would find that in the column for 1882-3 there was a sum of £206,000 put down as the whole Vote for Diplomatic Services. That way of putting down the whole Vote was entirely misleading, because there were £30,000, in addition to that Vote, as a Supplementary Vote for 1882-3. That did not appear, and the total Vote was £236,000.

Mr. SCLATER-BOOTH said, the doctrine of the hon. Gentleman the Secretary to the Treasury was new to him. It might be that last year the Original and the Supplementary Estimates were mixed up; but last year was a year in which the Civil Service Votes were unduly delayed. Certainly, when the Civil Service Votes were taken in due course, it was out of the question that the Supplementary Estimates should be mixed up with them. This was an important point, although there might not be a precedent for taking this course.

Lord EDMOND FITZMAURICE said, he had inquired very carefully what was the usual course, and he was informed that any other course than that adopted would be quite irregular; and he would remind the Committee that he had a warning as to what would happen to him if he pursued the course now recommended by the hon. Member for Burnley (Mr. Rylands), as there was a Motion still on the Paper in the name of the hon. Member for Northampton (Mr. Labouchere), criticizing the course proposed to be taken, of putting this question forward separately. Owing to certain reductions made, it was found that the Revised Estimate was £4,000; and he found that it would be irregular, when a new Estimate was presented, not to bring forward every matter with which that was connected. The Committee would see a sub-head for Special Missions in the Service, so that there was already an item of the same kind in the ordinary Vote; and the Supplementary Estimate was simply an additional sum provided for by gentlemen at the Foreign Office of great experience in the preparation of these Votes.

Mr. RYLANDS said, that this item was not included in the Revised Estimate to which the noble Lord referred.

Mr. SCLATER-BOOTH pointed out that a Revised Estimate was one thing and a Supplementary Estimate was another. It was quite evident that what was now presented on a Supplementary Estimate ought to have been produced when the Original Estimate was brought in.

Mr. COURTNEY said, it was to be regretted that the Original Estimate should stand over; but the practice of incorporating Supplementary with Original Estimates was perfectly well known.

Mr. DILLWYN said, there was no mention of Supplementary Estimates upon the Paper of to-day.

THE CHANCELLOR OF THE EXCHEQUER (Mr. CHILDERS) said, that the practice of taking the Supplementary Vote together with the Original Vote, under the circumstances described by the Secretary to the Treasury, encouraged the Government to present the Supplementary Estimates as early as possible. This year, the Supplementary Estimates were smaller than they had been for years past, and they had been presented earlier in the course of the year. From the point of view of control, the House had had better control over the expenditure this year than for some time past; and he hoped that on the ground of precedent, and also on the ground of convenience to the Committee, they would be allowed to take this Vote.

SIR H. DRUMMOND WOLFF said, he desired to say one word with regard to Major Baring's salary. When the question of increasing Major Baring's salary was first mooted, the noble Lord refused to give the House any Estimate. It was only when he was pressed by hon. Members that he consented to do so. [Lord EDMOND FITZMAURICE dissented.] He begged the noble Lord's pardon; and he asserted, unhesitatingly, that the noble Lord positively declined to give any Estimate. The noble Lord stated distinctly that they meant to carve the salary out of other Votes, and it was only when he was pressed that this Estimate was given at all. Now, what he wanted to point out was that they were increasing Major Baring's salary, and that, in order to do so, they actually reduced the salary of the Minister in Belgium. The Belgian Minister had been in Belgium for 15 years. He had never once been mixed up in any European politics. He had received a certain salary. He had refused other places; he had refused promotion. Now, however, they had made him Ambassador in Italy, and they sent Sir Edward Malet to Belgium at a reduced salary. They had also reduced the salary of the Minister in China. He maintained that this way of carving out the salary of Major Baring from the salary of the new Minister in Belgium and from that of the Minister in China was monstrous; and he should move hereafter to reduce the salary of the Ambassador to Rome. He thought that if Major Baring was to receive an increased salary, such hard-worked men as Sir Edward Malet and the Minister in China should not be made to suffer. The right hon. Gentleman the Prime Minister had promised the Irish Members that he would discuss the Registration of Voters (Ireland) Bill that night; and, therefore, he would not trespass more on the time of the Committee.

LORD EDMOND FITZMAURICE said, it would not be respectful to the Committee if he were not to reply to the observations made by the hon. Member for Portsmouth. The hon. Gentleman had made an attack upon the Government for having effected certain economies; but he (Lord Edmond Fitzmaurice) maintained that it was the bounden duty of the Foreign Office, from time to time, to revise the Estimates carefully, and wherever they saw an opportunity of making a legitimate economy to do so. The hon. Member had quite misrepresented, unintentionally no doubt, what he (Lord Edmond Fitzmaurice) said in regard to the Supplementary Estimate for Major Baring's salary. What he had said was that the increase in his salary would be met by economies in other directions, and that in that way it would be incorporated in the Votes.

Question put.

The Committee *divided:*—Ayes 42; Noes 114: Majority 72.—(Div. List, No. 270.)

Original Question again proposed.

SIR H. DRUMMOND WOLFF said, he now desired to ask the noble Lord the Under Secretary of State for Foreign Affairs a question about Sir John Lumley. He had just pointed out that Sir Edward Malet had been hard at work in Egypt and elsewhere for a considerable time; that he had been promoted to Belgium; and that the place he had vacated in Egypt was to be held by a gentleman from India, to whom an increased salary was to be given. He did not wish to go through the list of Sir John Lumley's services. He would simply say that Sir John Lumley had been Minister in Saxony and in Switzerland, and for 15 years Minister in Belgium. Sir John Lumley had refused promotion. He had chosen to remain in Belgium, and he had, during the whole of the time, received a certain salary. He had, however, been sent to Rome, and the salary of his successor in Belgium had been diminished. The Minister in China had spent his life in that country, and he had been one of the most useful public servants this country ever had. He had worked himself from the lowest to the top rung of the ladder; and almost at the end of his career his salary was diminished by £500, in order to make up for the increase in the salary of Major Baring. He (Sir H. Drummond Wolff) was not opposed to economy. Indeed, he desired to see economy practised wherever it could be. It must, however, be practised judiciously; and he maintained that it was a monstrous thing to reduce the salaries of such trusted servants of the Crown as Sir Edward Malet and Sir Harry Parkes to make up for an increase elsewhere. Unless he received a satisfactory explanation why Sir Edward Malet and Sir Harry Parkes, who had a preferential claim to Sir John Lumley, had been passed over, he should move to reduce the Vote.

LORD EDMOND FITZMAURICE said, the doctrine of the hon. Gentleman was rather an extraordinary one. The hon. Member had laid down the doctrine that diplomatists had a vested interest in succession to certain places. If such a principle were adopted, it would make economy in the Public Service impossible; because it would follow that a high salary received by a distinguished diplomatist should be paid to his successor, no matter what his past services were, and no matter how limited his experience might be.

MR. RYLANDS said, that if the hon. Gentleman (Sir H. Drummond Wolff) would look at the list of Envoys Extraordinary to the different places in South America he would find that we were paying large salaries. He (Mr. Rylands) could not see how it was possible to make any considerable remissions in the high salaries unless opportunity were taken on occasions of promotion to place in the stead of those promoted gentlemen at lower salaries.

SIR H. DRUMMOND WOLFF said, these economies were broken reeds to rely upon. The hon. Member for Burnley (Mr. Rylands) picked out the case of Belgium, but said nothing about that of China. He (Sir H. Drummond Wolff) wished to ask a question respecting Sir John Lumley, as to whether he had been allowed to succeed to the post of Ambassador at Rome without any diminution being made in his salary, whilst a diminution had been made in other places? Sir Edward Malet, who had worked hard for many years, had been promoted to the Mission of Belgium, and the Government were putting in his place a gentleman to whom they were giving a large salary. Sir John Lumley had been in Belgium for 15 years, where the duties were a perfect sinecure. The Government sent him to Rome, one of the best posts in Europe, and then diminished the salary of Sir Edward Malet instead of that of Sir John Lumley, through some backstairs-influence with Lord Granville about which he (Sir H. Drummond Wolff) knew something.

MR. LABOUCHERE said, he thought they ought to move a reduction of this Vote, not so much because of what had taken place with regard to the diplomatic post in Belgium, but because of what had occurred in China. He remembered it being stated in that House, when a Motion was made to reduce the Vote for the salaries of the Diplomatists in China, that it was most undesirable to do so, because China was unconnected with England by telegraph; and that, therefore, it was necessary to have a first-rate man there in order to prevent our getting into trouble with that country. If hon. Members would look at the salaries in China as compared with those in Italy, they would find them higher, and also higher than those paid in some other parts of the world, the reason of this being to some extent, no doubt, because living in China, after the European fashion, was a good deal more expensive than in Europe. Another reason was that China was very far off, and that there were hundreds of persons ready to accept Consular service in Europe who would not accept it in China .It did, therefore, appear to him, when they had gentlemen in such a place as Portugal receiving £4,000 a-year, that it was desirable to reduce expenditure in connection with those posts rather than in China. They required to have a good man in China, and because that post was somewhat out of the way, they had no right to make an unnecessary reduction. He presumed it was done because the gentleman who was sent to China had no friends. At any rate, such was the suggestion of hon. Members. He did not know whether it was the fact or not; but, no doubt, the post being a long way off and out of the way had a great deal to do with it. If it were possible for him to do so he certainly should propose to increase the Vote; but that, of course, was entirely beyond the power of a private Member.

Mr. THOMASSON said, he begged to move the reduction of the Vote by £2,425, being the Vote to complete the sum for the salaries of the Minister Resident of Wurtemburg, the Chargé d'Affaires of Darmstadt, the Secretary of Legation of Coburg, and the Chargé d'Affaires of Bavaria. He believed these reductions would be quite consistent with the efficiency of the Public Service. At any rate, he would like to know what the diplomatic services of these gentlemen were; and whether it was desirable to pay them salaries varying from £500 to £1,250, in addition, in some cases, to the rents of their houses? All these places, he believed, were in the German Empire; and he supposed the work was really managed in Berlin. He would venture to say that the places on the map to which the Votes referred would be unknown to the majority of Members. He should be glad if the Government would vouchsafe some information as to why these diplomatists were maintained in such out of the way places.

The CHAIRMAN: I would point out to the hon. Member that there has already been proposed a reduction of the General Vote; and that, therefore, it would not be in Order for him to propose the reduction of another specific item.

Mr. R. N. FOWLER said he had to apologize to the Committee for speaking on this subject; but he had been in Japan, and had had the pleasure of knowing Sir Harry Parkes, whom he believed to be a most able and efficient servant of Her Majesty. In these circumstances, he was sorry to find that when this gentleman was promoted to Pekin the salary accorded to him was £500 per annum less than that which had been paid to his Predecessor. He protested against such treatment of a man who had spent his early years in China, and had rendered the greatest service to his country. He protested, in the strongest manner, when he found this gentleman's salary cut down, and when he saw a gentleman of whom he knew nothing, but who, he had no doubt, was a very deserving public servant, who had been in Belgium for many years, being appointed to Rome, and receiving exactly the same salary that his Predecessor in that post had been paid. He (Mr. R. N. Fowler) protested against the way in which Sir Harry Parkes had been treated; and, as a protest against the reduction of his salary, he would propose to reduce the Vote by £500. Her Majesty's Government would do well to give this matter their careful consideration; and, if they did, he trusted the result would be that they would give this diplomatist the salary his Predecessor had received at Pekin.

Motion made, and Question proposed,

"That a sum, not exceeding £112,800 (including a Supplementary sum of £6,000), be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1884, for the Expenses of Her Majesty's Embassies and Missions Abroad."—(*Mr. R. N. Fowler.*)

Lord EDMOND FITZMAURICE said, that in regard to the question of salary, it seemed to him there was only one question to ask, and that was whether the salary was adequate for the post? The moment they entered into all these personal questions they embarked on very difficult topics. Questions of personal controversy were, nine times out of ten, questions of great difficulty, and were nearly always in the highest degree distasteful to the gentlemen who were the subject of them. He should be the last person in the world to under-rate the services of that distinguished gentleman whose name had been mentioned, and who was now going to China; but the fact that they were able to obtain the services of so distinguished a man at such a salary seemed to him to be the best argument in favour of that salary. If it could be shown that the moment the salary was reduced they could no longer obtain the services of such a man as Sir Thomas Wade, and the other distinguished men who had represented this country in China before, then hon. Members would have been armed with a very formidable argument that he (Lord Edmond Fitzmaurice) would have experienced great difficulty in answering. But they had obtained the services of a man of great skill and ability, and that was his answer to the hon. Member in regard to China. As to what had fallen from the hon. Gentleman behind him (Mr. Thomasson), he quite admitted the force of some of his remarks. He quite admitted that the circumstances of these countries where the posts existed which the hon. Gentleman desired not merely to reduce, but to abolish, had materially altered since the time in which these posts were first instituted and the salaries attached to them. It was felt, however, that some changes in regard to these posts might be made; and he could only say that the Foreign Office were watching all these cases very carefully, not only in regard to the four places which the hon. Member mentioned, but other posts in addition. He would venture to observe that the same argument did not apply to all these four places; and it was difficult to lump together in one sweeping condemnation Bavaria, Wurtemburg, Darmstadt, and Coburg. There were peculiar circumstances which marked one from the other. The position of the various States and Duchies of the German Empire was not the same. Bavaria, for instance, had reserved itself a far more independent position than most of the States of Germany which had been affected by recent events in that country. Then there had been one other point mentioned, he having been asked why it was that they had not the courage to do something in the case of Portugal; and their conduct in regard to China had been attacked, it having been stated that they had been actuated in what they had done by the consideration that the country was a long way off, and because the gentleman who had been appointed unfortunately had no friends. He had a plain answer to that, which was that it had been determined to make considerable alterations in connection with the Lisbon Mission on the very first opportunity, the circumstances of the Mission having very materially altered since it was established.

Mr. ILLINGWORTH said, he saw in the Votes charges made for seven Consular chaplains; and as they had not a Bishop in that House, as they had "elsewhere," to whom a Question on this subject could be put, he would address himself to the Secretary to the Treasury (Mr. Courtney). He would ask the hon. Gentleman upon what principle they were supposed to go in fixing these salaries? He found that in the case of Turkey the chaplain was paid £400 a-year, including £100 for rent; £300 was paid in the case of Austria; £200 a-year in the case of Denmark; £200 also in the cases of Spain and China; £100 was devoted to the chaplaincy of Greece, and only £50 to that of Italy. He supposed there was some rate or scale of the worth of the services of these gentlemen; and he should like, therefore, to ask how these services were assessed? In the case of Denmark he should like some explanation as to an additional item, because it seemed that this was the only place in which there was an extra charge made in connection with a chaplaincy which was partly subsidized by residents. The case of Denmark was the only one in which there was any contribution from outside towards the salary of the chaplain. He should like to know whether, in other cases, contributions were made in the capitals of Europe, or why Denmark was made an exception? Why should the chaplain in Turkey receive £400, whilst the chaplain in Italy received only £50?

Mr. SCLATER-BOOTH said, there was one further question he wished to ask on the subject raised by the hon. Member for Portsmouth (Sir H. Drummond Wolff). The noble Lord (Lord Edmond Fitzmaurice) appeared to him (Mr. Sclater-Booth) to have proved too much. The noble Lord said, in a light manner, how satisfactory it was to him to have obtained the services of so distinguished a man as Sir Harry Parkes at Pekin for the modest sum of £5,500 per annum, as though all these appointments were put up to "Dutch auction" whenever a vacancy occurred. Why, then, was not the principle of paying the precise sum for which they could get a suitable official adopted in the case of Rome? Could not the new Ambassador to Rome have been induced, in like manner, to accept a smaller salary?

Mr. CAUSTON said, he wished to ask a question as to the chaplaincy at Vienna. Last year they had been asked to vote £300 for a chaplain in Vienna; but there had been no English service there for several weeks; in fact, he thought, for several months. If they voted £300 a-year it ought surely to insure to the residents and visitors to the great City of Vienna a regular Sunday service.

Mr. RYLANDS said, it appeared that the right hon. Gentleman opposite (Mr. Sclater-Booth) considered that the judging of the salaries according to the requirements of the Missions and the duties to be performed was really putting these salaries up to "Dutch auction."

Mr. SCLATER-BOOTH: I did not say so. It was the noble Lord.

Mr. RYLANDS said, it was admitted that there was a number of excessive sums paid—sums which were a great deal more than was sufficient to secure the services of suitable gentlemen. It appeared to him that the only course the Government could adopt would be to reduce the salaries when they were making promotions and changes, or when vacancies occurred. Salaries should be reduced where practicable, provided always that they did not reduce them to such an extent that they could not obtain efficient men. That was the point. He quite agreed with those who were of opinion that the salary of £7,000 a-year to their Ambassador in Rome was a very excessive amount, and one that should be reduced. If the noble Lord would allow him to say so, he would suggest that he (Lord Edmond Fitzmaurice) had not replied to the observations of the hon. Member for Bolton (Mr. Thomasson). The noble Lord had very cursorily referred to these German Embassies; and he (Mr. Rylands) had rather inferred from his observations that he was not prepared to advocate their continuance in all cases. In addition to these Ministers, there were second Secretaries voted, and, in some cases, even third Secretaries. Saxony was a place mentioned in which there had been a Mission maintained for many years past. [Lord Edmond Fitzmaurice: I said Bavaria.] His hon. Friend (Mr. Thomasson) was prevented from moving a reduction, but he had done good service by calling the attention of the Committee to this matter; and he (Mr. Rylands) trusted sincerely that when the Treasury could see its way to revising these sums next year, they would consider whether reductions could not be made both in regard to the German and South American Missions.

Sir H. DRUMMOND WOLFF said, he thought the noble Lord and the hon. Member for Burnley (Mr. Rylands) were really of the same opinion as himself on some of these points. He trusted, with the hon. Member for Burnley, that the Government would take the opportunity, when making new appointments, to reduce the salaries in the cases to which he had already referred. His objection was that, in the case of a new appointment, they had reduced the salary of one Ambassador; whilst in the case of Italy they had not revised the salary paid. According to the doctrine of the noble Lord, because they could get Sir Harry Parkes to accept the post at Pekin for £500 a-year less than was paid to his Predecessor, why could they not have tried it on with Sir John Lumley to see if he would take £500 a-year less? His (Sir H. Drummond Wolff's) complaint was, that they should apply the screw to a man who had been 40 years in China, and who had worked so arduously, and with so much zeal, as Sir Harry Parkes, instead of to the case of a gentleman who was removed to one of the pleasantest posts in Europe—to a post which was almost a sinecure—that they should have removed Sir John Lumley from Belgium to Italy without having reduced his salary £500 a-year. If they wanted to reduce the salary of Sir Harry Parkes, why did they not also reduce that of Sir John Lumley? He was glad the attention of the Committee had been drawn to this matter, because the way in which patronage had recently been distributed by the Foreign Office had almost amounted to a scandal. He was quite aware, however, that it was of little use to move to reduce Votes, as the economists opposite, and the weak Front Bench on the Conservative side, would be certain to support the Government. However, if his hon. Friend (Mr. R. N. Fowler) divided, he should vote with him.

Mr. LABOUCHERE said, before they finished the discussion on this Vote it was necessary to say something about superannuation. He found, in Class VI., besides £7,000 charged on the Consolidated Fund, there was a charge of £19,918, which made nearly £27,000 together. This sum was devoted to pensions. An Ambassador got a large pension, the rule being that when a gentleman had been 15 years in the Diplomatic Service he was entitled to a superannuation allowance. No doubt, it might be desirable to bring about these changes at the expiration of that period; but it certainly seemed to him that a person who had been 15 years in the employment of the Government was a fit individual to continue in the Service, if he was not above a certain age. By continuing a diplomatic servant in the service of the Crown beyond the limited period of 15 years a great deal would be saved in the matter of pensions. Let them take the case, for instance, of Lord Napier, one of the ablest diplomatists they had, and not a particularly old man. He had been receiving a pension for a number of years, and in that way they were not only depriving themselves of the services of a thoroughly able and experienced diplomatist, but they were burdening themselves with a payment which was altogether unnecessary. If they appointed a man like Lord Napier—and he took his Lordship merely as an instance—as an Ambassador in some foreign capital, they would be saving the country a pension of £1,700 per annum. Some time ago, he (Mr. Labouchere) had had a Motion on the Paper on going into Committee, dealing with this item. His object in putting that down was, he admitted, to call attention to the case of Sir Henry Layard. This gentleman, as the Committee was probably aware, had not been 15 years in the Diplomatic Service—he had been about 13 years, or something of that kind—and consequently, according to the strict letter of the law, was not entitled to a pension. But it seemed there was an idea at the Foreign Office that he should be made Ambassador at Rome, because then, after a service of two years, he would be entitled to a pension. Well, it had struck him (Mr. Labouchere) as being a highly objectionable thing that a person like Sir Henry Layard should be appointed to Rome for two years, in order to legalize the charging of a pension of £1,700 a-year upon the country during the term of this gentleman's life. Sir Henry Layard had not been brought up to the Diplomatic Service. In his early youth he was an *attaché* at Constantinople; but he received that appointment simply to give him a position whilst he was making those interesting discoveries at Nineveh, with which the Committee, no doubt, were thoroughly familiar. He had no intention to attack Sir Henry Layard; he had been for some time in that House sitting on the Liberal side, and was a scientific man, as well as a very able diplomatist. He (Mr. Labouchere) did not by any means agree with what Sir Henry Layard had done at Constantinople; but, at the same time, he admitted that was no reason why Sir Henry Layard should not be employed again in the Diplomatic Service. Sir Henry Layard had carried out his own views and those of the Government he served; and he (Mr. Labouchere) was not raising this point against Sir Henry Layard as a reason why he should not be sent to Rome for a couple of years to qualify him for a pension. It might be thought that in making these observations with regard to Sir Henry Layard, he, and those who took the same view as himself, felt that he was not a fit person to be employed. Nothing was further from their feelings on the subject.

SIR CHARLES W. DILKE said, he was glad to hear the last remark of the hon. Member for Northampton (Mr. Labouchere) in regard to Sir Henry Layard, because it would be a very great pity if it were to go abroad that Sir Henry Layard, who was a gentleman of very great ability—indeed, one of the ablest diplomatists they had in many respects—should be looked upon as in any sense under a cloud. The Prime Minister had left the House; but, before going, had requested him (Sir Charles W. Dilke) to state that nothing had been further from his thought than that any difference of opinion between himself and Sir Henry Layard with regard to the Constantinople affair, which took place a long time ago, should interfere with the arrangements in which that able diplomatist might be interested. It must not be assumed that Sir Henry Layard was not entitled to a pension—he would not say whether he was or not, the question being a legal one, which had not been finally settled.

LORD EDMOND FITZMAURICE said, with regard to the chaplains and the other matters which had been mentioned, he would first of all refer to one observation which had been used by a right hon. Member on the opposite side of the House (Mr. Sclater-Booth). He wished to state that he had never, in a single instance, referred to what hon. Members had been pleased to call a "Dutch auction" in regard to the re-apportionment of these salaries. He had, on the contrary, said that it was the bounden duty of the Foreign Office, whenever a vacancy occurred, to examine the salaries and the circumstances attaching to the post or Mission to see whether the salary required to be increased or decreased, as the case might be. That principle had been applied in the cases which had been under discussion this evening. In regard to the Motion, or rather the question as to why an economy had not been effected in Rome—why it had been effected in Brussels, and was going to be effected elsewhere, and not in Rome—he might state that Italy was a great rising State, a Kingdom with which this country had a very great and active sympathy. The salary of the Ambassador was only fixed 18 months ago, and to reduce it thus early after its having been fixed would be an act of very great absurdity. He could not possibly conceive how any person could imagine that there was anything in common between the Embassy at Rome and the Legations at the other places mentioned. With regard to the chaplaincies, he would remind hon. Members that of late years there had been considerable controversy about these matters. The chaplaincies were six, and the salaries ranged from £50 to £300 a-year. The Paris chaplaincy was abolished in 1869 by the House of Commons. That at Copenhagen was retained, for the reason that that seaport was the resort of a large number of British sailors. He believed £85 was given for the chaplain at Copenhagen, in addition to a sum equivalent to the subscriptions of the residents. In the other cases to which reference had been made there were exceptional circumstances which rendered it desirable that the chaplaincy should be kept up. He very much regretted to hear what an hon. Member had said with regard to the Church Service at Vienna; but the statement of the hon. Gentleman would cause attention to be paid to the matter, and, no doubt, the evil would be remedied without delay.

Mr. RYLANDS said, that he should like to ask his right hon. Friend the President of the Local Government Board whether he could not give the Committee some information upon a question which had excited a great deal of interest in his mind? Sir Henry Layard had been employed, to a certain extent, in the Diplomatic Service; and, as he (Mr. Rylands) understood it, there had been a distinct arrangement made, whereby a certain number of years' service entitled a diplomatist to a pension. How it could be a legal question, when it was known what number of years Sir Henry Layard had served in the Diplomatic Service, he was at a loss to imagine. The Committee, he thought, should give some attention to this, because, if he was rightly informed, in consequence of what was happening a new principle might arise for regulating these pensions. He was informed that Sir Henry Layard would count the period for earning his pension from the time he held Office as Under Secretary of State for Foreign Affairs. If that was the proposition, it struck him as a most extraordinary and outrageous one. He (Mr. Rylands) had had the pleasure of sitting with this gentleman, and he remembered perfectly well the time when he occupied this Under Secretaryship. He denied the right of the Government to grant a pension on that understanding; and he appealed to the right hon. Gentleman the President of the Local Government Board to let them know how the difficulty arose, and why this claim was set up? So far as he (Mr. Rylands) knew, no such difficulty occurred when the years of service were known, and the amount of salary had been determined.

Sir CHARLES W. DILKE said, he was not competent to discuss the legal aspects of Sir Henry Layard's claim for a pension. All he had said was that there were some legal points to be decided, and that the matter had not yet been finally settled. It was a difficult legal question, and he assured his hon. Friend (Mr. Rylands) that a great number of hours' discussion had taken place amongst most competent persons in the Foreign Office upon the matter without a final result being arrived at.

Mr. THOMASSON said, he intended to vote with the hon. Gentleman opposite. He had never known a reduction carried in Committee of Supply; but if it were carried the Government would have this advantage—that they would be able to effect the reduction either in China, Wurtemburg, Darmstadt, Coburg, or Bavaria.

General Sir GEORGE BALFOUR said, there could be no doubt as to what the intention of Parliament was when it sanctioned the pension of Sir Henry Layard. The House would not so far violate the spirit of the law as actually to consider, in the diplomatic career of a man, what period he had served as an Under Secretary in that House, and what period he had served on a Foreign Mission.

SIR H. DRUMMOND WOLFF said, he would draw the attention of the hon. Member for Burnley (Mr. Rylands) to something which bore upon this question. In dealing with the services of Sir Henry Layard, or that of anybody else in the Public Service, no one should be actuated by any other feeling than the justice of the case. Well, in the Act of 1869, it was distinctly laid down that where a person in the Consular Service, or in any other branch of the Civil Service of Her Majesty, was appointed to some employment in the Diplomatic Service, or where a person in the Diplomatic Service was appointed to some office in the Civil Service, and suffered prejudice in regard to his retiring allowance by reason of his not continuing in his former service, the Treasury might award such superannuation allowance, having regard to his services. Sir Henry Layard would have been entitled to a pension if he had been Under Secretary of State for 10 years. Of that there was no doubt. ["Oh, oh!"] Well, Under Secretaries had received pensions, and were entitled to them, as his hon. Friend (Mr. Rylands) would, no doubt, find out when he was made an Under Secretary. Had the Government chosen to retain the services of Sir Henry Layard he would have been entitled in three years to a pension for diplomatic services, looking at the time he had served as Ambassador. He (Sir H. Drummond Wolff) had spoken to several legal friends when this matter was first brought up; and they were clearly of opinion that under the Act of 1869 Sir Henry Layard would be entitled to a pension.

MR. RYLANDS said, that the hon. Gentleman (Sir H. Drummond Wolff) was mixing up two things together. No doubt an Under Secretary, after a number of years' service, might, under circumstances in which he required a pension, receive a superannuation allowance, there being a limited number of pensions for bestowal under these circumstances. But the Civil Service, to which the hon. Gentleman had referred in the extract he had given them from the Act of 1869, was altogether a different thing. That dealt with persons who were permanent in the Service, and their position was entirely different from that of an Under Secretary of State. His point was, that if the Government were led into such an arrangement as that they were discussing it would be made into a most objectionable precedent—it would be a piece of political jobbery to count a period served in an Under Secretarial capacity in estimating a pension for diplomatic services, because the Government might pitchfork an Under Secretary into the Diplomatic Service for a time in order to qualify him for a pension.

LORD EDMOND FITZMAURICE said, he did not intend to enter into a discussion as to the question of law, but would merely state that the Foreign Office would have to be actuated by the best opinion it could obtain. They would have to say what was to be done in order that the Statute might not be violated.

THE CHAIRMAN pointed out that the whole of this discussion was rather irregular, seeing that there was nothing whatever relating to the pension of Sir Henry Layard in the Vote before the Committee.

MR. ILLINGWORTH said, he would like to ask if there was any intention on the part of the Government to decrease the number of chaplaincies which had been referred to? They would be more satisfactory if they were conducted upon some kind of system; but that did not appear to be the case, for he found that whilst the chaplain in Italy was receiving only £50 a-year, in the case of Turkey £400 a-year was paid. He was at a loss to imagine how these salaries could be fixed. Were the services rendered in Constantinople eight times more valuable than those rendered in Rome—were the chaplains paid according to the duties they performed, or according to their ability, or how were these salaries estimated? If he did not receive a satisfactory reply he should certainly move a reduction in the Vote.

MR. COURTNEY replied, that the case of the Italian chaplain was quite peculiar, the salary not being paid to any chaplain at Rome, but to a Vaudois church in Turin.

Mr. SHEIL was at a loss to imagine why chaplains should be appointed in one place and not in another. He should have thought that the duty of a chaplain was to say prayers for those connected with the British Mission. Why, therefore, should people be administered to in one place and not in another? As to the salary of Sir Henry Layard, it seemed to him that those who were not his apologists ought to remember that in the last Parliament a Vote of Censure was moved upon him in consequence of the despatch he wrote in reference to the present Prime Minister of an insulting character. He (Mr. Sheil) was in the House at the time, and had taken upon himself to refrain from voting, rather than vote against Sir Henry Layard and cause his destruction in the middle of his career. The right hon. Baronet (Sir Charles W. Dilke) now seemed to act as Sir Henry Layard's chief apologist; but he (Mr. Sheil) was not at all sure that the right hon. Baronet had not voted against Sir Henry Layard on the occasion to which he referred. If, on the present occasion, the Amendment were carried to a Division he should support it.

Question put, and *negatived.*

Original Question put, and *agreed to.*

(2.) £152,477, to complete the sum for Consular Services.

Mr. ASHMEAD-BARTLETT said, that, with regard to this Consular Vote, he wished to know from the noble Lord the Under Secretary of State for Foreign Affairs whether there was any Representative of this country at present in the Dominions of the Emperor of Annam; and, if so, where he was residing? He wished also to ask whether the noble Lord could give them any information with regard to the intention of France to annex Tonquin?

Lord EDMOND FITZMAURICE said, he was not in a position at that moment to give the hon. Member any information. The hon. Member, no doubt, had seen a statement in the newspapers on the subject, and he (Lord Edmond Fitzmaurice) had seen it likewise. The Government could give no further information with regard to Annam than had appeared in the public Press, communication with that country being very much interrupted. As a rule, information from the country was obtained from Consuls in Siam. Information was sent to the Government by a very talented gentleman who had been in Siam for several years. At the present moment that gentleman was not at his post; he was in this country. Most of the information he (Lord Edmond Fitzmaurice) had been enabled to obtain with regard to that quarter of the globe had been from that gentleman.

Mr. ASHMEAD-BARTLETT said, he should like to know whether the House was to understand that England had absolutely no Representative whatever in Tonquin, or in the Dominions of the Emperor of Annam? He understood that the British trade with that country amounted to from £500,000 to £1,000,000 per annum. The importance of Tonquin as commanding a trade route from China to Burmah and Annam was very great; and it would hardly be satisfactory to this country to have an important European Power strongly established on the East of our Indian Frontier. Did Her Majesty's Government really admit that they had no Representative in those regions, where considerable trade interests were at stake, and where they all knew the French Republic intended to make annexations in addition to the territory they already held in Cochin China? Tonquin and the Kingdom of Annam were countries embracing a large number of people and capable of great development. These annexations might be of considerable danger to their trade with China and Japan, as they would place the French Naval Stations right in the track of our trading fleets. He would point out to the noble Lord that it was a very significant and threatening circumstance that whilst one Great Power was drawing down close on us in the North-West of our Indian Dominions, another was concentrating its power to the East of these Possessions. They heard the other day that France was sending out Ambassadors to the King of Burmah, who was dissatisfied with this country. If England had no Representative in that part of the world, could the House have some assurance given that one would be shortly sent there?

Lord EDMOND FITZMAURICE remarked, that he had already stated that he had received information from Mr. Polgreave, who was stationed at

Bankok. He was not in Annam, but in Siam. But there were Southern ports in China where Her Majesty's Government had Consular Agents, from whom it was difficult to obtain information as to what was taking place where the struggle was going on.

Mr. R. N. FOWLER asked whether there was a Vice Consul doing the duty of the gentleman who was in England?

Lord EDMOND FITZMAURICE replied in the affirmative.

Mr. ASHMEAD-BARTLETT said, the places which the noble Lord had mentioned were from 500 to 1,000 miles away from the scene of operations. He would impress upon Her Majesty's Government the importance of sending someone to that part of the world. He should like to know from some Representative of the Government whether a successor had been appointed to the late Consul Pakenham in Madagascar? He had put a Question the other day, and had received the answer that Commander Johnstone, of H.M.S. *Dryad*, was not acting as Consul, and that any information to that effect was inaccurate. He should like to know who was representing them in Madagascar at Tamatave now? He saw a salary on the Votes in regard to this place.

Lord EDMOND FITZMAURICE said, that Consul Pakenham, whose decease they all deplored, had been, shortly before his death, promoted to the important post of Odessa. This well-deserved promotion had been accorded to him after very long service; and the fact that he died just when about to enjoy that promotion rendered his decease all the more melancholy. Consul Pakenham's post had been offered to another gentleman, who was very able to fill it; but he (Lord Edmond Fitzmaurice) would urge the Committee not to insist upon knowing who the gentleman was. It would be inconvenient for him to state the name that night.

Mr. ASHMEAD-BARTLETT: Is he there?

Lord EDMOND FITZMAURICE: No.

Mr. BOURKE: It would be interesting if the noble Lord would tell the Committee to whom that Consul is to be accredited.

Mr. ASHMEAD - BARTLETT: Is Commander Johnstone Acting Consul at the present time?

Lord EDMOND FITZMAURICE: After Consul Pakenham died, Commander Johnstone took upon himself to perform certain duties; but he is not Acting Consul.

Mr. ASHMEAD-BARTLETT: Who represents the British Consul there at the present moment?

Lord EDMOND FITZMAURICE: It has been impossible to send anyone out.

Mr. ASHMEAD-BARTLETT: Then no one is there?

Lord EDMOND FITZMAURICE: No one.

Vote *agreed to.*

(3.) £990, to complete the sum for the Suez Canal (British Directors).

Sir H. DRUMMOND WOLFF said, he wished to call attention to this question, because he desired to find out what were the real functions of these Directors. He wished to know how far they could compromise Her Majesty's Government by statements they might be disposed to make. He would call attention, for instance, to the statement in the newspapers, with regard to a meeting of the Council of the Suez Canal Company. He found that those gentlemen who were employed by Her Majesty's Government to negotiate that scandalous arrangement the other day forwarded home a despatch, which Her Majesty's Government laid upon the Table of the House, to the effect that it had become necessary to obtain from Her Majesty's Government final instructions for the conclusion of the Agreement, and that Her Majesty's Government stated to the Directors their opinion that no further concession could be obtained from M. de Lesseps, and that the only thing for this country to do was to secure the advantages they had obtained, and leave the Company in full possession of the monopoly they had of the transit across the Isthmus. Her Majesty's Government laid that despatch upon the Table as one of the reasons for this Agreement. It was announced that the English Directors had attended a meeting of the Company, and had given their unqualified approval to the letter of M. de Lesseps to Mr. Gladstone of the 20th of July last, in which letter M. de Lesseps claimed, in the widest possible manner, the enjoyment for 99 years of the exclusive monopoly of excavating any maritime Canal through the Egyptian Isthmus. That was the position in which they were placed by their Directors; and before the Committee voted their salaries he thought the Government ought to inform hon. Members—he was sorry there was no Cabinet Minister present—[The Marquess of HARTINGTON here entered the House.]—he begged pardon; he saw the noble Marquess who, in the absence of the Prime Minister, led the House, in his place; and he would ask him whether he could give any information as to how far the position of these gentlemen as Directors of the Canal Company, and as negotiators with M. de Lesseps for this arrangement, was to compromise either this House or this Government with regard to the Suez Canal? Our Directors, in the most formal way, had recognized the monopoly of M. de Lesseps on a previous occasion; and, according to a report he had read in a newspaper today, they, at a meeting of the Directors, assented to the claim of M. de Lesseps to the exclusive monopoly of excavating Canals through the Isthmus; at any rate, they had attended a meeting where a resolution to that effect had been passed, without contradiction or protest on their part. He wished to know from Her Majesty's Government how far these gentlemen could pledge this country in regard to this Canal? Did these gentlemen sit merely as Directors of the Canal Company, or as Representatives of Her Majesty's Government?—that was a matter of the greatest importance. Had they acted with the authority of Her Majesty's Government in recognizing the monopoly of M. de Lesseps, or had they acted without it? To-day, when he asked a Question of the Government upon this matter, he was informed that these gentlemen had received no instructions, and that if they had been present when the declaration to which he had referred was made they had acted without instructions. That appeared to him to place them in a most compromising position—in a position, at any rate, to compromise this country. He would appeal to the noble Lord to postpone this Vote. It would be desirable to do so under the peculiar circumstances of the case, seeing that Her Majesty's Ministers had not received any information as to what had taken place at the meeting yesterday.

MR. ASHMEAD-BARTLETT said, he should like to add an appeal to the same effect. The Vote was an important one, and there were some very important considerations attaching to it. This country might find itself committed by these Directors without knowing anything about it—we might find that in consequence of their action serious claims were to be made against us. The quotation that had been read by one of Her Majesty's Ministers, from a despatch which was written so long ago as 1872, showed how ready they were to admit the power of these casual remarks and claims, if not promptly rebutted. He felt almost compelled to move to report Progress; in fact, he would do so, unless the noble Lord explained these points, or consented to a postponement of the Vote.

LORD EDMOND FITZMAURICE said, that the two points raised by the hon. Member for Portsmouth (Sir H. Drummond Wolff) hardly, he thought, afforded a justification for the postponement of the Vote. The first point the hon. Gentleman had raised was in regard to a document which had already appeared—a document in which a certain opinion was expressed by the English Suez Canal Directors with regard to the position of M. de Lesseps. Well, that opinion was no more than the opinion which had been expressed by Her Majesty's Ministers. That opinion, it was true, was not entertained by hon. Gentlemen opposite, and had been the cause of a great deal of discussion in that House and abroad. Still, it was plain that in the statement they had made the Directors had not started any new opinion of their own. That despatch was written at the time when they were in communication with Her Majesty's Ministers, and was in perfect harmony with what had been stated by persons in authority in the House of Commons. As to the meeting of the Company at which the British Directors were present, the question amounted to this—how far could the British Directors, either by active assent or silent consent, bind this country? In the first place, he might say that this information which the hon. Gentleman had brought forward was not information of any official kind; and, as the hon. Gentleman had been informed to-day by the First Lord of the Treasury, no instructions had been given to them. In fact, there was nothing to add to the statement which the Prime Minister had made today. What he would point out was that, whether the statements in the newspapers were true or untrue, these British Directors were not in such a diplomatic position that their statements could bind this country in her dealings with Foreign States. Therefore, however natural the apprehension of the hon. Gentleman might be, he trusted he would see that was no cause for alarm, and that these Directors did not, and in the nature of their appointments never could, affect this country by being present at a meeting of the Board, of which they were Members, at Paris.

Sir R. ASSHETON CROSS said, he felt considerable alarm at what had fallen from the noble Lord, because he seemed to support the view expressed by these Directors, that the monopoly really did exist—he seemed to affirm what hon. Members on that (the Opposition) side of the House had always contested, and which he was sorry to find the Government were still holding fast to. He appealed to the noble Marquess (the Marquess of Hartington) to say something which would do away with the effect and bad impression which would be created by the language of the Under Secretary of State for Foreign Affairs.

The Marquess of HARTINGTON said, with regard to the question raised by the hon. Member for Eye (Mr. Ashmead-Bartlett), his noble Friend (Lord Edmond Fitzmaurice) had admitted no more than had been admitted on previous occasions in that House by Her Majesty's Government. It was true they had taken no action upon the opinion they expressed; and, therefore, the opinion so expressed by Her Majesty's Government, or by the British Directors of the Suez Canal Company, could have no binding effect either upon Parliament or upon the future policy of the country. The fact that Parliament had refused to ratify the Agreement was the strongest proof that, whatever admissions were made by the Directors, or by the Government, they were not binding on Parliament.

Mr. A. J. BALFOUR said, it was true this country was not committed to anything by what had fallen from Members of the Government, or from the British Directors of the Canal Company; but it was the fact, nevertheless, that these officials were paid by the British Government, and it could not but be, if they allowed themselves to use assertions to which Parliament deliberately refused its assent, that our future relations with the Canal Company might be imperilled. He could not but think that it would be a great convenience if the Government would transmit to these Directors instructions to this effect—that they were not to commit themselves to any broad assertion which might imperil our future negotiations with the Company. If they would restrict their operations to directing the Company instead of laying down or assenting to this broad political proposition, they would, no doubt, be more fittingly earning the salaries which the Committee was about to vote. He thought his hon. Friend (Sir H. Drummond Wolff) had done good service by calling attention to the fact that the British Directors had assented to a proposition to which that House had deliberately refused to give its assent, and that in doing so they had certainly not done good service to this country.

Sir H. DRUMMOND WOLFF said, the statement of the noble Marquess (the Marquess of Hartington) was a most alarming one, for he now reiterated, as he (Sir H. Drummond Wolff) understood, as the view of Her Majesty's Government, that opinion which had been so strongly opposed in the House.

The Marquess of HARTINGTON: I did not reiterate anything. I merely said that the Suez Canal Directors had, I believed, stated very much the same thing that had been expressed in this House by Members of the Government. Nothing that may happen in the future can possibly do away with the fact that these opinions have been expressed by Her Majesty's Government, although Parliament has not seen fit to give effect to these opinions.

Sir H. DRUMMOND WOLFF said, certain Members of the Government held the opinion that M. de Lesseps had a monopoly for the construction of a Canal through the Egyptian Isthmus; and he had read an extract from a despatch to show that the British Directors of the Canal Company entertained a similar view. Parliament had, practically, repudiated that view of the matter.

An hon. MEMBER: No, no! We did not admit it.

SIR H. DRUMMOND WOLFF said, that, never having admitted it, then the Government allowed these gentlemen to go over to Paris and express their unqualified approval—for the Government would be committed to that unless the statement of the Directors was contradicted—to this demand of M. de Lesseps for an "exclusive monopoly to excavate any maritime Canal through the Egyptian Isthmus." The British Directors, it seemed, had cast in their vote in favour of the monopoly of M. de Lesseps, in face of the fact that Parliament had deliberately abstained from ratifying the view taken by Her Majesty's Government. If that were really the case, it seemed to him to place this country in a most dangerous and difficult position. It might be that these officials were not in a diplomatic position; but if they acted as the Representatives of Her Majesty's Government on the Canal Board, and concurred in a vote which was passed upon that Board, making no protest, when it was alleged that the Company had a right to monopoly, there could be no doubt in the world that their action compromised us to a very great extent. He thought it only right that the Government should allow this question to be postponed.

LORD EDMOND FITZMAURICE said, he thought the memory of the hon. Gentleman opposite was very short. He declared that Parliament had repudiated the view put forward by Her Majesty's Government; but that had not been the case. What had happened on the debate raised by the right hon. Gentleman the Member for North Devonshire (Sir Stafford Northcote) was this. A Motion was brought forward aimed at the larger claim of monopoly raised by M. de Lesseps, and that Motion was not adopted by Her Majesty's Government. He was quite aware that the right hon. Gentleman subsequently attempted to place a construction upon the attitude of the Government which was not admitted by those sitting on that (the Ministerial) side of the House, and which was not placed upon it by the country outside. It was clear that the strategy of the right hon. Gentleman the Member for North Devonshire did not meet with the approval of the House; and he (Lord Edmond Fitzmaurice) was justified in saying that the hon. Gentleman the Member for Portsmouth (Sir H. Drummond Wolff) was not right in his statement that the view of Her Majesty's Government had been rejected. Further, he did not wish to go fully into this matter, as it was not germane to the Vote before the Committee. He might explain that there was a definite arrangement with the British Directors of the Canal Company as to remuneration for services. As a matter of fact, they were entitled to certain fees; but instead of withdrawing these fees they were put into the Treasury, a salary being paid in lieu of them.

MR. BOURKE also considered that the observations of the noble Lord were extremely alarming. He was very reluctant to take part in this discussion, because he was perfectly content to leave the discussion as to the monopoly of M. de Lesseps where it was left a few days ago; but owing to what had taken place in Paris within the last few days, and also to what had been said by the noble Lord just now, he had no hesitation in saying that this country found itself to be in a much worse position than it supposed. They heard it stated that the British Directors of the Company had formally admitted the monopoly of M. de Lesseps—that had been stated in the public journals. The question had been raised, and, as yet, remained uncontradicted. From the answer given shortly before by the Prime Minister, he had been led to believe that the allegation in the newspapers was correct. The noble Lord now got up and told them that this monopoly was not repudiated by hon. Gentlemen on that (the Conservative) side of the House.

LORD EDMOND FITZMAURICE: I did not say anything of the kind. I said it had never been repudiated by Parliament.

MR. BOURKE said, all he could say was that they on that side of the House repudiated, with all their might, this question of monopoly. He (Mr Bourke) had not had an opportunity of addressing the House the other night upon this question, and he had not wished to do so, particularly as the discussion had taken rather a legal turn. His view had been that this question could not be called one of legality, so far as English jurists looked upon it. It was a far more important matter than that, and, after all, must be settled by Turkey and Egypt. Whatever assumption of monopoly might be made by M. de Lesseps, or by English jurists, or English capitalists, or Parliament, it would have no effect in the ultimate decision of the matter. That ultimate decision must rest with the Porte, who had decided already, in terms the most conclusive possible, that M. de Lesseps had no monopoly whatever. If he had had the despatch in which this view was conveyed in his possession at the present moment, he would have alluded to it. He was sorry that the Prime Minister was not now in his place, as he had been anxious to draw the attention of the right hon. Gentleman to this matter. This question of monopoly was raised in 1872, when the right hon. Gentleman had called them to task in the most unfair manner possible. He (Mr. Bourke) had stated that he did not know anything about the despatch; but the right hon. Gentleman seemed to forget that the despatch was written when he himself had been four years in Office, and before the Conservative Administration attained to power. The whole of this question was discussed in this despatch by Lord Granville, and the most conclusive opinion was given by the Representatives of the Porte that M. de Lesseps had no monopoly whatever. There was a proposition made by Italy that the Canal should be bought by all the Powers of Europe, and that question came before the Porte; and it was in reply to a despatch from the English Government with regard to that, that the statement to which he referred was made by the Representatives of the Porte. M. de Lesseps had nothing but his own concession; and, as for monopoly, it was a thing which had been treated from that day to this by the Porte with the most supreme and utter contempt, and he did not think there was a single jurist in Europe who would contend that the monopoly ever existed at all.

MR. LABOUCHERE said, that we in this country were responsible for these Directors, who were appointed and paid by us; and to say that they could do what they liked, without reference to the views of, or without responsibility to, those who appointed them, was an utter absurdity. He hoped that these Directors would not compromise themselves upon another matter which he (Mr. Labouchere) had asked about. When M. de Lesseps retroceded a certain part of his land to the Egyptian Government, he was allowed to retain a certain portion along the banks of the Canal; but the concession of that small portion of land was in every case specified as being for "his *employés*," for "gardens," for "trees," &c. In spite of the fact that this land was allowed to remain in the possession of M. de Lesseps for purposes such as these, M. de Lesseps, as they saw, was continually claiming his right either to make a second Canal, or to enlarge the existing one by the use of the land which he so held. He (Mr. Labouchere) entirely denied his right to do so. It seemed to him as clear as possible that he had no such right. He had heard from several Egyptians of political eminence, who took part in the proceedings at the time, that they specially made this arrangement in order that M. de Lesseps would not be able to make a second Canal. He thought the Law Officers of the Crown ought to express that opinion to the English Directors; that they should look into the matter, and thoroughly satisfy themselves as to whether M. de Lesseps really had a right to make a second Canal.

MR. HEALY said, the noble Lord would think it a great change, no doubt, to take him away from the salubrious climate of Egypt to the sunny land of Spain, and he (Mr. Healy) must apologize to the Gentlemen of the Conservative Party, who desired to discuss another matter, for venturing to interrupt their conversation; but he had a very strong desire to call the attention of the Committee to the conduct of the British Consul at Corunna.

MR. ASHMEAD-BARTLETT: That has nothing to do with the Vote we are now discussing.

THE CHAIRMAN: The hon. Member (Mr. Healy) will not be in Order in raising any question in regard to the British Consuls on this Vote. The Vote upon which that question could have been raised has been passed.

MR. HEALY: Then I will draw attention to the matter on Report.

MR. ILLINGWORTH: I should like to ask you, Sir, whether the Committee is in Order in discussing the details and legal aspects of the Suez Canal Question upon this Vote?

THE CHAIRMAN: In answer to the hon. Member I must say this—that it is difficult to know what this will lead to, seeing that in the question is involved the salaries of the English Directors of the Suez Canal Company. It is contended, as far as I can understand, that the conduct of the Directors in regard to the matter under discussion is of such a character as to entitle the Committee to deprive them of their salaries. It is difficult for me, therefore, to say that the discussion is not in Order.

MR. ASHMEAD-BARTLETT said, the Prime Minister had stated the other day that the House was not in any way bound by what he (the Prime Minister) had stated, nor by the individual opinions of the Ministers on this Suez Question. They must treat the opinions of Ministers, to which the noble Lord and the noble Marquess had attempted to give a binding force, as merely opinions of Ministers in no way binding the country. The declared opinion of these British Directors, however, stood on a very different footing. It was their duty to defend British interests, as far as possible, by their argument and votes. It was clearly of extreme importance that these Directors, from their position as Representatives of the interests of this country, should not do anything to commit this country to any agreement or promise to M. de Lesseps. It appeared from the statement of the hon. Gentleman the Member for Portsmouth (Sir H. Drummond Wolff) that they had been doing this. The claim made by that hon. Gentleman with great clearness was that Her Majesty's Government should postpone this Vote for further consideration, or else give the Committee and the country clearly to understand that these Directors had no power in the past, and would not be allowed in future, to bind Great Britain in any shape to recognize the extraordinary monopoly claimed by M. de Lesseps. As the Government had said the other day, the House had reserved its freedom upon this point; but the vote taken had been practically a condemnation of the policy of Her Majesty's Government. It had declared the House to be absolutely unfettered, even by the formal recognition of Ministers as to M. de Lesseps' claims; and that, undoubtedly, was the effect of the Amendment moved by the hon. Member for Hull. Her Majesty's Government had only availed themselves of the particular form in which the Motion was carried in order to save themselves from utter defeat. That being the position of affairs, it was reasonable for the Committee to demand that these British Directors should be informed that, in spite of the influence of M. de Lesseps—that "very sagacious" gentleman, as the Prime Minister described him—must not commit us to the recognition of a claim which the country entirely repudiated.

SIR R. ASSHETON CROSS said, there evidently was a division of opinion on the Treasury Bench upon this question. The Prime Minister said the other day that Parliament insisted upon the withdrawal of the Agreement; but the noble Marquess (the Marquess of Hartington) had made a statement which was not on all fours with that observation, for he had got up in his place and practically admitted the claim which M. de Lesseps made to monopoly. That was a most alarming admission. Hon. Members ought, at least, to ask the Government whether they would, at all events, communicate with the British Directors, and inform them that they, at least, were never to make such an admission again until they had distinct authority to do so. Unless the Committee obtained such a compromise as that, they were bound, he thought, to press this matter to a Division.

THE MARQUESS OF HARTINGTON said, that the appointment of these gentlemen was, in the first instance, only with a view of their representing the British Government as shareholders, and that function they had up to the present time exercised. He did not believe it was in their power to commit this Government, or the country, to anything by any admissions they might make, or by any part they might play in the proceedings of the Council of Administration. Undoubtedly, questions which were not foreseen at the time of the appointment of these gentlemen—questions of a much larger nature than those which it was supposed they would have to deal with—had arisen. He thought this discussion would be not at all without its use. It was desirable that the Government should consider whether general instructions should not be given to these gentlemen as to the part they should, or should not, take when present at meetings involving the consideration of questions of this kind.

Vote *agreed to.*

CLASS III.—LAW AND JUSTICE.

(4.) £10,038, to complete the sum for Police Courts, London and Sheerness.

(5.) £255,233, to complete the sum for the Metropolitan Police.

(6.) £946,698, to complete the sum for the Police, Counties and Boroughs (Great Britain).

SIR R. ASSHETON CROSS said, he wished to ask the Secretary of State for the Home Department a question with regard to this Vote. Some time ago, when the police were first appointed, it was optional whether the counties should have the force or not. When it was made compulsory Sir Robert Peel gave them a subsidy of a quarter of the amount. When the late Government came into Office, however, they increased that subsidy to one-half, the local taxation paying the remainder. Right hon. Gentlemen who now sat on the Treasury Bench had said that would have the effect of increasing the Police all over the country, seeing that the country was going to pay one-half; and the result of that warning was that the Executive for the time being took every pains they could to guard against the appointment of any more police than was absolutely necessary. They had had the greatest difficulty, not only when he (Sir R. Assheton Cross) was in Office, but when Sir George Grey was at the Home Office, in inducing the different counties to come up to the proper scale which had been laid down as the right number of police. The Government thought it right to keep down the demand on Her Majesty's Treasury; and that, he thought, met with the approval of both sides of the House. They were led to believe that that was so when they were in Office; but the Secretary of State had made a very alarming statement the other day upon another matter. The right hon. and learned Gentleman had introduced it for the purpose of holding out a flag in the other direction. He said he had given instructions to all Inspectors of Constabulary to the effect that they need not trouble themselves about the arrangement which had hitherto existed, but that they might have as many police as they liked. The right hon. and learned Gentleman wished that intelligence to be sent broadcast throughout the country. If that was so, and if the subventions increased very much, it would be very much owing to the action of the Secretary of State. While he (Sir R. Assheton Cross) was at the Home Office ample provisions were taken against the increase of the Police Forces, while the present Secretary of State made it a boast that everybody might have as many as they pleased. The Secretary to the Treasury should be warned that if there should be an increase in the subventions it would be due to this cause.

MR. HIBBERT said, he did not think the matter was quite as the right hon. Gentleman stated. As he understood his right hon. and learned Friend the other day, he said the Inspectors of Constabulary ought not to require, or rather were told they were not to press on an increase of police when they went to inspect the various forces in the country. It was not the case that any locality could have any number they thought necessary or desirable, for the numbers were always carefully examined, just as they were when the right hon. Gentleman opposite was in Office. The only instructions that had been given were that Inspectors, in their annual inspection, should not take upon themselves unduly, or go out of their way to press upon a locality an increase of force. There had been such cases; there were cases last year, when it came to the knowledge of the Home Secretary that the Inspector at some place—Stockport he believed it was—had recommended an increase of the force which the local authorities were not desirous of carrying out. It was merely arising from cases of this kind that the Home Secretary issued instructions to Inspectors that they were not to take undue methods of pressing increases on localities.

SIR R. ASSHETON CROSS said, he was glad to have this explanation, for the words of the Home Secretary conveyed a wrong impression, and he thought the Secretary to the Treasury might find a large increase as the consequence. He might mention that there was nothing new in these instructions. For many years, and while he was at the Home Office, the Inspectors were told they were not to press on an increase of police unless there was such a deficiency in numbers that they were really too small.

Mr. ASHMEAD-BARTLETT said, he hoped that the Government would give an assurance that the Police Superannuation Bill would be pressed forward early next year. He understood that throughout the whole force there was the greatest disappointment that some effort had not been made to pass the Bill this Session.

Mr. HIBBERT said, the Government were just as anxious as the hon. Member to press the Bill forward, and it was with much regret the Bill was withdrawn. He could assure the hon. Member that it was the intention of the Government, at an early period next Session, to re-introduce the Bill, and with, he hoped, more success than had attended it this Session.

Vote *agreed to.*

(7.) £1,500, Rewards to Police.

(8.) £309,852, to complete the sum for Prisons, England.

Sir R. ASSHETON CROSS inquired why Vote 16, for Convict Establishments, had been passed over?

Mr. COURTNEY said, it was by an arrangement which had been made for the convenience of discussion.

Sir R. ASSHETON CROSS said, the local prisons had now been under the new system for some years; and when the system was started one of the questions that was under careful consideration was the earnings of prison labour under the new as compared with the old system. For the first year, it was difficult to make any comparison, for accounts were kept in such a different way under the old system that it was difficult to verify the results, and what appeared as the result was often wholly misleading. But, now that the new system had been in force for some years, he would be obliged if the hon. Gentleman would say how far he was satisfied with the result.

Mr. HIBBERT said, the Home Secretary had made every effort in his power to obtain satisfactory information on the subject; but, as the right hon. Gentleman had stated, the information at the Home Office obtained before the prisons were taken over by the State was not of a nature to give a result with anything like certainty. But he had in his hands information for the five years previous to the taking over of the prisons, and also for five years since; and perhaps it would be the best way to read over the items. To the 31st of March, 1879, the value of prison labour was, for the year preceding, £115,708; to March 31st, 1880, £149,646; in 1881, in round figures, £148,000; in 1882, £135,000; and in 1883, to March 31st, £133,000. These were the five years since the prisons were taken over by the State. Then, the five years previous were—to September, 1874, the amount altogether was £105,000; 1875, £107,000; 1876, £114,000; and 1877, £120,000, showing a considerable increase in the net proceeds of prison labour in the latter period of five years. It might be said the gross value was raised in the latter five years very considerably over the whole of the prisons of the country. Though it was difficult to give any certain figures in respect to the earnings in the former period, the figures given of the latter five years were entirely trustworthy, and might be taken as showing very satisfactorily that prison earnings had increased very much in value since that period. He might congratulate the right hon. Gentleman opposite on that result, because the opponents of the transfer to the State were of opinion that the transfer would have the very opposite effect. He (Mr. Hibbert) was one of those opponents, and he must say the figures he had just read had very much surprised him, and showed a much more satisfactory result than he expected.

Sir HENRY HOLLAND asked how it was that the estimated extra amount from Miscellaneous Receipts for 1883-4 was £81,000, as against only £2,500 for 1882-3?

Mr. COURTNEY said, the difference was made up by the proceeds of the sale of Westminster Prison.

Sir HENRY HOLLAND wished to know why the proceeds from prison labour were put down at exactly the same sum for 1883-4 as for 1882-3? Was it found that the proceeds of prison labour were exactly the same year by year? The item he referred to would be found on page 232 of the Estimates.

Mr. HIBBERT said, these were merely estimated receipts; and, of course, they varied from year to year, being in some years higher than the figure put down.

Sir HENRY HOLLAND said, of course he knew it was an Estimate; but it was the same Estimate last year, £20,000. He wanted to know what were the proceeds last year, and ventured to suggest that the actual Return of last year should be taken as the Estimate for the present year.

Mr. HIBBERT said, this was the money absolutely received, so far as he was able to ascertain. The amount was very much the same from year to year; but this was not the whole value of prison labour—not the whole profit—because much was done in the way of work on the prisons and for the Departments.

Sir R. ASSHETON CROSS said, he understood that the £20,000 actually came into the Treasury; but the figures given by the hon. Gentleman just now, showing the increase in the value of prison labour, included labour other than that in the actual receipts.

Mr. HIBBERT: Yes; in the different Government Departments.

Sir HENRY HOLLAND said, he understood that; but here was an Estimate of £20,000, and last year's Estimate was £20,000. Now, he wanted to know the amount of the actual receipts of last year, and why it was not taken as an Estimate of the receipts of this year?

Mr. COURTNEY said, the Estimate was made the same because the last Estimate was verified. This was the actual money received from the proceeds of making mats and other articles in prisons for sale, and the demand did not vary from year to year. It was because last year's Estimate was verified that it was repeated this year.

Sir HENRY HOLLAND said, the evidence before the Commission on the Penal Servitude Acts showed that sales did vary from year to year.

Vote *agreed to.*

(9.) £138,518, to complete the sum for Reformatories and Industrial Schools, Great Britain.

(10.) £17,520, to complete the sum for the Broadmoor Criminal Lunatic Asylum.

Sir R. ASSHETON CROSS said, he observed there was again an increase for Broadmoor Asylum, an increase for buildings. It was a most expensive establishment. He did not know whether the Home Office contemplated selling the present Asylum and removing it, providing another. The Home Office used to be continually engaged in trying to keep down the expenditure, and he was sorry to see it increased again.

Mr. HIBBERT said, the increase was very small indeed. For many years there had been a decrease, and the increase now was only £578.

Vote *agreed to.*

(11.) £41,370, to complete the sum for the Lord Advocate and Criminal Proceedings, Scotland.

(12.) £41,506, to complete the sum for the Courts of Law and Justice, Scotland.

(13.) £25,491, to complete the sum for the Register House Department, Edinburgh.

Sir R. ASSHETON CROSS said, he should like to know how far matters had gone in the arrangement of the Sasine Office? It was to be done in two different ways; and, as he understood, it was to be brought up to the present time.

The LORD ADVOCATE (Mr. J. B. Balfour) said, great advances had been made, and he should be glad to explain to the right hon. Gentleman what had been done.

Sir R. ASSHETON CROSS said, there was formerly great danger of fire at the Register House. It was essential for such a building that it should be as nearly as possible fireproof. It appeared that it was the habit of the clerks, on leaving the Office, to rake the fires out of the grates; and the water supply and means of extinguishing a fire, should it occur, were very deficient. Had any steps been taken for security in this direction? If the Lord Advocate had no knowledge now, would he make note of it for inquiry?

The LORD ADVOCATE (Mr. J. B. Balfour) said, he would take care to make inquiries in this direction.

Mr. ASHMEAD-BARTLETT asked what was meant by the item "Registry of Hornings?"

The LORD ADVOCATE (Mr. J. B. Balfour) said, he could give the information; but he was afraid the explanation would be very tedious to the Committee. The term was derived from the old custom of putting debtors to the horn. It was a form of diligence or execution.

Mr. ASHMEAD-BARTLETT asked, was it still necessary?

The LORD ADVOCATE (Mr. J. B. Balfour): Yes; it is.

Vote *agreed to.*

(14.) £76,670, to complete the sum for Prisons, Scotland.

Resolutions to be reported *To-morrow,* at Two of the clock.

Committee to sit again *To-morrow.*

CHOLERA HOSPITALS (IRELAND) BILL.

(*Colonel Nolan, Mr. O'Kelly, Mr. Findlater, Mr. O'Brien, Mr. Macfarlane.*)

[BILL 282.] SECOND READING.

Order for Second Reading read.

Colonel NOLAN said, this was merely a small Bill, to allow of houses being taken and used as cholera hospitals, should they be required in Ireland; and it had met with approbation from both sides of the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Colonel Nolan.*)

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow,* at Two of the clock.

SALE OF INTOXICATING LIQUORS ON SUNDAY (DURHAM) BILL.

(*Mr. Theodore Fry, Mr. Walter James, Mr. Lambton, Mr. Dodds, Mr. Thomas Richardson, Mr. Gourley, Mr. James Thompson.*)

[BILL 21.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That the said Order be discharged."

Sir WILFRID LAWSON said, he heard the Clerk call the Motion that this Order be discharged. He should like to know what hon. Member moved the discharge of the Bill?

Mr. SPEAKER: The discharge of the Order is proposed in pursuance of the directions by telegraph of Mr. Theodore Fry, whose name is on the back of the Bill.

Sir WILFRID LAWSON said, was it possible to make a Motion in relation to a Bill by telegraph? Was it not possible to put down the Bill for to-morrow? As a point of Order, he wished to know if an hon. Member, whose name was on the Bill, proposed to put it down for to-morrow, would the telegram stand in the way?

Mr. SPEAKER: The House will take what course it thinks best.

Mr. COURTNEY said, there was a Bill to make provision against false telegrams, and which the Postmaster General much desired to proceed with, but which had been blocked by the hon. and learned Member for Bridport (Mr. Warton).

Mr. T. RICHARDSON said, his name was on the Bill, and he begged to propose that the Bill be deferred till to-morrow.

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words "this House will, To-morrow, resolve itself into the said Committee."—(*Mr. T. Richardson.*)

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Question proposed, "That the words this House will 'To-morrow' resolve itself into the said Committee."

Amendment proposed to the proposed Amendment, to leave out the word "To-morrow," in order to insert the words "Monday next,"—(*Sir R. Assheton Cross,*)—instead thereof.

Question proposed, "That the word 'To-morrow' stand part of the Question."

Mr. STUART-WORTLEY said, he hoped the hon. Member for Hartlepool (Mr. T. Richardson) would give an undertaking that he would not try to smuggle the Bill through at the end of a Saturday Sitting.

Question put.

The House *divided:*—Ayes 35; Noes 19: Majority 16.—(Div. List, No. 271.)

Main Question, as amended, put, and *agreed to.*

Committee *To-morrow.*

Mr. WARTON said, the Secretary to the Treasury said just now that there was a Bill before the House relating to forged telegrams which he had blocked. He wished to say there was no Bill before the House containing any such provision.

MR. COURTNEY said, he believed the Post Office (Protection) Bill contained such a provision. If that was not the case, he would apologize for his mistake.

MR. WARTON said, he rose to a point of Order——

MR. SPEAKER: There is no Question before the House.

MOTIONS.

EDUCATION, SCIENCE, AND ART (ADMINISTRATION OF VOTES).

Select Committee on the Administration of the Votes for Education, Science, and Art nominated of,—Sir JOHN LUBBOCK, Mr. ERRINGTON, Mr. SALT, Viscount LYMINGTON, Mr. RAIKES, Sir LYON PLAYFAIR, Viscount EMLYN, Mr. CHILDERS, Mr. DAWSON, Mr. SAMUEL MORLEY, Mr. JAMES CAMPBELL, Mr. HERBERT, Mr. J. N. RICHARDSON, Mr. HERBERT GLADSTONE, and Mr. PELL:—Power to send for persons, papers, and records; Five to be the quorum.

NAVY AND ARMY EXPENDITURE, 1881-2.

Committee to consider the Savings and Deficiencies upon the Grants for Navy and Army Services in the year ended on the 31st day of March 1882, and the temporary sanction obtained from the Treasury by the Navy and Army Departments to Expenditure not provided for in the Grants for that year, upon *Monday* next.

Ordered, That the Appropriation Accounts for the Navy and Army Departments, which were presented upon the 19th day of February last, be referred to the Committee.

House adjourned at a quarter before Three o'clock.

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When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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Channel Tunnel Railway Bill (by Order)
c. Order for 2R. read *July* 24, 281
Moved, "That the 2R. be deferred till Friday" (*Sir Charles Forster*)
Amendt. to leave out "Friday," insert "this day three months" (*Mr. J. Lowther*) *v.*; Question proposed, "That 'Friday,' &c.;" after short debate, Amendt. withdrawn; Motion withdrawn
Motion made, and Question, "That the Order for 2R. be discharged" (*Mr. Chamberlain*) put, and agreed to; Order discharged; Bill withdrawn

CHAPLIN, Mr. H., *Lincolnshire, Mid*
Agricultural Holdings (England), Comm. *cl.* 5, 72, 91, 169; *cl.* 6, 196, 198; *cl.* 7, 215, 216; Amendt. 218, 220, 222; *cl.* 11, 235; *cl.* 15, 311, 318, 321, 336; *cl.* 16, Amendt. 342, 343, 344, 347; *cl.* 17, 350; *cl.* 22, 355; *cl.* 23, 364, 377, 383; *add. cl.* 402; Schedule 1, 411, 414, 415; Consid. *add. cl.* Amendt. 816, 820; *cl.* 1, 1169, 1171, 1178; *cl.* 18, 1186; *cl.* 41, 1189; Schedule 1, 1202, 1203
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Children's Dangerous Performances Act, 1879
Juvenile Acrobats, Observations, The Earl of Shaftesbury; Reply, The Earl of Dalhousie *Aug* 3, 1462
"*The Human Serpent*," Question, Lord John Manners; Answer, Sir William Harcourt *July* 26, 521

Cholera Hospitals (Ireland) Bill
(*Colonel Nolan, Mr. O'Kelly, Mr. Findlater, Mr. O'Brien, Mr. Macfarlane*)
c. Ordered; read 1° * *Aug* 6 [Bill 282]
Read 2° *Aug* 9, 2247

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Clarke, Mr. E. G., *Plymouth*
Parliament—Business of the House, 1656
Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 2, 2004, 2009
Supply—Chancery Division of the High Court of Justice, &c. 1426

Cohen, Mr. A., *Southwark*
Suez Canal Company (Future Negotiations), Motion for an Address, 1015

Colebrooke, Sir T. E., *Lanarkshire, N.*
Agricultural Holdings (England), Comm. *cl.* 5, 177; Consid. *cl.* 5, 1183
Agricultural Holdings (Scotland), Comm. *cl.* 1, 438; *cl.* 4, 481; *cl.* 5, 483, 497; Amendt. 500; *cl.* 6, 822; *cl.* 24, 1250; *cl.* 26, 1253, 1260, 1269, 1270
Local Government Board (Scotland), 2R. 1505

Collings, Mr. J., *Ipswich*
Agricultural Holdings (England), Comm. *cl.* 23, 362, 364, 366; Amendt. 368, 376, 380; *cl.* 28, Amendt. 386, 388
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  Woods, Forests, and Land Revenues, &c. 1366
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Supply—Woods, Forests, and Land Revenues, &c. 1365

Colonies, The—Incidence of Cost of Defensive Military Operations
Question, Sir George Campbell; Answer, Mr. Gladstone *Aug* 2, 1341

Colthurst, Col. D. La Zouche, *Cork Co.*
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(*The Lord Aberdare*)
l. Read 2^{a} *July* 24, 273 (No. 148)
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Report * *July* 27
Read 3^{a} * *July* 30

Companies (Colonial Registers) Bill
(*The Earl of Longford*)
l. Read 2^{a} * *July* 26 (No. 150)
Committee * *July* 31
Report * *Aug* 2
Read 3^{a} * *Aug* 3

Consolidated Fund (No. 4) Bill
(*Sir Arthur Otway, Mr. Chancellor of the Exchequer, Mr. Courtney*)
c. Read 2° * *July* 23
Committee *; Report *July* 24
Read 3° * *July* 25
l. Read 1^{a} * (*Earl Granville*) *July* 26
Read 2^{a} * *July* 27
Committee *; Report *July* 30
Read 3^{a} * *July* 31
Royal Assent *Aug* 2 [46 & 47 *Vict.* c. 23]

Constabulary and Police Administration (Ireland) Bill (*Mr. Trevelyan*)
c. Moved, "That this House do now adjourn" (*Colonel Nolan*) *July* 27, 884; after short debate, Motion withdrawn
Motion for Leave (*Mr. Trevelyan*) 891; Moved, "That the Debate be now adjourned" (*Mr. Arthur O'Connor*); Motion agreed to; Debate adjourned
Debate resumed *July* 30, 1055; after debate, Question put; A. 84, N. 12; M. 72; (D. L. 245)
Bill ordered; read 1°, after short debate *July* 30, 1104 [Bill 274]
Questions, Mr. Healy; Answers, The Attorney General for Ireland, Lord Richard Grosvenor *Aug* 1, 1294
Bill withdrawn * *Aug* 6

Contagious Diseases Acts
Compulsory Examination
Returns, Questions, Dr. Farquharson, Mr. Hopwood, Mr. Stewart Macliver, Sir H. Drummond Wolff; Answers, The Marquess of Hartington *July* 30, 942
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Naval and Military Hospitals, Questions, Mr. Hopwood; Answers, The Marquess of Hartington *Aug* 3, 1474

Contagious Diseases (Animals) Acts
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Copyright Acts—Photographs
Question, Mr. Macfarlane; Answer, The Attorney General *Aug* 6, 1644

Corbet, Mr. W. J., *Wicklow Co.*
Ireland—Irish Land Commission—Sittings of the Sub-Commissioners at Wicklow, 2078
Magistracy—Grand Jury of Wicklow, 2077
Lunacy Commissioners, Reports of, 2090, 2100

Cork, Earl of
Manchester Ship Canal—Select Committee, Notice of Motion, 512, 513

Corrupt Practices (Suspension of Elections) Bill
(*Mr. Attorney General, Mr. Solicitor General*)
c. Ordered; read 1°* *Aug* 6 [Bill 281]
Read 2° *Aug* 7, 1959

Corry, Mr. J. P., *Belfast*
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Supply—Irish Education Votes, 1336
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Courtney, Mr. L. H. (Financial Secretary to the Treasury), *Liskeard*
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Criminal Lunatics—Report of the Commission—Legislation
Question, Mr. R. H. Paget; Answer, Sir William Harcourt *Aug* 2, 1317

CROPPER, Mr. J., *Kendal*
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Reported Outrages on English Ladies, 940
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"The Spoliation of India" (The "Nineteenth Century,") 928

Cruelty to Animals Acts Amendment Bill (*Mr. Anderson, Sir Frederick Milbank, Mr. Samuel Morley, Mr. Jacob Bright, Mr. Passmore Edwards, Mr. Buchanan*)
c. Order for Committee (*on re-comm.*) read; Moved, "That Mr. Speaker do now leave the Chair" *Aug* 4, 1595
Amendt. to leave out from "That," add "this House will, upon this day three months, resolve itself into the said Committee" (*Mr. Tottenham*); Question proposed, "That the words, &c.;" after short debate, Moved, "That the Debate be now adjourned" (*Mr. Warton*); Question put, and negatived
Question put, "That the words, &c.;" A. 56, N. 3; M. 53 (D. L. 262)
Main Question put, and agreed to; Committee —R.P. [Bill 118]
Committee; Report *Aug* 7, 1960
Moved, "That the Bill be now read 3°"
Amendt. to leave out "now," insert "upon Thursday" (*Mr. Warton*) *v.*; Question, "That 'now,' &c.," put, and agreed to
Main Question put, and agreed to; Bill read 3°
l. Read 1ª * (*Lord Balfour*) *Aug* 9 (No. 182)

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CURRIE, Sir D., *Perthshire*
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Question, Sir Eardley Wilmot; Answer, Mr. Courtney *July* 30, 390

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Education, Question, Mr. Arthur Arnold; Answer, Mr. Evelyn Ashley *Aug* 9, 2069
Finance—Assessment of Profits of Trade, &c., Question, Mr. Arthur Arnold; Answer, Mr. Evelyn Ashley *Aug* 3, 1469

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Supply—Board of Lunacy in Scotland, 1397

DAVENPORT, Mr. H. T., *Staffordshire, N.*
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DAVEY, Mr. H., *Christchurch*
Parliament—Privilege—"Bradlaugh v. Gosset"—Consideration of Writ, &c. 62
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DAVIES, Mr. D., *Cardigan, &c.*
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DAWNAY, Colonel Hon. L. P., *Thirsk*
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DAWNAY, Hon. G. W. C., *York, N.R.*
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Supply—Orange River Territory, Transvaal, &c. Amendt. 1729, 1739, 1755, 1758

DAWSON, Mr. C., *Carlow*
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  Inland Navigation and Drainage—Barrow Drainage Works, 781
  Province of Ulster—County Valuation, 775

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(*The Marquess of Hartington, Secretary Sir William Harcourt, Sir Arthur Hayter*)
c. Bill withdrawn* *July* 26 [Bill 259]

DE WORMS, Baron H., *Greenwich*
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DICKSON, Major A. G., *Dover*
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DILKE, Right Hon. Sir C. W. (President of the Local Government Board), *Chelsea, &c.*
Agricultural Holdings (Scotland), Consid. *add. cl.* 1575
Constabulary and Police Administration (Ireland), Leave, 1104
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Diseases Prevention (Metropolis) Bill
(*Sir Charles W. Dilke, Secretary Sir William Harcourt*)
c. Motion for Leave (*Sir Charles W. Dilke*) *Aug* 2, 1441; after short debate, Motion agreed to; Bill ordered; read 1° * [Bill 279]
  Read 2° * *Aug* 4
  Committee *; Report *Aug* 6
  Considered; read 3°, after short debate *Aug* 7, 1958
l. Read 1ª * (*Lord Carrington*) *Aug* 9 (No. 181)

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    Order of Business, 2031

DODDS, Mr. J., *Stockton*
  Agricultural Holdings (England), Comm. *cl.* 16, 349
  Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 5, 2023
  Supply—Office of Land Registry, 1770

DODSON, Right Hon. J. G. (Chancellor of the Duchy of Lancaster), *Scarborough*
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  Contagious Diseases (Animals) Act—Proposed Committee, 949
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  Agricultural Holdings (England), Comm. *cl.* 6, 195; *cl.* 8, 228
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DOUGLAS, Mr. A. AKERS-, *Kent, E.*
  Agricultural Holdings (England), Comm. *cl.* 15, 338; *cl.* 28, 389

DUCKHAM, Mr. T., *Herefordshire*
  Agricultural Holdings (England), Comm. *cl.* 5, 174, 175; *cl.* 6, Amendt. 194, 197; *cl.* 7, 220, 224, 226; *cl.* 11, 236; *cl.* 15, 316, 339; *cl.* 16, Amendt. 348; *cl.* 17, 350; *cl.* 19, 353; *cl.* 21, 354; *add. cl.* 405, 406; Schedule 1, 408, 413; Consid. *add. cl.* 817, 820; *cl.* 1, Amendt. 1162, 1163; *cl.* 4, 1181; *cl.* 18, 1187; *cl.* 41, 1191; Schedule, Amendt. 1203
  Contagious Diseases (Animals) Acts—Foot-and-mouth Disease, 1469

DUFF, Mr. R. W., (Lord Commissioner of the Treasury), *Banffshire*
  Supply—Fishery Board, Scotland, 1380, 1381, 1383, 1384, 1386, 1388

DUNDAS, Hon. J. C., *Richmond*
  Agricultural Holdings (England), Consid. *cl.* 1, 1178; *cl.* 5, Amendt. 1182; 3R. 1228
  Agricultural Holdings (Scotland), Comm. *cl.* 5, 501

DUNRAVEN, Earl of
  Irish Land Commission, Motion for Returns, 728, 738, 745

DYKE, Right Hon. Sir W. H., *Kent, Mid*
  Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 1, 2002, 2003

EBRINGTON, Viscount, *Tiverton*
  Agricultural Holdings (England), Comm. *cl.* 5, 91

Ecclesiastical Commissioners — Minutes respecting Public-houses
Moved, That there be laid before the House "Copy of any minutes recently made by the Ecclesiastical Commissioners for England upon the subject of public-houses of which they are the owners" (*The Bishop of Rochester*) *Aug* 2, 1299; after short debate, Motion agreed to

Ecclesiastical Courts Commission—The Report
Question, Observations, Lord Oranmore and Browne; Reply, The Lord Chancellor; short debate thereon *July* 30, 894; Question, Mr. Beresford Hope; Answer, Sir William Harcourt *Aug* 7, 1845

Ecroyd, Mr. W. F., *Preston*
Agricultural Holdings (England), Consid. *cl.* 1, 1196
National Debt, 2R. 1906

Education Act, 1870—*The School Rate*
Amendt. on Committee of Supply *July* 27, To leave out from "That," add "the unforeseen and growing amount of the school rate; its unequal pressure upon various districts and various classes of the community; its failure in some cases to meet the requirements of the most necessitous classes; and the circumstance that it involves expenditure not originally anticipated, call for the serious consideration of Her Majesty's Government with a view to the relief of the burdens of the ratepayers, while maintaining, in accordance with the original intention of 'The Education Act, 1870,' the efficiency of elementary education" (*Mr. Salt*) *v.*, 830; Question proposed, "That the words, &c.;" after debate, Question put; A. 102, N. 74; M. 28 (D. L. 238)

Education Department
Elementary Education Act (1870) *Amendment Act—School Board Loans*, Question, Mr. Stanley Leighton; Answer, Mr. Mundella *Aug* 2, 1326
Endowed Schools—Report of the Charity Commissioners, Question, Mr. Beresford Hope; Answer, Mr. Mundella *Aug* 6, 1617
Home Lessons, Brain Diseases, &c., Questions, Mr. Stanley Leighton, Mr. Donaldson-Hudson; Answers, Mr. Mundella *Aug* 6, 1633
Report of the Lunacy Commissioners—Increase of Pauper Lunatic Children, Question, Mr. Round; Answer, Mr. Mundella *Aug* 9, 2088
Supply—Civil Service Estimates—The Education Vote—The Proposed Welsh Colleges, Question, Lord George Hamilton; Answer Mr. Mundella *July* 26, 535
University College of South Wales—Claims of Aberystwith College, Question, Lord Claud Hamilton; Answer, Mr. Mundella *Aug* 2, 1334

Education, Science and Art (*Administration of the Votes*)
Select Committee nominated *Aug* 9; List of the Committee, 2219

Education (Scotland) Bill
(*Mr. Mundella, The Lord Advocate, Mr. Solicitor General for Scotland*)
c. Question, Mr. Dick-Peddie; Answer, Mr. Mundella *Aug* 6, 1658
Read 2°, after debate *Aug* 6, 1771 [Bill 226]

Education (Scotland) Act (1872) Amendment Bill
(*Dr. Cameron, Mr. Buchanan, Mr. Henderson*)
c. Ordered; read 1°* *Aug* 1 [Bill 276]

Edwards, Mr. J. P., *Salisbury*
India — "The Spoliation of India" (The "Nineteenth Century,") 926

Egerton, Hon. A. F., *Wigan*
Agricultural Holdings (England), Comm. *cl.* 5, 93
Egypt—Cholera—Introduction from India, 782

Egerton, Hon. Alan de Tatton, *Cheshire, Mid*
Metropolis—Water Supply—Southwark Water Company, 1471

Egypt
Lords
The Cholera
Question, The Marquess of Salisbury; Answer, The Earl of Morley *July* 24, 279
Cholera among the British Troops, Question, Lord Ellenborough; Answer, The Earl of Morley *July* 27, 689
Quarantine Regulations, &c., Question, Earl De La Warr; Answer, Lord Carrington *July* 30, 893

Egypt
Commons (*Questions*)
"*Administrative Anarchy*," Questions, Mr. Ashmead-Bartlett, Mr. Gorst; Answers, Lord Edmond Fitzmaurice, Mr. Gladstone *July* 26, 550; Questions, Mr. Ashmead-Bartlett, Mr. O'Donnell; Answers, Lord Edmond Fitzmaurice, Mr. Gladstone *July* 27, 784; Question, Mr. Ashmead-Bartlett; Answer, Mr. Gladstone *July* 30, 952
Charges against the Khedive, Questions, Sir George Campbell, Mr. O'Donnell; Answers, Mr. Gladstone *July* 27, 788
Policy of the Government, Questions, Mr. John Morley, Mr. Bourke, Sir Wilfrid Lawson, Mr. Labouchere, Sir Stafford Northcote, Mr. M'Coan; Answers, Mr. Gladstone, Lord Edmond Fitzmaurice *Aug* 6, 1650;—*Statement of the Earl of Dufferin*, Ministerial Statement, Mr. Gladstone; Questions, Sir Stafford Northcote, Mr. Sclater-Booth, Sir Wilfrid Lawson, Mr. Ashmead-Bartlett; Answers, Mr. Gladstone; Question, Mr. Raikes; [no reply] *Aug* 7, 1855
Rise of the Nile, Question, Mr. Tomlinson, Answer, Lord Edmond Fitzmaurice *Aug* 9, 2114

[*cont.*

Egypt—Commons—*cont.*

Army of Occupation

Families of Soldiers, Question, Sir George Campbell; Answer, The Marquess of Hartington *Aug* 9, 2098

Presbyterian Chaplains, Question, Mr. Buchanan; Answer, The Marquess of Hartington *Aug* 7, 1849

Withdrawal of Army of Occupation, Questions, Baron Henry De Worms, Mr. Ritchie; Answers, Mr. Gladstone *Aug* 2, 1340

Military Expedition

Supply of Mules for the Indian Contingent, Question, Mr. Salt; Answer, Mr. J. K. Cross *Aug* 7, 1844

Re-organization

Appointment of Mr. Clifford Lloyd, Question, Sir Wilfrid Lawson; Answer, Lord Edmond Fitzmaurice *Aug* 2, 1350; Questions, Mr. Biggar, Mr. Healy, Mr. Joseph Cowen, Sir George Campbell; Answers, Mr. Trevelyan *Aug* 3, 1480; Questions, Sir Wilfrid Lawson, Mr. Healy, Mr. Joseph Cowen; Answers, Lord Edmond Fitzmaurice *Aug* 6, 1632; Question, Mr. Healy; Answer, Mr. Trevelyan *Aug* 9, 2116

Correspondence with Foreign Powers—Further Papers, Questions, Mr. Bourke, Sir Stafford Northcote; Answers, Lord Edmond Fitzmaurice *Aug* 7, 1843

Law and Justice—Treatment of Prisoners, Question, Sir Wilfrid Lawson; Answer, Lord Edmond Fitzmaurice *Aug* 7, 1844

Taxation of Foreigners, Question, Sir Stafford Northcote; Answer, Mr. Gladstone *Aug* 9, 2106

The Cholera

Questions, Mr. Onslow, Lord Henry Lennox, Viscount Folkestone; Answers, Lord Edmond Fitzmaurice *July* 20, 41; Questions, Mr. Onslow, Lord Eustace Cecil; Answers, Lord Edmond Fitzmaurice *July* 23, 161; Question, Sir Walter B. Barttelot; Answer, Lord Edmond Fitzmaurice *July* 24, 306; Question, Viscount Folkestone; Answer, Sir Arthur Hayter *July* 25, 502; Questions, Mr. Guy Dawnay, Lord Eustace Cecil, Mr. Healy; Answers, The Marquess of Hartington *July* 26, 529; Question, Mr. Macfarlane; Answer, Lord Edmond Fitzmaurice *July* 30, 946; Questions, Sir Walter B. Barttelot, Mr. J. Lowther; Answers, The Marquess of Hartington, Lord Edmond Fitzmaurice *July* 30, 961; Question, Mr. O'Donnell; Answer, Lord Edmond Fitzmaurice *July* 31, 1141

Hospital Ships, Questions, Mr. Gourley, Baron Henry De Worms; Answers, The Marquess of Hartington, Lord Edmond Fitzmaurice, Mr. Campbell-Bannerman *Aug* 6, 1629

Medical Officers, Question, Dr. Lyons; Answer, Lord Edmond Fitzmaurice *July* 30, 958

Supposed Introduction from India, Questions, Mr. O'Donnell, Mr. Macfarlane, Mr. A. F. Egerton, Mr. Villiers Stuart, Sir Walter B. Barttelot; Answers, Mr. J. K. Cross, Lord Edmond Fitzmaurice, The Marquess of Hartington *July* 27, 781

Egypt—The Cholera—Commons—*cont.*

The Evictions at Boulak, Questions, Sir Walter B. Barttelot, Mr. Gorst, Viscount Folkestone, Mr. O'Donnell; Answers, Lord Edmond Fitzmaurice *July* 26, 541

Army of Occupation

Cholera among the British Troops, Question, Viscount Folkestone; Answer, The Marquess of Hartington *July* 26, 552; Question, Dr. Farquharson; Answer, Sir Arthur Hayter *Aug* 2, 1446

Health of the Troops, Question, Lord Eustace Cecil; Answer, The Marquess of Hartington *July* 31, 1156; Questions, Viscount Folkestone, Mr. O'Kelly; Answers, Sir Arthur Hayter *Aug* 1, 1294; Question, Sir Lyon Playfair; Answer, Sir Arthur Hayter *Aug* 3, 1535; Question, Sir Walter B. Barttelot; Answer, The Marquess of Hartington *Aug* 6, 1658; Question, Viscount Folkestone; Answer, Sir Arthur Hayter *Aug* 8, 2032

[See titles—*Suez Canal*
Suez (*Second*) *Canal*]

Electric Lighting Provisional Orders (No. 1) (Cambridge, &c.) Bill

(*Mr. John Holms, Mr. Chamberlain*)

c. Considered * *July* 24 [Bill 216]
Read 3º, after short debate *July* 25, 423
l. Read 1ª * (*Lord Thurlow*) *July* 27 (No. 157)
Order for 2R. read *Aug* 3, 1448
Moved, "That the Order made on the 2nd day of March last 'That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Tuesday the 26th day of June next,' be dispensed with, and that the Bill be now read 2ª" (*The Earl of Redesdale*); after short debate, Motion agreed to; Bill read 2ª, and committed: The Committee to be proposed by the Committee of Selection

Electric Lighting Provisional Orders (No. 2) (Ashton, &c.) Bill

(*The Lord Thurlow*)

l. Order for 2R. read *Aug* 3, 1455
Moved, "That the Order made on the 2nd day of March last 'That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Tuesday the 26th day of June next,' be dispensed with, and that the Bill be now read 2ª" (*The Earl of Redesdale*); Motion agreed to; Bill read 2ª (No. 151)
Moved, "That the Bill be referred to the same Select Committee as the Electric Lighting Provisional Orders (No. 1) Bill, with leave to all petitioners to be heard" (*The Viscount Bury*); after short debate, on Question? Cont. 20, Not-Cont. 25; M. 5; resolved in the negative
Div. List, Cont. and Not-Cont., 1457
Committee * *Aug* 9

Electric Lighting Provisional Orders (No. 3) (Halsall Heath, &c.) Bill
(*The Lord Thurlow*)
l. Read 2ª* *Aug* 3 (No. 152)
Committee* *Aug* 9

Electric Lighting Provisional Orders (No. 4) (Barton, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Considered* *July* 24 [Bill 223]
Read 3°* *Juy* 25
l. Read 1ª* (*Lord Thurlow*) *July* 27 (No. 158)
Read 2ª* *Aug* 3
Committee* *Aug* 9

Electric Lighting Provisional Orders (No. 5) (Bermondsey, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Considered *Aug* 1, 1219 [Bill 224]
Moved, "That the Bill be now read 3°" *Aug* 2, 1302
After short debate, Amendt. to leave out "now read 3°," add "re-committed" (*Mr. Hicks*) *v.*; Question proposed, "That the words, &c.;" after further short debate, Amendt. withdrawn
Main Question put, and agreed to; Bill read 2°
l. Read 1ª* (*Lord Thurlow*) *Aug* 2 (No. 173)
Read 2ª* *Aug* 9

Electric Lighting Provisional Orders (No. 6) (Limehouse, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Considered* *July* 24 [Bill 227]
Read 3°* *July* 25
l. Read 1ª* (*Lord Thurlow*) *July* 27 (No. 159)
Read 2ª* *Aug* 3

Electric Lighting Provisional Orders (No. 7) (Barnes, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Report* *July* 24 [Bill 229]
Considered, after short debate *July* 25, 424
Read 3°* *July* 26
l. Read 1ª* (*Lord Thurlow*) *July* 27 (No. 160)
Read 2ª* *Aug* 3

Electric Lighting Provisional Orders (No. 8) (Bradford, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Considered, after debate *Aug* 1, 1219 [Bill 230]
Moved, "That the Bill be now read 3°" *Aug* 2, 1305
Amendt. to leave out from "That," add "the Bill be re-committed in reference to the Strand District Provisional Order" (*Mr. Sheridan*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question put, and agreed to
Main Question put, and agreed to; Bill read 3°
l. Read 1ª* (*Lord Thurlow*) *Aug* 2 (No. 174)
Read 2ª* *Aug* 9

Electric Lighting Provisional Orders (Nos. 5 and 8) Bills
l. Moved, "That the order made on the 2nd day of March last 'That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Tuesday the 26th day of June next,' be dispensed with, and that the Bills be now read 2ª" (*The Lord Thurlow*) *Aug* 9, 2033; after short debate, Motion agreed to; Bills read 2ª, and committed: The Committees to be proposed by the Committee of Selection

Electric Lighting Provisional Orders (No. 9) (Bristol, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Report* *July* 24 [Bill 238]
Considered* *July* 25
Read 3°* *July* 26
l. Read 1ª* (*Lord Thurlow*) *July* 27 (No. 161)
Read 2ª* *Aug* 3
Committee* *Aug* 9

Electric Lighting Provisional Orders (No. 10) (Chiswick, &c.) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Report* *July* 24 [Bill 249]
Considered* *July* 25
Read 3°* *July* 26
l. Read 1ª* (*Lord Thurlow*) *July* 27 (No. 162)
Read 2ª* *Aug* 3
Committee* *Aug* 9

Electric Lighting Provisional Orders (No 11) (Dundee) Bill
(*Mr. John Holms, Mr. Chamberlain*)
c. Report* *July* 24 [Bill 250]
Read 3°* *July* 25
l. Read 1ª* (*Lord Thurlow*) *July* 27 (No. 163)
Read 2ª* *Aug* 3
Committee* *Aug* 9

Elementary Education Provisional Order Confirmation (London) Bill [H.L.]
(*The Lord President*)
l. Royal Assent *Aug* 2 [46 & 47 *Vict.* c. cxxxii]

Ellenborough, Lord
Agricultural Holdings (England), 2R. 1835
Army—Health of the Troops in Egypt, 894
Army Medical Department — Hospital Services, Res. 15
Egypt—Cholera among the British Troops, 689
Electric Lighting Provisional Orders (No. 2), 2R. 1456
Parliament—Business of the House—Agricultural Holdings (England), 1447

Elliot, Hon. A. R. D., *Roxburgh*
Agricultural Holdings (Scotland), Comm. *cl.* 2, 453, 455; *cl.* 5, Amendt. 488, 492, 494, 495, 498, 499; *cl.* 6, 822, 823, 826
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Emigration—Emigrants at Queenstown
Question, Mr. Moore; Answer, Mr. Chamberlain *July* 23, 129

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Emly, Lord
Emigration (Ireland), 1105
Irish Land Commission, Motion for Returns, 760, 762
Irish Reproductive Loan Fund Act (1874) Amendment, Comm. *cl.* 3, 1610
Parliament—Palace of Westminster—Peers' Robing Room, 692

Emlyn, Viscount, *Carmarthenshire*
Agricultural Holdings (England), Comm. *cl.* 7, 220

Epidemic and other Diseases Prevention Bill (*Mr. Gray, Mr. Dawson, Mr. Brooks*)
c. Ordered; read 1° * *Aug* 1 [Bill 277]

Errington, Mr. G., *Longford Co.*
Suez (Second) Canal—Provisional Agreement with M. de Lesseps, 163

Ewing, Mr. A. Orr-, *Dumbarton*
Agricultural Holdings (Scotland), Comm, *cl.* 4, 480

Expiring Laws Continuance Bill
(*Mr. Herbert Gladstone, Mr. Courtney*)
c. Ordered; read 1° * *Aug* 6 [Bill 283]
Read 2° * *Aug* 9

Explosive Substances Acts—Destruction of the Nitro-Glycerine seized at Birmingham
Question, Baron Henry De Worms; Answer, The Marquess of Hartington *July* 26, 544

Extradition of Criminals Act—The United States—Extradition of Mr. Sheridan
Question, Mr. Coleridge Kennard; Answer, Lord Edmond Fitzmaurice *Aug* 2, 1335

Extraordinary Tithe-Rent Charge—Legislation
Question, Mr. D. Grant; Answer, Sir William Harcourt *Aug* 9, 2069

Factories and Workshops Amendment Bill [H.L.] (*The Earl of Dalhousie*)
l. Read 3ª *July* 23, 121 (No. 113)
c. Read 1° * *July* 30 [Bill 273]

Farquharson, Dr. R., *Aberdeenshire, W.*
Agricultural Holdings (England), Comm. *cl.* 1, 1177
Agricultural Holdings (Scotland), Comm. *cl.* 1, 435; *cl.* 26, 1274
Contagious Diseases Acts—Compulsory Examination—Returns, 942
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Parliamentary Elections (Corrupt and Illegal Practices), Consid. *add. cl.* 1999

Fawcett, Right Hon. H. (Postmaster General), *Hackney*
Post Office—Questions
  Contracts—Irish Mail Service, 540, 541, 1330, 1331, 1332;—Postal Service to the West Indies, 135
  "Graphic" Newspaper, 1349
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  Remuneration of Sub-Postmasters, 2090
  Telegraph Department — Female Telegraphists, 1842;—Telegraph Messages between England and France, 522
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  Belcarra (Co. Mayo) Post Office, 1616
  Letter Carriers and the new Parcel Post, 1142
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Findlater, Mr. W., *Monaghan*
Harrison's Estate, 2R. 1110, 1111, 1121, 1122
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Parliamentary Registration (Ireland), 2R. 1547
Supply—Chancery Division of the High Court of Justice, &c. 1433

Firth, Mr. J. F. B., *Chelsea*
Metropolis—Water Supply, 1624;—Analysis of Waters, 2094
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Africa (West Coast)—Gaboon Colony, 134
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  42, 44, 162, 163, 306, 307, 946, 961, 1141
  Evictions at Boulak, 542, 543
  Hospital Ships, 1630
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  Medical Officers, 958
Egypt—Re-organization—Questions
  Correspondence with Foreign Powers—Further Papers, 1843, 1844
  Mr. Clifford Lloyd, 1350, 1632, 1633
  Treatment of Prisoners, 1844

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Foreign Office, Action of, with regard to Parcels from the United States for Mr. James Lindsay, Glasgow, 133
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  Exclusive Powers of M. de Lesseps and the Suez Canal Company, 39
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FLOYER, Mr. J., *Dorsetshire*
Agricultural Holdings (England), Comm. *cl.* 15, 326

FOLJAMBE, Mr. F. J. S., *East Retford*
Agricultural Holdings (England), Consid. *cl.* 1, 1176

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Agricultural Holdings (England), Comm. *cl.* 5, 177; *cl.* 6, Amendt. 201, 203; *cl.* 23, 365, 374, 381; Consid. *cl.* 1, 1176, 1196, 1197
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Questions, Mr. Chaplin, Mr. James Howard, Sir Michael Hicks-Beach, Mr. Callan; Answers, Mr. Gladstone *July* 24, 302; Question, Mr. Chaplin; Answer, Mr. Gladstone *July* 26, 558

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Channel Tunnel Railway, Amendt. 281, 284
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FOWLER, Mr. H. H., *Wolverhampton*
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Supply—Public Education in England and Wales, &c. 632

FOWLER, Mr. R. N., *London*
Africa (South)—Natal—Langalibalele, 1988
  Zululand—Reported Death of Cetewayo, 290, 1987, 1988
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Friendly, &c. Societies (Nominations), Comm. *cl.* 1, 419
National Debt, 2R. 1938
Parochial Charities (London), Comm. 685; Preamble, 883
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  Criminal Prosecutions, Sheriffs' Expenses, &c. 1416
  Embassies and Missions Abroad, Amendt. 2215
  Orange River Territory, Transvaal, &c. 1728

FOWLER, Mr. W., *Cambridge*
Agricultural Holdings (England), Comm. *cl.* 5, 72
East India (Expenditure), Res. 792
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Supply—Office of Land Registry, 1766
  Orange River Territory, Transvaal, &c. 1719

France and Madagascar—See title *Madagascar*

Friendly, &c. Societies (Nominations) Bill (*Mr. Stuart-Wortley, Mr. Burt, Mr. Albert Grey, Mr. Northcote*)
- *c.* Order for 3R. discharged ; Bill re-committed ; Committee ; Report *July* 24, 416 [Bill 264]
  - Moved, "That the Bill, as amended, be now taken into Consideration ;" after short debate, Motion withdrawn
  - Considered ; read 3°, after short debate *July* 26, 682
- *l.* Read 1ª * (*Lord Norton*) *July* 31 (No. 166)

FRY, Mr. L., *Bristol*
- Statute of Frauds Amendment, 3R. Amendt. 862

GALLOWAY, Earl of
- Agricultural Holdings (Scotland), 2R. 2056

GARNIER, Mr. J. CARPENTER-, *Devon, S.*
- Agricultural Holdings (England), Comm. *cl.* 15, Amendt. 309, 320

Gibraltar—Customs Duties
- Questions, Captain Aylmer ; Answers, Mr. Evelyn Ashley *Aug* 7, 1846 ; *Aug* 9, 2097

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- Bankruptcy Bill—Extension to Ireland, 1646
- Channel Tunnel Committee—The Paper "Hostilities without Declaration of War," 288
- Ireland—Prisons—Extra Allowance to Prison Surgeons, 128
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  - Progress of Re-organization—Statement of the Earl of Dufferin, Ministerial Statement, 1855, 1856, 1857
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GREGORY, Mr. G. B., *Sussex, E.*
  Agricultural Holdings (England), Comm. *cl.* 5, 80; *cl.* 6, 189, 192, 194, 196, 205, 209; *cl.* 7, Amendt. 211, 217, 218, 219; *cl.* 8, 229; *cl.* 15, 320, 322; *cl.* 23, 361, 365; *add. cl.* 397, 398; Consid. *cl.* 1, 1174; *cl.* 9, 1185
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c. Moved, "That the Bill be now read 2°" *July* 31, 1109
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Heneage, Mr. E., *Great Grimsby*
- Agricultural Holdings (England), Comm. *cl.* 5, 89; *cl.* 6, 207, 216, 218; Amendt. 223, 224, 226; *cl.* 11, Amendt. 232; *cl.* 15, 313, 320; *cl.* 16, 347; *cl.* 23, 374; *add. cl.* 393, 396, 400, 402; Consid. *add. cl.* 819

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Hull, Barnsley, and West Riding Junction Railway and Dock (*Interest*) *Bill*
c. Moved, "That the Bill, as amended, be now considered" *July* 20, 17
Amendt. to leave out "now," add "upon this day three months" (*Sir Joseph Pease*); Question proposed, "That 'now,' &c.;" after short debate, Question put; A. 109, N. 124; M. 15 (D. L. 218)
Main Question, as amended, put, and agreed to

Hyde Park Corner (New Streets) Bill
(*Mr. Shaw Lefevre, Mr. Courtney*)
c. Ordered; read 1º* *July* 31 [Bill 275]
Ordered, That the Examiners of Petitions for Private Bills do examine the Hyde Park Corner (New Streets) Bill with respect to compliance with the Standing Orders, and that the said Examiners do proceed and report forthwith (*Mr. Shaw Lefevre*) *Aug* 1
Bill withdrawn * *Aug* 9

ILLINGWORTH, Mr. A., *Bradford*
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Contagious Diseases Act, XIV. of 1868—*Suspension of Act*, Question, Mr. Hopwood; Answer, Mr. J. K. Cross *July* 31, 1132
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Policy of the Marquess of Ripon, Question, Mr. Ashmead-Bartlett; Answer, Mr. Gladstone *Aug* 7, 1853
The Secretary of State for India in Council, Question, General Sir George Balfour; Answer, Mr. J. K. Cross *Aug* 6, 1622

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The Cholera, Questions, Mr. O'Donnell; Answers, Mr. J. K. Cross *July* 30, 938; *July* 31, 1140

Madras
Mysore — Gold Mining Companies — Concessions to British Officials, &c., Question, Mr. Justin M'Carthy; Answer, Mr. J. K. Cross *July* 23, 139; Questions, Mr. Justin M'Carthy, Mr. O'Donnell; Answers, Mr. J. K. Cross *July* 26, 536;—*The Report*, Question, Mr. O'Donnell; Answer, Mr. J. K. Cross *July* 27, 786
The Magistracy—Mr. Wallace, District Judge of Cuddapah, Questions, Mr. O'Donnell; Answers, Mr. J. K. Cross *July* 27, 786; *July* 30, 939

India—East India (*Expenditure*)
Order read, for resuming Adjourned Debate on Amendt. proposed to Main Question [8th May], "That, in the opinion of this House, it is necessary that early steps be taken to reduce the expenditure of India" (*Mr. E. Stanhope*)
And which Amendt. was at end of Question add "and this House regrets the decision arrived at by Her Majesty's Government to cast a further burden upon the Revenues of India in order to meet the extraordinary charges incurred by that Govern-

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India—East India (Expenditure)—cont.
ment on account of the Military expedition to Egypt" (*Mr. Onslow*); Question again proposed, "That those words be there added;" Debate resumed *July* 27, 790; after long debate, Question put; A. 55, N. 210; M. 155 (D. L. 237)
Main Question put, and agreed to

Indian Marine Bill [H.L.]
c. Read 1°* (*Mr. J. K. Cross*) *Aug* 7 [Bill 284]

International Arbitration
Question, Mr. Jesse Collings; Answer, Mr. Gladstone *Aug* 2, 1340

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Borough and County Valuation, Question, Mr. Healy; Answer, Mr. Trevelyan *July* 31, 1134;—*County Valuation — Province of Ulster*, Questions, Mr. Healy, Mr. Dawson, Mr. Arthur Arnold; Answers, Mr. Trevelyan *July* 27, 775
Collector General of Rates (*Dublin*), Question, Mr. Healy; Answer, Mr. Trevelyan *Aug* 9, 2074;—*Statutable Declarations under 5 & 6 William IV. c.* 62, Question, Mr. Healy; Answer, Mr. Trevelyan *Aug* 9, 2072
[See title *Arrears of Rent* (*Ireland*) *Act*]
Constabulary Acts—Extra Police Establishment at Incharoe, Bantry, Question, Mr. O'Brien; Answer, Mr. Trevelyan *July* 26, 532
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Metropolitan (*Dublin*) *Police—Alleged Misconduct*, Question, Mr. Healy; Answer, Mr. Trevelyan *Aug* 6, 1619
Poor Relief Act—Rating of Cemeteries and Buildings, Co. Dublin, Question, Mr. Justin M'Carthy; Answer, The Attorney General for Ireland *Aug* 2, 1320
Registry of Deeds Office, Dublin, Question, Dr. Lyons; Answer, Mr. Courtney *Aug* 2, 1337,
Sea and Coast Fisheries — Report for 1882 Question, Mr. Healy; Answer, Mr. Trevelyan *Aug* 9, 2074
Tramways—Interest on Loans—The Treasury Minute, Question, Mr. Gibson; Answer, Mr. Courtney *July* 23, 127;—*Legislation*, Question, Mr. Guy Dawnay; Answer, Mr. Trevelyan *July* 26, 540

Board of Public Works
Constitution of the Board, Question, Mr. Arthur O'Connor; Answer, Mr. Courtney *July* 30, 932
Irish National School Teachers' Residences, Question, Mr. Beresford; Answer, Mr. Courtney *July* 20, 33

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Lighthouse Illuminants, Questions, Colonel King-Harman, Mr. Gray; Answers, Mr. Chamberlain *Aug* 6, 1636

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Salaries of Lighthouse Keepers, Question, Mr. Biggar; Answer, Mr. Chamberlain *Aug* 7, 1847
Tory Island Lighthouse, Question, Mr. Beresford; Answer, Mr. Chamberlain *July* 23, 126; Questions, Colonel King-Harman, Mr. Dawson; Answers, Mr. Chamberlain *Aug* 6, 1637

Emigration—State-aided Emigration
Questions, Mr. Joseph Cowen, Mr. J. Lowther; Answers, Mr. Trevelyan, Mr. Gladstone *July* 27, 779; Question, Observations, Lord Emly; Reply, The Earl of Derby *July* 31, 1105; Question, Mr. Justin M'Carthy; Answer, Mr. Trevelyan *Aug* 6, 1628
Emigration to Canada, Question, Mr. O'Brien; Answer, Mr. Trevelyan *Aug* 2, 1336
New South Wales, Question, Mr. Healy; Answer, Mr. Trevelyan *Aug* 7, 1839
The Proposed Grant, Question, Mr. Leamy; Answer, Mr. Trevelyan *Aug* 9, 2116

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Model Farms — The Mungret Agricultural School and Model Farm, Co. Limerick, Questions, Mr. Synan; Answers, Mr. Trevelyan *July* 30, 928; *Aug* 6, 1616
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National School Teachers (*Ireland*) *Act*, 1875 —*Amendment of Act*, Questions, Mr. Meldon, Mr. Healy; Answers, Mr. Trevelyan *Aug* 2, 1329
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Case of P. W. Nally, Questions, Mr. Healy; Answers, The Attorney General for Ireland *Aug* 3, 1470; *Aug* 7, 1485; Question, Mr. Healy; Answer, Mr. Trevelyan *Aug* 9, 2082

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The Informer Walsh, Questions, Mr. Healy; Answers, The Attorney General for Ireland *July* 27, 778; *July* 31, 1156

The Murder Trials at Dublin—Assassination of Carey, the Informer, Questions, Sir R. Assheton Cross; Answers, Sir William Harcourt, Mr. Trevelyan *July* 31, 1151;—*Reported Assassination of a Witness*, Question, Sir R. Assheton Cross; Answer, Mr. Trevelyan *Aug* 2, 1350

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Orangemen and Catholics, Question, Mr. Healy; Answer, Mr. Trevelyan *July* 26, 518

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Derry Petty Sessions—Alleged Suppression of a Charge, Questions, Mr. Justin M'Carthy, Mr. Lewis, Mr. O'Donnell; Answers, Mr. Trevelyan *Aug* 2, 1323

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Mr. Clifford Lloyd, Questions, Mr. Kenny, Mr. Healy; Answers, Mr. Trevelyan *July* 30, 931

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Appointment of Police Surgeon at Waterford, Question, Mr. Leamy; Answer, Mr. Trevelyan *Aug* 9, 2103

Limerick City Police, Questions, Mr. Synan, Mr. Healy; Answers, Mr. Trevelyan *Aug* 9, 2085

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Murder of Mrs. Smythe—Magisterial Investigation, Question, Mr. T. D. Sullivan; Answer, Mr. Trevelyan *Aug* 9, 2097

The Wexford Riot, Question, Mr. Healy; Answer, Mr. Trevelyan *July* 24, 298;—*The "Bayonet Charge,"* Question, Mr. Healy; Answer, Mr. Trevelyan *Aug* 3, 1466

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Belcarra (*Co. Mayo*) *Post Office*, Question, Mr. Healy; Answer, Mr. Fawcett *Aug* 6, 1616

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Limerick Workhouse, Question, Mr. Moore; Answer, Mr. Trevelyan *July* 24, 293

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Carnamoney Division of the Magherafelt Union, Questions, Mr. O'Brien; Answers, Mr. Trevelyan *July* 27, 777; *Aug* 2, 1327

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Cholera Hospitals, Questions, Colonel Nolan; Answers, Mr. Trevelyan *Aug* 2, 1322; *Aug* 3, 1478

Public Health (*Ireland*) *Act*, 1878—*Sanitary Authorities*, Question, Mr. Gray; Answer, Mr. Trevelyan *Aug* 6, 1641

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(*Mr. Blake, Mr. O'Kelly, Dr. Commins, Mr. T. P. O'Connor*)
c. Considered; read 3°, after short debate *July* 23, 254 [Bill 39]
l. Read 1ª * (*Lord Greville*) *July* 24 (No. 156)
Read 2ª, after short debate *July* 30, 906
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Report * *Aug* 7
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(*Mr. Hibbert, Mr. George Russell, Mr. Ashley, Sir Charles Dilke*)
c. Ordered; read 1° * *July* 23 [Bill 268]
Read 2° *July* 26, 681
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KINGSCOTE, Colonel R. N. F., *Gloucestershire, W.*
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(*Mr. T. P. O'Connor, Mr. Parnell, Sir Joseph M'Kenna, Mr. Callan, Mr. Lalor*)
c. Committee* (*on re-comm.*)—R P. *Aug* 4
Committee; Report *Aug* 6, 1772 [Bill 240]
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l. Read 1ª* (*Earl of Dunraven*) *Aug* 9 (No. 183)

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Land Improvement and Arterial Drainage (Ireland) Bill
(*Mr. Courtney, Mr. Herbert Gladstone*)
c. Bill withdrawn* *Aug* 6 [Bill 189]

Land Law (Ireland) Act, 1881—*The Irish Land Commission*
Sittings of the Sub-Commissioners, Question, Mr. Small; Answer, Mr. Trevelyan *Aug* 9, 2072
Sittings at Ennis, Question, Mr. Kenny; Answer, Mr. Trevelyan *Aug* 3, 1471
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The Court of Appeal—Postponement of Sittings, Question, Mr. Kenny; Answer, Mr. Trevelyan *Aug* 9, 2079

Cases before the Land Commission, Question, Mr. Healy; Answer, Mr. Trevelyan *July* 24, 290
Judicial Rents, Question, Mr. Villiers-Stuart; Answer, Mr. Trevelyan *July* 26, 530; Question, Mr. Healy; Answer, The Attorney General for Ireland *Aug* 3, 1467; Question, Mr. Small; Answer, Mr. Trevelyan *Aug* 9, 2073
Fair Rent—Case of R. Driscoll, Question, Mr. Healy; Answer, Mr. Trevelyan *Aug* 9, 2104
Section 21, Question, Mr. Healy; Answer, Mr. Trevelyan *Aug* 6, 1648

Land Law (Ireland) Act, 1881 — *Irish Land Commission*
Moved, " That there be laid before this House, Returns giving in each case decided by the Sub-Commission Courts the old rent, the judicial rent, the poor law valuation, the landlord's valuation, the tenant's valuation, and, in cases heard on appeal, adding the appeal rent and the court valuer's valuation " (*The Marquess of Waterford*) *July* 27, 694; after long debate, Motion withdrawn

Law and Justice
- *Recent Execution at Durham*, Questions, Mr. Joseph Cowen, Sir Walter B. Barttelot, Mr. Sexton, Mr. Harrington, Mr. Small; Answers, Sir William Harcourt *Aug* 9, 2101
- *Supreme Court of Judicature—The New Rules*, Questions, Mr. W. Lowther, Sir Hardinge Giffard; Answers, The Attorney General *July* 20, 34; Questions, Mr. Warton, Mr. Healy; Answers, Mr. Gladstone, Mr. Trevelyan *July* 23, 140; Questions, Mr. Raikes, Mr. Warton; Answers, The Attorney General *July* 30, 935; Questions, Sir Hardinge Giffard; Answers, Mr. Gladstone *Aug* 6, 1656

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- *Children's Dangerous Performances Act*, 1879
  - "*The Human Serpent*," Question, Lord John Manners; Answer, Sir William Harcourt *July* 26, 521
  - *Juvenile Acrobats*, Observations, The Earl of Shaftesbury; Reply, The Earl of Dalhousie, *Aug* 3, 1462
- *The Dynamite Conspiracies—Rewards to the Police*, Question, Mr. Tottenham; Answer, Mr. Hibbert *Aug* 6, 1638

Lawrence, Sir J. J. T., *Surrey, Mid*
- Recent Honours — The Medical Profession, 1648

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- East India (Expenditure), Res. 794, 801, 812, 813
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- India—Military Expenditure — British Commission at Simla, 1148
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- Sale of Intoxicating Liquors on Sunday (Durham), Comm. 2247, 2248
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  - Orange River Territory, Transvaal, &c. 1754, 1755, 1756

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- Ireland—State-aided Emigration — Proposed Grant, 2116
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Lefevre, Right Hon. G. J. Shaw (Chief Commissioner of Works), *Reading*
- Agricultural Holdings (England), Comm. *cl.* 5, 84, 175; *cl.* 6, 183, 194, 198, 200, 203, 208; *cl.* 7, 219; *cl.* 8, 228, 229; *cl.* 11, 236; *cl.* 15, 332, 335; *cl.* 28, 391; *add. cl.* 398; Consid. *cl.* 1, 1163, 1167

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- Parks (Metropolis)—The Inclosures in Regent's Park, 540
- Parliament—Palace of Westminster—Westminster Hall, 1337
- Parochial Charities (London), Comm. 685; *cl.* 3, 871; *cl.* 14, 879; *cl.* 19, 880; *cl.* 46, 882; Preamble, 883; Consid. 1103

Leighton, Sir B., *Shropshire, S.*
- Agricultural Holdings (England), Comm. *cl.* 5, 70, 81, 89; Amendt. 91, 94; *cl.* 6, 198; *cl.* 7, 220, 222, 224, 226; *cl.* 11, 231, 236; *cl.* 15, 333; *cl.* 16, 346; *cl.* 22, 356; *cl.* 28, 389; Schedule 1, Amendt. 407, 410

Leighton, Mr. S., *Shropshire, N.*
- Agricultural Holdings (England), Comm. *cl.* 8, Amendt. 228
- Education Department—Home Lessons—Brain Diseases, &c. 1633, 1634, 1635
- Education Act, 1870—The School Rate, Res. 849
- Elementary Education Act (1870) Amendment Act—School Board Loans, 1326
- Parliament—Business of the House, Ministerial Statement, 566
- Supply—Chancery Division of the High Court of Justice, &c. Amendt. 1431, 1434, 1436

Lennox, Right Hon. Lord H. G. C. G., *Chichester*
- Egypt—The Cholera, 42

Lewis, Mr. C. E., *Londonderry*
- Ireland—Magistracy—Derry Petty Sessions—Alleged Suppression of a Charge, 1324
- Parliament—Business of the House—Order of Business, 2030
- Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 2, 2010; *cl.* 4, 2022; *cl.* 5, 2023, 2028

Limerick, Earl of
- Army (Auxiliary Forces)—Militia Permanent Staffs, Motion for an Address, 276
- Manchester Ship Canal, 2R. 263

Literature, Science, and Art
- *Meteorological Stations*, Question, Mr. Vivian; Answer, Mr. Courtney *Aug* 2, 1326
- *The British Museum—Researches at Sippara*, Question, Mr. W. H. Smith; Answer, Mr. Gladstone *Aug* 7, 1853
- *The National Gallery—Extension of the Hours of Admission and Lighting*, Question, Mr. D. Grant; Answer, Mr. George Howard *July* 31, 1157

Lloyd, Mr. M., *Beaumaris*
- Statute of Frauds Amendment, 3R. 868

Local Government Board (Scotland) Bill
- Questions, Mr. Buchanan, Mr. Dalrymple, Sir Alexander Gordon; Answers, Mr. Gladstone *July* 26, 557; Notice of Question, Sir John Hay; Answer, Sir William Harcourt *Aug* 4,

[*cont.*

Local Government Board (Scotland) Bill—cont.
1536; Question, Sir H. Drummond Wolff; Answer, Sir William Harcourt *Aug* 7, 1850
Estimates of Cost, Question, Sir R. Assheton Cross; Answer, Sir William Harcourt *Aug* 2, 1338

Local Government Board (Scotland) Bill (*Secretary Sir William Harcourt, The Lord Advocate*)
c. 2R. deferred *Aug* 1, 1293 [Bill 251]
Questions, Mr. Dalrymple, Mr. Buchanan; Answers, Lord Richard Grosvenor
Moved, "That the Bill be now read 2°" *Aug* 3, 1487
Amendt. to leave out "now," add "upon this day three months" (*Mr. Dalrymple*); Question proposed, "That 'now,' &c.;" after long debate, Debate adjourned
Debate resumed *Aug* 4, 1552; after debate, Question put; A. 99, N. 21; M. 78 (D.L. 258)
Main Question again proposed, 1566; after short debate, Question put, and agreed to; read 2°
Moved, "That this House will, upon Monday next, resolve itself into the Committee on the Bill"
Amendt. to leave out all after "That," add "the Bill be referred to a Select Committee" (*Sir Alexander Gordon*); Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn
Main Question put, and agreed to; Bill committed for Monday next

Local Government Board (Scotland) [*Salaries*]
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Aug* 7, 1942; after debate, Question put, and agreed to; Matter considered in Committee, 1953
Moved, "That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the salaries of the President, Secretaries, and other Officers of the Local Government Board for Scotland, which may become payable under any Act of the present Session for constituting such Board"
Amendt. to leave out "Salaries," insert "Salary" (*Sir H. Drummond Wolff*); Question proposed, "That 'Salaries' &c.;" after short debate, Question put; A. 135, N. 11; M. 124
Div. List, A. and N. 1957
Original Question put, and agreed to

Local Government Provisional Orders (No. 2) (West Hartlepool) Bill (*Lord Carrington*)
l. Committee discharged * *July* 24 (No. 87)

Local Government Provisional Orders (No. 4) (Cheltenham, &c.) Bill (*Lord Carrington*)
l. Royal Assent *Aug* 2 [46 & 47 *Vict.* c. cxxxv]

Local Government Provisional Orders (No. 5) (Ashton-in-Makerfield, &c.) Bill (*Lord Carrington*)
l. Royal Assent *Aug* 2 [46 & 47 *Vict.* c. cxxxvi]

Local Government Provisional Orders (No. 7) (Bognor, &c.) Bill (*Lord Carrington*)
l. Royal Assent *Aug* 2 [46 & 47 *Vict.* c. cxxxvii]

Local Government Provisional Orders (Poor Law) (No. 2) (Black-Torrington, &c.) Bill (*Lord Carrington*)
l. Royal Assent *Aug* 2 [46 & 47 *Vict.* c. cxxxviii]

Local Government (Gas) Provisional Order (Festiniog) Bill (*Lord Carrington*)
l. Royal Assent *Aug* 2 [46 & 47 *Vict.* c. cxxxiv]

LONDON, Bishop of
Parochial Charities (London), 2R. 1795

London Commissioners of Sewers (Ventilation of Railways) Bill and Metropolitan Board of Works (District Railway) Bill
l. Moved, "That in view of the fact that many millions of the working classes of London are compelled habitually to travel on the Metropolitan District Railway, and that their health and convenience is greatly dependent upon the improved means of ventilation recently provided by the railway company under powers granted by Parliament after full inquiry before Committees of both Houses, it be an instruction to the Committee to whom the said Bills are referred to allow the attendance before them and take the evidence of the representatives of the London Trades Council, and such other associated bodies as the Committee may desire, in order that the case of the working men may be fully heard, provided a petition from such council or other associated bodies be presented to the House" (*The Earl of Wemyss*) *July* 26, 503; after short debate, further debate adjourned
Order for resuming Adjourned Debate read *July* 27, 687; Moved, "That the said Order be discharged" (*The Earl of Wemyss*); on Question? resolved in the affirmative; Order discharged

LONG, Mr. W. H., *Wilts, N.*
Parliamentary Registration—Registration of Voters under the Divided Parishes Act, 1879, 536

LONGFORD, Earl of
Army Re-organization—Purchase Colonels, 16
Army Medical Department—Hospital Services, Res. 15

LOPES, Sir M., *Devonshire, S:*
Greenwich Hospital, Comm. 251
Parliament—Business of the House, Ministerial Statement, 1152

LOTHIAN, Marquess of
Agricultural Holdings (Scotland), 2R. 2055

LOWTHER, Right Hon. J., *Lincolnshire, N.*
  Africa (South)—Zululand—Reported Defeat of Cetewayo, 289
  Agricultural Holdings (England), Comm. *cl.* 7, 217, 221, 224; *cl.* 12, 243, 246; *cl.* 15, 313, 322, 325, 339; *cl.* 16, 343; *add. cl.* 402, 403, 406; Consid. *add. cl.* 821
  Agricultural Holdings (Scotland), Comm. *cl.* 1, 441; *cl.* 6, 822
  Channel Tunnel Railway, 2R. Amendt. 283, 284, 285
  Cruelty to Animals Acts Amendment, Comm. 1596
  Egypt—Cholera, 961
  Ireland—State-aided Emigration, 780
  Parliament—Business of the House, Ministerial Statement, 428
  Parliament—Business of the House, Motion for Adjournment, 1592
  Parliamentary Registration (Ireland), 2R. 1545
  Revenue and Friendly Societies, Comm. 1593
  Suez Canal—List of Shareholders, 304, 305, 306
  Suez (Second) Canal—Questions
    Communications from Foreign Powers, 549, 784
    Exclusive Powers of M. de Lesseps and the Suez Canal Company, 37, 39
    The Provisional Agreement with M. de Lesseps, Ministerial Statement, 157, 158

LOWTHER, Hon. W., *Westmoreland*
  Supreme Court of Judicature (New Rules), 34

LUBBOCK, Sir J., *London University*
  National Debt, 2R. 1914, 1915
  Parliament—Business of the House—Order of Business, 2111, 2112
  Suez (Second) Canal—Provisional Agreement with M. de Lesseps, Ministerial Statement, 158
  Supply—Public Education in England and Wales, 627
    Woods, Forests, and Land Revenues, &c. 1352

Lunacy Commissioners' Reports
  Question, Mr. W. J. Corbet; Answer, Mr. Hibbert *Aug* 9, 2099

LUSK, Sir A., *Finsbury*
  Supply—Fishery Board, Scotland, 1384
    Mercantile Marine Fund (Grant in Aid), 1374, 1375
    Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, &c. 1377

LYMINGTON, Viscount, *Barnstaple*
  Agricultural Holdings (England), Consid. *cl.* 18, 1186
  Parliament—Business of the House, 46
  Tenure of Land—Peasant Proprietary, Res. 101, 103

LYONS, Dr. R. D., *Dublin*
  Egypt—Cholera—Medical Officers, 958

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LYONS, Dr. R. D.—*cont.*
  Parliament—Palace of Westminster—Westminster Hall, 1337
  Registry of Deeds Office, Dublin, 1337
  Supply—Woods, Forests, and Land Revenues, &c. 1369, 1373

MCARTHUR, Mr. A., *Leicester*
  Africa (South)—Transvaal—Gold Law, 2098
  Africa (West Coast)—Sherbro Massacres, 542
  Parliament—Business of the House—Order of Business, 2112

M'CARTHY, Mr. Justin, *Longford*
  India—Mysore—Gold Mining Companies—Concessions to British Officials, &c. 139, 536
  Ireland—Questions
    Crime and Outrage at Londonderry, 138
    Evictions—Francis Lynch, Case of, 936
    Magistracy—Derry Petty Sessions—Alleged Suppression of a Charge, 1323
    Poor Relief Act—Rating of Cemeteries and Buildings, Co. Dublin, 1320
    Royal Irish Constabulary—Medical Officers, 1320
    State-aided Emigration, 1628
  Metropolis Water Act, 1871—Grand Junction Waterworks Company, 1147

M'COAN, Mr. J. C., *Wicklow*
  Egypt—Policy of the Government, 1655
  Ireland—Prevention of Crime Act, 1882—Proclamation of Co. Wicklow, 1638
  Suez (Second) Canal—Claims of M. de Lesseps, 297
  Supply—Embassies and Missions Abroad, 2171, 2180

MACFARLANE, Mr. D. H., *Carlow Co.*
  Agricultural Holdings (Scotland), Comm. *cl.* 1, 434; *cl.* 6, 823; *cl.* 26, 1263, 1267, 1268; Consid. 1577; Amendt. 1578
  Copyright Acts—Photographs, 1644
  East India (Expenditure), Res. 815
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  Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 2, 2011
  Poor Law (England and Wales)—Catholic Children in Workhouses, 945
  Supply—Chancery Division of the High Court of Justice, &c. 1422
    London Bankruptcy Court, Motion for reporting Progress, 1763

MCGAREL-HOGG, Sir J. M., *Truro*
  Metropolitan Improvements, 960
  Metropolis—Open Spaces—The Metropolitan Board of Works and the Meeting in Southwark Park, 295
    Water Supply, 1624
  Public Health—Construction of a Thoroughfare through Peel Grove Burial Ground, Bethnal Green, 957
    Metropolis—Precautions against Cholera, 287

MCKENNA, Sir J. N., *Youghal*
  Constabulary and Police Administration (Ireland), Motion for Leave, 1075

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Electric Lighting Provisional Orders (No. 5), 3R. 1303, 1305
Electric Lighting Provisional Orders (No. 8), 3R. 1312
National Debt, 2R. 1909, 1915

MCLAGAN, Mr. P., *Linlithgowshire*
Agricultural Holdings (England), Consid. *cl.* 1, 1176
Agricultural Holdings (Scotland), Comm. *cl.* 1, 432, 438; *cl.* 2, 456; *cl.* 3, 465; *cl.* 5, 498; *cl.* 6, 1206, 1207; *cl.* 16, Amendt. 1213, 1214; *cl.* 24, 1249; *cl.* 26, 1254, 1255, 1265, 1267

MACLIVER, Mr. P. S., *Plymouth*
Contagious Diseases Acts—Compulsory Examination—Returns, 948
Increase of Cases, 787
Navy—Dockyard Workmen, 928
Naval Engineers—Case of —— Walsh, 1333
Post Office—Telegraph Department—Female Telegraphists, 1841

Madagascar
The French at Tamatave
Question, Mr. Ashmead-Bartlett; Answer, Lord Edmond Fitzmaurice *July* 20, 31
Insult to the British Flag, Question, Mr. Ashmead-Bartlett; Answer, Lord Edmond Fitzmaurice *Aug* 7, 1846; Questions, Mr. Ashmead-Bartlett, Sir Stafford Northcote; Answers, Lord Edmond Fitzmaurice *Aug* 9, 2095
Strength of the French Naval Force, Question, Mr. Ashmead-Bartlett; Answer, Mr. Campbell-Bannerman *July* 20, 40
The Despatches, Question, Sir Walter B. Barttelot; Answer, Mr. Gladstone *Aug* 9, 2114

MAGNIAC, Mr. C., *Bedford*
Suez (Second) Canal—Provisional Agreement with M. de Lesseps, Ministerial Statement, 156

MAKINS, Colonel W. T., *Essex, S.*
Electric Lighting Provisional Orders (No. 7), Consid. 425

Manchester Ship Canal Bill
l. Order for 2R. read *July* 24, 258
Moved, "That the Order made on the 2nd day of March last 'That no Private Bill brought from the House of Commons shall be read a second time after Thursday the 21st day of June next' be dispensed with" (*The Lord Winmarleigh*); after short debate, on Question? Cont. 87, Not-Cont. 24; M. 63; Resolved in the affirmative
Div. List, Cont. and Not-Cont., 262
After further short debate, Bill read 2ª and committed; the Committee to be proposed by the Committee of Selection
The Select Committee, Notice of Motion, The Earl of Cork; short debate thereon *July* 26, 512
Report from the Select Committee, That it is not expedient to proceed further with the Bill; read, and ordered to lie on the Table

MANNERS, Right Hon. Lord J. J. R., *Leicestershire, N.*
Law and Police—Children's Dangerous Performances Act, 1879—"The Human Serpent," 521
Metropolis—St. Paul's Cathedral—The Wellington Monument, 2105
Metropolitan Improvements—The Wellington Statue, 2069

Marine Policies (Collisions) Bill
(*Mr. Coleridge Kennard, Sir Charles Mills, Sir John Lubbock, Mr. Hubbard*)
c. Bill withdrawn* *July* 25 [Bill 245]

MARJORIBANKS, Hon. E., *Berwickshire*
Agricultural Holdings (Scotland), Comm. *cl.* 1, 441; *cl.* 2, 453, 456; *cl.* 4, 468, 475; *cl.* 26, 1257
Public Works Loan Commissioners—Interest on Loans—Harbour Loans, 1339

MARTIN, Mr. P., *Kilkenny Co.*
Endowed Schools (Ireland)—Swords Borough School, Dublin, 2083, 2085
Labourers (Ireland), Comm. *cl.* 7, 1778
Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 2, 2010

MARTIN, Mr. R. Biddulph, *Tewkesbury*
National Debt, 2R. 1923

MARUM, Mr. E. P. M., *Kilkenny Co.*
National Debt, 2R. 1896

MASKELYNE, Mr. M. H. N. STORY-, *Cricklade*
Agricultural Holdings (England), Comm. *cl.* 5, 177; *add. cl.* 401
Electric Lighting Provisional Orders (No. 8), 3R. 1315
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MAXWELL, Sir H. E., *Wigtonshire*
Agricultural Holdings (England), Comm. *cl.* 23, 368; *add. cl.* 391, 393
Agricultural Holdings (Scotland), Comm. *cl.* 1, 432, 437, 442; Amendt. 446; *cl.* 2, Amendt. 450, 457, 458; *cl.* 4, Amendt. 467, 468, 469, 477, 478, 480; *cl.* 5, Amendt. 481, 495; *cl.* 6, Amendt. 1205; *cl.* 7, 1206; *cl.* 9, 1210; Amendt. 1211; *cl.* 16, Amendt. 1214; *cl.* 17, Amendt. 1215; *cl.* 23, Amendt. 1231, 1232, 1233, 1236; *cl.* 24, 1245; *cl.* 26, Amendt. 1251, 1253, 1254, 1256, 1257, 1258; *cl.* 27, Amendt. 1281, 1282; *cl.* 33, Amendt. 1284; *cl.* 36, Amendt. *ib.*
India—Criminal Code (Procedure) Amendment—Reports of Local Governments, 520
Local Government Board (Scotland), 2R. 1529
Navy—Courts Martial—H.M.S. "Triumph"—Case of Louis Price, 515, 517, 934, 935
Scotland—Sunday Traffic—Strome Ferry Riots, 1483
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MAXWELL-HERON, Captain J. M., *Kirkcudbright*
Agricultural Holdings (Scotland), Comm. *cl.* 1, 440; *cl.* 6, 823

Medical Charities Act, 1852—*Dispensary Officers (Ireland)*
Question, Mr. Healy; Answer, Mr. Trevelyan *Aug* 9, 2073

Medical Profession—Recent Honours
Questions, Colonel King-Harman, Sir Trevor Lawrence; Answers, Mr. Gladstone *Aug* 6, 1647

MELDON, Mr. C. H., *Kildare*
Ireland—National School Teachers' Act, 1875—Amendment of Act, 1329
Parliamentary Registration (Ireland), 2R. 1550, 1551
Union Officers' Superannuation (Ireland), 2R. 1581

Mercantile Marine Fund—Accounts for 1881-2
Question, Mr. James Stewart; Answer, Mr. Chamberlain *July* 23, 137

Merchandise Marks (Channel Islands and Isle of Man) Bill [H.L.]
(*The Lord Belper*)
l. Order for Committee discharged; Bill withdrawn, after debate *Aug* 6, 1601 (No. 143)

Merchant Shipping (Fishing Boats) Bill [H.L.] (*The Lord Sudeley*)
l. Adjourned Debate on Motion for 2R. [July 17] resumed *July* 24, 263; after short debate, Motion agreed to; Bill read 2ª (No. 144)
Committee, after short debate *Aug* 2, 1296
Report * *Aug* 3 (No. 170)
Read 3ª * *Aug* 6

Merchant Shipping—The Royal Commission on Tonnage
Question, Sir John Jenkins; Answer, Mr. Chamberlain *July* 31, 1147

METROPOLIS (*Questions*)
Defective carrying out of the Smoke Nuisance Act, Question, Mr. Cubitt; Answer, Sir William Harcourt *July* 26, 528
Drainage, Observations, Lord Forbes; Reply, Lord Thurlow *Aug* 6, 1614
Open Spaces — The Meeting in Southwark Park, Questions, Mr. Borlase, Mr. Labouchere; Answers, Sir James M'Garel-Hogg *July* 24, 294
Petroleum Acts—Storage of Petroleum in the Metropolitan Area, Question, Sir Edward Watkin; Answer, Sir William Harcourt *Aug* 7, 1837
Public Health—Precautions against Cholera, Questions, Sir R. Assheton Cross, Mr. Monk, Mr. Mitchell Henry; Answers, Sir Charles W. Dilke, Sir James M'Garel-Hogg *July* 24, 286

METROPOLIS—*cont.*
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The Parks
The Inclosures in Regent's Park, Question, Mr. D. Grant; Answer, Mr. Shaw Lefevre *July* 26, 540; Question, Mr. D. Grant; Answer, Mr. Courtney *Aug* 2, 1321; Questions, Mr. D. Grant, Mr. Molloy; Answers, Mr. Courtney *Aug* 9, 2096

Water Supply
Questions, Dr. Cameron, Mr. Mitchell Henry; Answers, Sir Charles W. Dilke *July* 31, 1133; Questions, Mr. Broadhurst, Mr. Firth, Mr. J. R. Yorke; Answers, Sir Charles W. Dilke, Sir James M'Garel-Hogg *Aug* 6, 1623
Analysis of Waters, Question, Mr. Firth; Answer, Sir Charles W. Dilke *Aug* 9, 2094
Metropolis Water Act, 1871—*The Grand Junction Waterworks Company*, Question, Mr. Justin M'Carthy; Answer, Mr. George Russell *July* 31, 1147
The Southwark Water Company, Questions, Mr. Tatton Egerton, Mr. Labouchere; Answers, Mr. George Russell, Sir Charles W. Dilke *Aug* 3, 1471

Metropolitan Board of Works (Money) Bill (*Lord Thurlow*)
l. Read 2ª * *July* 24 (No. 149)
Committee *; Report *Aug* 2
Read 3ª * *Aug* 3

Metropolitan Improvements
Question, Mr. Firth; Answer, Sir James M'Garel-Hogg *July* 30, 960
Hyde Park Corner—The Wellington Statue, Question, Mr. R. H. Paget; Answer, Mr. Shaw Lefevre *Aug* 2, 1339; Questions, Sir Henry Holland, Mr. Rylands, Sir Eardley Wilmot, Lord John Manners; Answers, Mr. Shaw Lefevre *Aug* 9, 2067

MILBANK, Sir F. A., *York, N.R.*
Cruelty to Animals Acts Amendment, Comm. 1597, 1598

MILLTOWN, Earl of
Factories and Workshops Amendment, 3R. 125
Poor Relief (Ireland), Comm. 125
Public Health Act, 1875 (Support of Sewers) Amendment, 2R. 2033
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Mines Regulation Act — Sentences for Breach of Regulations
Question, Mr. Burt; Answer, Sir William Harcourt *July* 26, 515

MOLLOY, Mr. B. C., *King's Co.*
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Monk, Mr. C. J., *Gloucester City*
Channel Tunnel Railway, 2R. 283
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Regent's Canal, City, and Docks Railway (Various Powers), 2R. Amendt. 1126, 1129
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Morley, Earl of (Under Secretary of State for War)
Army—Auxiliary Forces—Militia Permanent Staffs, Motion for an Address, 277
Army Medical Department — Hospital Services, Res. 7, 10
Army (Re-organization)—Purchase Colonels, 17
Egypt—Cholera, 280, 689

Morley, Mr. J., *Newcastle-upon-Tyne*
Egypt—Policy of the Government, 1650
Supply—Embassies and Missions Abroad, 2117

Morley, Mr. S., *Bristol*
Payment of Wages in Public-houses Prohibition, 3R. 1789

Morocco—Sale of Slaves in Tangier
Question, Mr. Arthur Pease ; Answer, Lord Edmond Fitzmaurice *July* 30, 941

Mount-Edgcumbe, Earl of
Sale of Intoxicating Liquors on Sunday (Cornwall), 3R. 908, 913, 916

Mount-Temple, Lord
Parliament—Palace of Westminster—Peers' Robing Room, 650
Sale of Intoxicating Liquors on Sunday (Cornwall), 3R. 917

Mundella, Right Hon. A. J. (Vice President of the Committee of Council on Education), *Sheffield*
Education Act, 1870—The School Rate, Res. 832, 858
Education Department—Questions
  Elementary Education Act (1870) Amendment Act—School Board Loans, 1326
  Endowed Schools, 1617
  Home Lessons—Brain Diseases, &c. 1634, 1635
  Report of the Lunacy Commissioners, 2088
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National Debt, 2R. 1937
Parliament—Business of the House, Ministerial Statement, 1347
Supply—Comm. 566, 577
  Education Vote — The Proposed Welsh Colleges, 535

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Mundella, Right Hon. A. J.—*cont.*
  Public Education in England and Wales, &c. 607, 616, 617, 619, 640, 651
  Public Education in Scotland, 664
Welsh University — Claims of Aberystwith College, 1334

National Debt Bill
(*The Chairman of Ways and Means, Mr. Chancellor of the Exchequer, Mr. Courtney*)
c. Moved, "That the Bill be now read 2°" *Aug* 7, 1859
Amendt. to leave out from "That," add "the National Debt having been reduced during the last three years by £20,500,000, the present generation of British taxpayers, who have contributed to that result, are entitled to some relief from their burdens ; considering also the backward state of Ireland, and the miserable condition of a large part of its population, it would be in the highest degree impolitic and unjust to recreate, partly at their cost, terminable annuities calculated only to relieve posterity of taxation in the year 1905" (*Mr. Mitchell Henry*) *v.* ; Question proposed, "That the words, &c. ;" after long debate, Question put ; A. 149, N. 95 ; M. 54
  Div. List, A. and N. 1940
Main Question put, and agreed to ; Bill read 2° [Bill 182]
Question, Mr. J. G. Hubbard ; Answer, The Chancellor of the Exchequer *Aug* 9, 2111
Committee * ; Report *Aug* 9 [Bill 287]

Navy (*Questions*)
Bow Rudders, Question, Mr. Gorst ; Answer, Mr. Campbell-Bannerman *Aug* 8, 1987
Courts Martial — H.M.S. "Triumph"—The Case of Louis Price, Questions, Sir Herbert Maxwell, Mr. Warton ; Answers, Mr. Campbell-Bannerman *July* 26, 515 ; *July* 30, 934
Examination for Paymaster, Question, Mr. Arthur O'Connor ; Answer, Mr. Campbell-Bannerman *July* 26, 545
Greenwich Pensions, Question, Captain Price ; Answer, Sir Thomas Brassey *July* 31, 1135
Naval Engineers—Case of —— Walsh, Question, Mr. Stewart Macliver ; Answer, Mr. Campbell-Bannerman *Aug* 2, 1333
Naval Schoolmasters, Question, Captain Price ; Answer, Mr. Campbell-Bannerman *July* 30, 933
Reports on Ships, Question, Colonel Kennard ; Answer, Sir Thomas Brassey *July* 24, 297
The "Britannia"—Health of Cadets, Question, Sir H. Drummond Wolff ; Answer, Mr. Campbell-Bannerman *Aug* 6, 1622
The "Hope" Hospital Ship, Question, Mr. H. G. Allen ; Answer, Mr. Campbell-Bannerman *July* 30, 940

The Dockyards
Chatham Dockyard, Question, Mr. Broadhurst ; Answer, Mr. Campbell-Bannerman *Aug* 6, 1626
Committee on Professional Officers, Question, Mr. H. G. Allen ; Answer, Sir Thomas Brassey *Aug* 3, 1476

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NAVY—*The Dockyards*—cont.
  Dockyard Workmen, Question, Mr. Stewart Macliver; Answer, Mr. Campbell-Bannerman *July* 30, 928
  Engineers' Department, Question, Mr. Gorst; Answer, Sir Thomas Brassey *Aug* 9, 2104

Navy and Army Expenditure, 1881-2—*The Appropriation Accounts*
  Committee to consider the Savings and Deficiencies upon the Grants for Navy and Army Services in the year ended on the 31st day of March 1882, and the temporary sanction obtained from the Treasury by the Navy and Army Departments to Expenditure not provided for in the Grants for that year, upon Monday next
  Ordered, That the Appropriation Accounts for the Navy and Army Departments, which were presented upon the 19th day of February last, be referred to the Committee *Aug* 9

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
  Parliament—Privilege—"Bradlaugh *v.* Gosset"—Consideration of Writ, &c. 56, 57, 58, 60
  Parliamentary Elections (Corrupt and Illegal Practices), Consid. *add. cl.* 1990; *cl.* 2, 2012

Newfoundland Fisheries
  Correspondence with the United States, Question, Sir Michael Hicks-Beach; Answer, Mr. Evelyn Ashley *Aug* 2, 1332
  The Fortune Bay Dispute — Compensation, Questions, Sir Michael Hicks-Beach, Sir Henry Holland; Answers, Mr. Courtney *July* 31, 1145; Question, Sir Henry Holland; Answer, Mr. Evelyn Ashley *Aug* 2, 1330

New Guinea—See title *Western Islands of the Pacific*

NEWPORT, Viscount, *Shropshire, N.*
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O'Sullivan, Mr. W. H.—*cont.*
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  Agricultural Holdings (England), Comm. *cl.* 5, 87, 175 ; *cl.* 6, 198 ; *cl.* 7, 210, 216 ; *cl.* 11, 237, 238, 243, 245 ; *cl.* 21, 354 ; *cl.* 23, 368 ; *cl.* 28, 390
  Agricultural Holdings (Scotland), Comm. *cl.* 1, 442, 444 ; *cl.* 2, 447 ; *cl.* 4, 468 ; *cl.* 5, 495 ; *cl.* 6, 822 ; *cl.* 24, 1245 ; *cl.* 26, 1254, 1264, 1271 ; *cl.* 27, 1282
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  Payment of Wages in Public-houses Prohibition, Comm. *cl.* 3, 1789
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Oxford, Aylesbury, and Metropolitan Railway Bill
l. Moved, "That the Bill be re-committed to the same Select Committee" (*The Lord Henniker*) *Aug* 7, 1790 ; after short debate, Motion withdrawn

Pacific—See title *Western Islands of the Pacific*

Paget, Mr. R. H., *Somersetshire, Mid*
  Agricultural Holdings (England), Comm. *cl.* 5, 82, 173 ; *cl.* 6, 189 ; *cl.* 8, 229 ; *cl.* 11, Amendt. 230, 231, 232 ; *cl.* 12, 244 ; Amendt. 245, 246 ; *cl.* 15, 316, 324, 325 ; Consid. *cl.* 41, Amendt. 1191, 1192
  Contagious Diseases (Animals) Act—Foot-and-Mouth Disease, Ireland, 1319
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  Suez (Second) Canal—Provisional Agreement with M. de Lesseps, Ministerial Statement, 156

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Black Rod
  Admiral the Honourable Sir James Robert Drummond, G.C.B., having been appointed Gentleman Usher of the Black Rod in the room of General the Right Honourable Sir William Thomas Knollys, K.C.B., deceased, was called in and officiated in his place *July* 24, 258
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  Question, Mr. Warton ; Answer, Mr. Gladstone *July* 31, 1156

RULES AND ORDERS OF THE HOUSE
  Rules of Debate—Production of Documents, Question, Observations, Mr. Raikes ; Reply, Mr. Speaker ; Observations, Mr. Gladstone *Aug* 9, 2107
  Time for Putting Questions, Question, Mr. Healy ; Answer, Mr. Speaker *Aug* 1, 1293

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  Ordered, That the Orders of the Day be postponed until after the Notice of Motion relating to Future Negotiations with the Suez Canal Company (*Mr. Gladstone*) *July* 30

BUSINESS OF THE HOUSE AND PUBLIC BUSINESS
  Observations, Mr. Gladstone *July* 23, 141 ; Observations, Sir Stafford Northcote ; Reply, Mr. Gladstone ; short debate thereon *July* 26, 561 ; Questions, Sir Stafford Northcote, Mr. T. P. O'Connor, Mr. Anderson, Colonel King-Harman ; Answers, Sir William Harcourt, Mr. Trevelyan, Sir Stafford Northcote *Aug* 4, 1539 ;—*The "Count-out" on Friday, July* 20, Question, Sir George Campbell ; Answer, Mr. Gladstone *July* 23, 163 ;—*Order of Public Business*, Question, Sir Massey Lopes ; Answer, Mr. Gladstone ; short debate thereon *July* 31, 1152 ; Questions, Mr. Gorst, Mr. Lewis, Mr. Healy, Mr. Dixon-Hartland, Mr. Parnell ; Answers, Mr. Gladstone, Lord Richard Grosvenor *Aug* 8, 2030 ; Question, Sir John Lubbock ; Answer, Mr. Gladstone ; short debate thereon *Aug* 9, 2111 ;—*The "Count-out" on Friday August* 3, Question, Mr. Ashmead-Bartlett ; Answer, Sir William Harcourt *Aug* 4, 1536 ; — *Agricultural Holdings* (*England*) *Bill, &c.* Observations, Mr. Gladstone ; short debate thereon *July* 20, 44 ; Question, Sir Michael Hicks-Beach ;

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SITTINGS AND ADJOURNMENT OF THE HOUSE

Moved, "That this House do now adjourn" (*Lord Richard Grosvenor*) *July* 24, 422; Motion agreed to

Business of the House, Moved, "That this House do now adjourn" (*Mr. Chamberlain*) *Aug* 4, 1590; after short debate, Question put; A. 52, N. 66; M. 14 (D. L. 260)

Saturday Sittings, Question, Sir Stafford Northcote; Answer, Mr. Gladstone *Aug* 6, 1658; Observation, Sir R. Assheton Cross *Aug* 8, 1988

QUESTIONS

Parliamentary Papers—The Consular Reports, Question, Mr. Slagg; Answer, Lord Edmond Fitzmaurice *July* 30, 942

Parliamentary Registration—Registration of Voters under the Divided Parishes Act, 1879, Question, Mr. Long; Answer, Mr. George Russell *July* 26, 536

Private Estate Bills, Questions, Mr. Arthur Arnold, Mr. Raikes; Answers, Mr. Gladstone *Aug* 7, 1851

Public Bills—Provisional Order Bills, Question, Mr. W. H. Smith; Answer, Mr. Chamberlain *July* 30, 959

PALACE OF WESTMINSTER

House of Lords—The Peers' Robing Room, Observations, Lord Mount-Temple; Reply, Lord Thurlow; short debate thereon *July* 27, 690

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PARLIAMENT—*Palace of Westminster*—cont.

Westminster Hall, Question, Dr. Lyons; Answer, Mr. Shaw Lefevre *Aug* 2, 1337

Parliament — Privilege—" Bradlaugh v. Gosset"

Writ and other Documents considered *July* 20, 49

Moved, "That leave be given to Ralph Allen Gosset, esquire, Serjeant-at-Arms, to appear and plead in the Action brought against him by Charles Bradlaugh, esquire" (*Mr. Attorney General*); Moved, "That the Debate be now adjourned" (*Sir Hardinge Giffard*); after short debate, Motion withdrawn

Original Question again proposed, 58; after short debate, Original Question put, and agreed to

Moved, "That the Attorney General be directed to defend the Serjeant-at-Arms against the said Action" (*Mr. Attorney General*), 65

Amendt. to add at end "but that the Attorney General be instructed that the orderly fulfilment of his statutory obligation by a duly elected Member of this House is not to be held as disturbing the proceedings of the House" (*Sir Wilfrid Lawson*) *v.*; Question proposed, "That those words be there added;" after short debate, Amendt. withdrawn

Original Question put, and agreed to

PARLIAMENT—HOUSE OF COMMONS

New Writ Issued

Aug 6—*For* the County of Sligo, *v.* Denis Maurice O'Conor, esquire, deceased

Parliamentary Elections (Closing of Public-houses) Bill

(*Mr. Carbutt, Mr. Arthur Pease, Mr. Illingworth, Mr. Jacob Bright, Mr. Anderson, Mr. Burt, Mr. O'Connor Power*)

c. Bill withdrawn* *Aug* 7 [Bill 102]

Parliamentary Elections (Corrupt and Illegal Practices) Bill — Municipal and School Board Elections

Questions, Mr. Jackson, Sir R. Assheton Cross, Mr. Joseph Cowen; Answers, The Attorney General, Mr. Gladstone *July* 30, 958

Parliamentary Elections (Corrupt and Illegal Practices) [*Expenses*]

c. Res. considered in Committee, and agreed to *Aug* 7, 1986

Parliamentary Elections (Corrupt and Illegal Practices) Bill [Bill 7]

(*Mr. Attorney General, Secretary Sir William Harcourt, Mr. Chamberlain, Sir Charles Dilke, Mr. Solicitor General*)

c. Order for Consideration, as amended, read *Aug* 8, 1989

Moved, "That the Bill be re-committed in respect of Schedule 1" (*Mr. Warton*); after short debate, Question put, and nega-

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Parliamentary Elections (*Corrupt and Illegal Practices*) *Bill*—cont.
tived; Bill considered; after further long debate, further Proceedings on Consideration adjourned

Parliamentary Registration (Ireland) Bill (*Mr. Trevelyan, Mr. Attorney General for Ireland*)
c. Moved, "That the Bill be now read 2°" *Aug* 4, 1541
Amendt. to leave out "now," add "upon this day three months" (*Mr. Ion Hamilton*); Question proposed, "That 'now,' &c.;" after short debate, Question put; A. 97, N. 17; M. 80 (D. L. 257)
Main Question put, and agreed to; Bill read 2° [Bill 155]

Parnell, Mr. C. S., *Cork City*
Constabulary and Police Administration (Ireland), Motion for Leave, 1060
Ireland—Prevention of Crime Act, 1882—Mr. Harrington's Case, 537, 538
Tramways and Public Companies Bill, 1657
Labourers (Ireland), Comm. *cl.* 14, 1784; *add. cl.* 1788
New South Wales—Removal of Magistrates, 1640
Parliament—Business of the House—Order of Business, 2031
Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 2, 2007, 2013, 2014; *cl.* 4, Amendt. 2020, 2021; *cl.* 5, 2025, 2027, 2028
Tramways, &c. (Ireland), Leave, 1971, 1973, 1980
Union Officers' Superannuation (Ireland), 2R. 1589

Parochial Charities (London) Bill (*Mr. Bryce, Mr. Pell, Sir Henry Peek, Mr. Walter James, Mr. Cohen, Mr. Davey*)
c. Order for Committee (*on re-comm.*) read; Moved, "That Mr. Speaker do now leave the Chair" *July* 26, 683; Moved, "That the Debate be now adjourned" (*Mr. Illingworth*); after short debate, Question put, and negatived
Original Question put, and agreed to; Committee—R.P. [Bill 215]
Committee; Report *July* 27, 869
Considered *July* 30, 1095
After short debate, Moved, "That the Bill be now read 3°;" after further short debate, Moved, "That the Debate be now adjourned" (*Mr. Illingworth*); after further short debate, Question put, and negatived
Main Question put, and agreed to; Bill read 3°
l. Read 1ª* (*E. of Camperdown*) *July* 31 (No. 168)
Read 2ª, after short debate *Aug* 7, 1794
Report* *Aug* 9

Patents for Inventions Bill (*Mr. Chamberlain, Mr. Solicitor General, Mr. John Holms*)
c. Considered; read 3°, after short debate *Aug* 4, 1600 [Bill 261]
l. Read 1ª* (*The Lord Chancellor*) *Aug* 6
Read 2ª *Aug* 9, 2034 (No. 179)

Patents for Inventions (No. 2) Bill (*Sir John Lubbock, Mr. William Henry Smith, Mr. J. Lawrance*)
c. Bill withdrawn* *July* 25 [Bill 83]

Patents for Inventions (No. 3) Bill (*Mr. Anderson, Mr. Brown, Mr. Broadhurst, Mr. Jackson, Mr. Hinde Palmer*)
c. Bill withdrawn* *Aug* 1 [Bill 99]

Patrick, Mr. R. W. Cochran-, *Ayrshire, N.*
Agricultural Holdings (Scotland), Comm. *cl.* 4, Amendt. 470, 478; *cl.* 7, Amendt. 1208; *cl.* 20, Amendt. 1217; *cl.* 23, 1232, 1242; *cl.* 26, 1257, 1260; *add. cl.* 1289
Local Government Board (Scotland), 2R. 1502
Parliament—Business of the House, Ministerial Statement, 1347
Supply—Board of Lunacy in Scotland, 1395

Pawnbroker's Bill [H.L.]
c. Read 1°* (*Mr. Hibbert*) *July* 23 [Bill 271]
Question, Mr. Causton; Answer, Mr. Hibbert *July* 26, 560; Question, Mr. Sclater-Booth; Answer, Mr. Hibbert *Aug* 6, 1656
Bill withdrawn* *Aug* 6

Payment of Wages in Public-houses Prohibition Bill [H.L.] (*Mr. Samuel Morley*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Aug* 4, 1595; after short debate, Question put; A. 66, N. 13; M. 53 (D. L. 261); Committee—R.P. [Bill 126]
Committee; Report *Aug* 6, 1788
Moved, "That the Bill be now read 3°"
Amendt. to leave out "now read 3°," add "recommitted" (*Mr. Warton*); Question, "That the words, &c.," put, and agreed to
Main Question put, and agreed to; Bill read 3°

Peace Preservation (*Ireland*) *Act*, 1881—*Arms' Licences*
Question, Mr. O'Sullivan; Answer, Mr. Trevelyan *Aug* 7, 1858

Pease, Sir J. W., *Durham, S.*
Agricultural Holdings (England), Comm. *cl.* 6, Amendt. 181, 182; *cl.* 7, 216, 226; *cl.* 12, 246; *cl.* 15, 319; Amendt. 321, 324; Consid. *cl.* 9, Amendt. 1184; *cl.* 41, 1193
Coolies (Indian) at La Réunion, 946
Hull, Barnsley, and West Riding Junction Railway and Dock (Interest), Consid. Amendt. 18, 25, 26

Pease, Mr. A., *Whitby*
Morocco—Sale of Slaves in Tangier, 941

Peddie, Mr. J. Dick-, *Kilmarnock, &c.*
Agricultural Holdings (England), Comm. *cl.* 23, 365
Criminal Law (Scotland)—Sunday Trading—Strome Ferry Case, 1317
Education (Scotland), 1658

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Peddie, Mr. J. Dick-—*cont.*
  Supply—Central Office of the Supreme Court of Judicature, &c. 1441
    Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, &c. Amendt. 1378

Pell, Mr. A., *Leicestershire, S.*
  Agricultural Holdings (England), Comm. *cl.* 6, 193; *cl.* 7, 214; Consid. *cl.* 1, 1175

Pemberton, Mr. E. L., *Kent, E.*
  Agricultural Holdings (England), Comm. *add.cl.* 402; Schedule 1, 408

Pembroke, Earl of
  Factories and Workshops Amendment, 3R. Amendt. 124, 125

Petroleum Acts—Storage of Petroleum in the Metropolitan Area
  Question, Sir Edward Watkin; Answer, Sir William Harcourt *Aug* 7, 1837

Petroleum Bill (*Earl Granville*)
l. Order for 2R. read, and discharged *July* 26, 506
  Petition presented (*The Marquess of Salisbury*); Petition read, and ordered to lie on the Table
  Read 2ª, and referred to a Select Committee, after short debate *Aug* 3, 1460 (No. 154)
  Select Committee nominated; List of the Committee *Aug* 6, 1615
  Report of Select Comm.* *Aug* 9

Phipps, Mr. P., *Northamptonshire, S.*
  Agricultural Holdings (England), Comm. *cl.* 6, 197

Playfair, Right Hon. Sir Lyon, *Edinburgh and St. Andrew's Universities*
  Agricultural Holdings (Scotland), Comm. *cl.* 6, 823
  Egypt—Health of the Troops, 1535
  Supply—Public Education in England and Wales, 600

Poor Law (*England and Wales*) (*Questions*)
  Catholic Children in Workhouses, Questions, Mr. Macfarlane, Mr. Healy; Answers, Mr. George Russell *July* 30, 945
  Guardians of the Parish of St. Pancras—Vaccination of Female Paupers immediately after Child-birth, Question, Mr. Hopwood; Answer, Mr. George Russell *Aug* 2, 1318
  Pauper Lunatics, Ireland and Scotland, Question, Mr. O'Sullivan; Answer, Mr. Courtney *Aug* 3, 1472
  The Maidstone Union, Question, Mr. Sclater-Booth; Answer, Sir Charles W. Dilke *Aug* 3, 1473
  Poland Street Workhouse, Question, Mr. Biggar; Answer, Mr. George Russell *July* 20, 34; Question, Mr. Small; Answer, Mr. George Russell *July* 30, 936

Poor Law (*England and Wales*)—cont.
  Workhouse Dietary, Question, Mr. Caine; Answer, Mr. George Russell *Aug* 3, 1477

Poor Relief (Ireland) Bill (*The Lord President*)
l. Committee; Report *July* 23, 125 (No. 140)
  Read 3ª* *July* 24
  Royal Assent *Aug* 2 [46 & 47 *Vict.* c. 24]

Porter, Right Hon. A. M. (Attorney General for Ireland), *Londonderry Co.*
  Bankruptcy Bill—Extension to Ireland, 1645, 1646
  Bankruptcy [Salaries], Res. 1091, 1092
  Constabulary and Police Administration (Ireland), 1295
  Harrison's Estate, 2R. 1116
  Ireland—Questions
    Crime and Outrage—Attack upon the Informer Walsh at Castleisland, 2071
    Criminal Law—Arrests of Emigrants at Queenstown, 947;—J. W. Nally, Case of, 1470, 1471, 1845
    Irish Land Commission Court—Judicial Rents, 1467
    Law and Justice—The Informer Walsh, 778, 1157
    Magistracy—The Recorder of Dublin, 1137, 1138
    Poor Relief Act—Rating of Cemeteries and Buildings, Co. Dublin, 1321
    Prevention of Crime Act, 1882—Arrests for Murder, &c. 776
    State of—Inflammatory Language at Belturbet, 2076
  Labourers (Ireland), Comm. *cl.* 5, 1772; *cl.* 7, 1776, 1777; *cl.* 13, Amendt. 1780, 1781, 1782; *cl.* 14, Amendt. 1783, 1784; *add. cl.* 1785, 1786, 1787, 1788
  Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 2, 2009; *cl.* 5, 2024

Post Office (*Questions*)
  New Post Offices at Leeds and Liverpool, Questions, Mr. Jackson, Lord Claud Hamilton; Answers, Mr. Fawcett *July* 26, 521
  Remuneration of Sub-Postmasters, Questions, Mr. Synan, Mr. Harrington; Answers, Mr. Fawcett *Aug* 9, 2090
  The "Graphic" Newspaper, Question, Mr. D. Grant; Answer, Mr. Fawcett *Aug* 2, 1349
  The Outgoing Mails to America, Question, Mr. Baxter; Answer, Mr. Fawcett *July* 26, 520
  The Parcel Post, Question, Mr. H. T. Davenport; Answer, Mr. Fawcett *July* 31, 1159; Question, Sir Eardley Wilmot; Answer, Mr. Fawcett *Aug* 6, 1631

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  Postal Service to the West Indies, Question, Lord Claud Hamilton; Answer, Mr. Fawcett *July* 23, 135
  The Irish Mail Service, Questions, Mr. Corry, Mr. Tottenham, Mr. Callan; Answers, Mr. Fawcett *July* 26, 540; Questions, Mr. Tottenham, Mr. Gray, Lord Claud Hamilton, Sir John Hay; Answers, Mr. Fawcett *Aug* 2, 1330

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Female Telegraphists, Question, Mr. Stewart Macliver; Answer, Mr. Fawcett *Aug* 7, 1841
Telegraphic Messages between England and France, Question, Sir Edward Watkin; Answer, Mr. Fawcett *July* 26, 522

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(*Mr. Fawcett, Mr. Courtney*)
c. Read 2°, after short debate *July* 23, 253 [Bill 266]

Power, Mr. J. O'Connor, *Mayo*
Parliament—Business of the House, Motion for Adjournment, 1592

Power, Mr. R., *Waterford*
Constabulary and Police Administration (Ireland), Motion for Leave, 890

Prevention of Crime (Ireland) Act, 1882
(*Questions*)
Arrests for Murder, Conspiracy to Murder, and Treason-Felony, Question, Mr. Healy; Answer, The Attorney General for Ireland *July* 27, 776
Compensation for Malicious Injuries Clause—Case of Patrick Kinnane, Ennis, Question, Mr. Kenny; Answer, Mr. Trevelyan *Aug* 9, 2081
Cost of Erection of Police Huts, Question, Mr. Kenny; Answer, Mr. Trevelyan *July* 30, 931
Extra Police at Kilmallock, Question, Mr. O'Sullivan; Answer, Mr. Trevelyan *Aug* 6, 1630
Mr. Harrington's Case, Question, Mr. T. P. O'Connor; Answer, Mr. Trevelyan *July* 24, 308; Questions, Mr. Parnell, Mr. Healy; Answers, Mr. Trevelyan *July* 26, 537
Proclamation of County Wicklow, Question, Mr. M'Coan; Answer, Mr. Trevelyan *Aug* 6, 1638

Price, Captain G. E., *Devonport*
Army—Staff Officers of Pensioners, 2099
Contagious Diseases Acts—Compulsory Examination — Metropolitan Police at Plymouth, 1143
Detention in Hospitals, 955
Greenwich Hospital, Comm. 250
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Prison Service (Ireland) Bill
(*The Lord President*)
l. Read 2ª * *July* 26 (No. 145)
Committee *; Report *July* 27
Read 3ª * *July* 30
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Sanitary Condition of Somerset House, Question, Earl Fortescue; Answer, Lord Thurlow *July* 24, 279

Public Health—cont.
Thoroughfare through Peel Grove Burial Ground, Bethnal Green, Question, Mr. Francis Buxton; Answer, Sir James M'Garel-Hogg *July* 30, 956
The Cholera
Importation of Rags from Egypt, Question, Mr. Ritchie; Answer, Sir Charles W. Dilke *July* 26, 560
Precautions against Cholera, Question, Earl De La Warr; Answer, Lord Carrington *July* 27, 688
Reported Cases of Cholera, Question, Sir Stafford Northcote; Answer, Sir Charles W. Dilke *July* 27, 783
Danger of Cholera—Disinfection of Imported Textile Fabrics, Question, Mr. Brinton; Answer, Sir Charles W. Dilke *Aug* 3, 1477
[See title *Vaccination*]

Public Health Act, 1875 (Support of Sewers) Amendment Bill
(*Mr. Brogden, Sir George Elliot, Sir Joseph Pease, Mr. Salt, Mr. Barnes, Mr. Tomlinson*)
c. Read 2° * *July* 26 [Bill 267]
Committee *; Report *July* 30
Considered *; read 3° *July* 31
l. Read 1ª * (*Earl of Milltown*) *Aug* 2 (No. 172)
Read 2ª *Aug* 9, 2033

Public Health (Dairies, &c.) Bill [H.L.]
c. Read 1° * (*Mr. Dodson*) *Aug* 6 [Bill 280]

Public Works Loan Commissioners—Interest on Loans—Harbour Loans
Question, Mr. Marjoribanks; Answer, The Chancellor of the Exchequer *Aug* 2, 1339

Pugh, Mr. L. P., *Cardiganshire*
Agricultural Holdings (England), Comm. *cl.* 6, 189; *cl.* 7, 218, 221; *cl.* 12, Amendt. 244; *cl.* 17, 349; *cl.* 28, Amendt. 390; Consid. *cl.* 9, Amendt. 1185; *cl.* 10, Amendt. *ib.*; *cl.* 18, Amendt. 1187; *cl.* 19, Amendt. *ib.*; Schedule, Amendt. 1197
Agricultural Holdings (Scotland), Comm. *cl.* 1, 438

Puleston, Mr. J. H., *Devonport*
Electric Lighting Provisional Orders (No. 8), Consid. 1227
Indian Railways—The Dividends, 2093

Raikes, Right Hon. H. C., *Cambridge University*
Channel Tunnel Railway, 2R. 284
Egypt—Progress of Re-organization—Statement of the Earl of Dufferin, Ministerial Statement, 1857
Parliament — Questions — Business of the House, 250; — Ministerial Statement, 1154
Order—Rules of Debate, 2107
Private Estate Bills, 1852
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Supreme Court of Judicature — The New Rules, 935

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Railway Passenger Duty, &c. Bill
(*Mr. Chancellor of the Exchequer, Mr. Chamberlain, Sir Arthur Hayter*)
c. Questions, Sir Edward Watkin; Answers, The Chancellor of the Exchequer *July* 26, 514; *July* 30, 949
Committee: Report, after short debate *July* 26, 672 [Bill 255]
Considered * *July* 27
Moved, "That the Bill be now read 3°" *July* 30, 1094
Amendt. to leave out "now," add "upon this day three months" (*Mr. Warton*); Question put, "That 'now,' &c.;" A. 70, N. 8; M. 62 (D. L. 246)
Main Question put, and agreed to; Bill read 3°
l. Read 1ª * (*Lord Thurlow*) *July* 31 (No. 167)
Read 2ª, after short debate *Aug* 6, 1611
Committee *; Report *Aug* 7
Read 3ª *Aug* 9, 2061

Ramsay, Mr. J., *Falkirk, &c.*
Agricultural Holdings (England), Comm. *cl.* 5, 91
Agricultural Holdings (Scotland), Comm. *cl.* 1, 433, 442; *cl.* 4, 478, 481; *cl.* 5, 486, 499; *cl.* 6, 828, 1206; *cl.* 7, 1210; *cl.* 23, 1240, 1242; *cl.* 26, 1253, 1254, 1255, 1262; *add. cl.* 1290
Supply—Board of Lunacy in Scotland, 1393
Fishery Board, Scotland, 1385, 1388
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Redesdale, Earl of (Chairman of Committees)
Electric Lighting Provisional Orders (No. 1), 2R. 1454
Electric Lighting Provisional Orders (No. 2), 2R. 1456
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London Commissioners of Sewers (Ventilation of Railways) Bill and Metropolitan Board of Works (District Railway) Bill, Motion for Instruction to Committee, 505
Manchester Ship Canal, 2R. 259; Select Committee, Notice of Motion, 512, 513
Parliament—Palace of Westminster—Peers' Robing Room, 694
Railway Passenger Duty, &c. 2R. 1614; 3R. 2064

Regent's Canal, City, and Docks Railway (Various Powers) Bill [Lords] (by Order)
c. Moved, "That the Bill be now read 2°" *July* 31, 1123
Amendt. to leave out "now," add "upon this day three months" (*Mr. Monk*); Question proposed, "That 'now,' &c.;" after short debate, Question put, and agreed to
Main Question put, and agreed to; Bill read 2°

Reid, Mr. R. T., *Hereford*
Statute of Frauds Amendment, 3R. 864

Revenue and Friendly Societies Bill
(*Mr. Courtney, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1° * *July* 23 [Bill 269]
[*cont.*

Revenue and Friendly Societies Bill—cont.
Moved, "That the Bill be now read 2°" *July* 31, 1217; Moved, "That the Debate be now adjourned" (*Mr. Tomlinson*); after short debate, Question put, and negatived
Original Question put; A. 41, N. 4; M. 37 (D. L. 253)
Order for Committee read; Moved, "That this House will, upon Monday next, resolve itself into the said Committee" (*The Marquess of Hartington*) *Aug* 4, 1592
After short debate, Amendt. to leave out "Monday," insert "Tuesday" (*Mr. Warton*); Question proposed, "That 'Monday,' &c.;" Question put, and agreed to
Main Question put, and agreed to
Committee *—R.P. *Aug* 6

Revenue and Friendly Societies [Advances by National Debt Commissioners]
c. Resolution considered in Committee, and agreed to *July* 27, 892

Richard, Mr. H., *Merthyr Tydvil*
Burial Acts, 1847
Parliament—Business of the House, Ministerial Statement, 564
Supply—Public Education in England and Wales, &c. Amendt. 609, 615

Richardson, Mr. T., *Hartlepool*
Sale of Intoxicating Liquors on Sunday (Durham), Comm. Amendt. 2248

Richmond and Gordon, Duke of
Agricultural Holdings (England), 2R. 1807, 1818, 1822
Agricultural Holdings (Scotland), 2R. 2057, 2058
Army Medical Department—Hospital Services, Res. 12

Ridley, Sir M. W., *Northumberland, N.*
Agricultural Holdings (England), Comm. *cl.* 15, 324

Ritchie, Mr. C. T., *Tower Hamlets*
Egypt—Withdrawal of Army of Occupation, 1341
Parliament — Business of the House, 1854; Ministerial Statement, 1344
Public Health—Cholera—Importation of Rags from Egypt, 560
Supply—Public Education in England and Wales, &c. 659

Rochester, Bishop of
Ecclesiastical Commission—Report on Public-houses, Motion for a Paper, 1299

Rogers, Mr. J. E. Thorold, *Southwark*
Supply—Central Office of the Supreme Court of Judicature, &c. 1440

Rolls, Mr. J. A., *Monmouthshire*
Tenants' Compensation—Tenants on Mineral Properties, 951

Round, Mr. J., *Essex, E.*
Education—Report of the Lunacy Commissioners, 2088

Russell, Mr. C., *Dundalk*
Education Act, 1870 — The School Rate, Res. 854

Russell, Mr. G. W. E. (Parliamentary Secretary to the Local Government Board), *Aylesbury*
Metropolis—Water Supply—Southwark Water Company, 1472
Metropolis Water Act, 1871—Grand Junction Waterworks Company, 1147
Parliamentary Registration—Registration of Voters under the Divided Parishes Act, 1879, 537
Poor Law (England and Wales)—Questions
  Catholic Children in Workhouses, 945, 946
  Guardians of the Parish of St. Pancras—Vaccination of Female Paupers immediately after Childbirth, 1318
  Poland Street Workhouse, 34, 936
  Workhouse Dietary, 1477
Vaccination Acts—Vaccine Lymph, 1643

Rylands, Mr. P., *Burnley*
Agricultural Holdings (England), Comm. *cl.* 5, 70, 167, 169; *cl.* 15, 314; Consid. *cl.* 5, 1161; *cl.* 1, 1174
Metropolitan Improvements — Wellington Statue, 2069
Parliament—Public Business, 1852
Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 2, 2018; *cl.* 3, 2019; *cl.* 4, 2021
Supply—Central Office of the Supreme Court of Judicature, &c. Amendt. 1438, 1440
  Embassies and Missions Abroad, 2209, 2210, 2213, 2219, 2223, 2225
  London Bankruptcy Court, Amendt. 1750, 1762
  Mercantile Marine Fund (Grant in Aid), 1375, 1376
  Public Prosecutor's Office, 1414
  Queen's and Lord Treasurer's Remembrancer in Exchequer, Scotland, &c. 1377
  Woods, Forests, and Land Revenues, &c. 1359

Sale of Intoxicating Liquors on Sunday (Cornwall) Bill [H.L.] (No. 142)
(*The Earl of Mount-Edgcumbe*)
l. Moved, "That the Bill be now read 3ᵃ" *July* 30, 907
  Amendt. to leave out ("now") add ("this day three months") (*The Earl of Wemyss*); after debate, on Question, That ("now") &c.; Cont. 38, Not-Cont. 38
    Div. List, Cont. and Not-Cont. 924
  The numbers being equal, it was (according to ancient rule) resolved in the negative

Sale of Intoxicating Liquors on Sunday (Durham) Bill [Bill 21]
(*Mr. Theodore Fry, Mr. Walter James, Mr. Lambton, Mr. Dodds, Mr. Thomas Richardson, Mr. Gourley, Mr. James Thompson*)
c. Order for Committee read; Moved, "That the said Order be discharged" *Aug* 9, 2247
  Amendt. to leave out from "That," add "this House will, To-morrow, resolve itself into the said Committee" (*Mr. T. Richardson*); Question, "That the words, &c.;" put, and negatived
  Question proposed, "That 'this House will To-morrow' &c."
  Amendt. to proposed Amendt. to leave out "To-morrow," insert "Monday next" (*Sir R. Assheton Cross*) *v.*; Question proposed, "That 'To-morrow' &c.;" Question put; A. 35, N. 19; M. 16 (D.L. 271)
  Main Question, as amended, put, and agreed to

Sale of Liquors on Sunday (Ireland) Bill
(*Mr. Trevelyan*)
c. Bill withdrawn * *Aug* 6 [Bill 130]

Salisbury, Marquess of
Agricultural Holdings (England), 2R. 1831, 1835
Ecclesiastical Courts Commission—The Report, 906
Egypt—Cholera, 279, 280
Electric Lighting Provisional Orders (No. 1), 2R. 1452
Electric Lighting Provisional Orders (No. 2), 2R. 1455, 1456
Electric Lighting Provisional Orders (Nos. 5 and 8), 2R. 2033
Euphrates Valley Railway, Motion for an Address, 511
Irish Land Commission, Motion for Returns, 762
London Commissioners of Sewers (Ventilation of Railways) Bill and Metropolitan Board of Works (District Railway) Bill, Motion for Instruction to the Committee, 505, 506
Merchant Shipping (Fishing Boats), 2R. 264; Comm. 1297
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Suez Canal—Concession to M. de Lesseps, Motion for an Address, 1607
Suez (Second) Canal—Provisional Agreement with M. de Lesseps, 115, 118

Salt, Mr. T., *Stafford*
Education Act, 1870—The School Rate, Res. 830
Egypt—Military Expedition—Supply of Mules for the Indian Contingent, 1844
Parliament—Business of the House, Ministerial Statement, 564

Samuelson, Mr. B., *Banbury*
Parliament—Business of the House, Ministerial Statement, 1155

Science and Art—See title *Literature, Science, and Art*

Sclater-Booth, Right Hon. G., *Hants, N.*
  Egypt—Progress of Re-organization—Statement of the Earl of Dufferin, Ministerial Statement, 1856
  Local Government Board (Scotland), 2R. 1508, 1511
  Poor Law (England and Wales)—Maidstone Union, 1473
  Supply—Board of Supervision for Relief of the Poor, &c. Scotland, 1400
    Embassies and Missions Abroad, 2151, 2209, 2210, 2218, 2219

Scotland (*Questions*)
  Criminal Law—Sunday Traffic—The Strome Ferry Riots, Question, Mr. Dick-Peddie; Answer, Sir William Harcourt *Aug* 2, 1317; Questions, Sir George Campbell, Sir Herbert Maxwell; Answers, The Lord Advocate *Aug* 3, 1482
  Foreshore of Leith, Question, Dr. Cameron; Answer, Mr. Chamberlain *July* 31, 1135
  Geological Survey, Question, Mr. Buchanan; Answer, Mr. Mundella *Aug* 2, 1325
  The Orkney Islands—The "Hen and Chickens" Rock, Question, Lord Waveney; Answer, The Earl of Northbrook *July* 27, 774

Scott, Lord H. J. M. D., *Hants, S.*
  Local Government Board (Scotland), 2R. 1532

Scott, Mr. M. D., *Sussex, E.*
  Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 1, Amendt. 2000
  Supply—Chancery Division of the High Court of Justice, &c. 1437, 1438

Sea Fisheries Bill [H.L.]
(*The Lord Sudeley*)
l. Royal Assent *Aug* 2 [46 & 47 *Vict.* c. 22]

Sea Fisheries (Ireland) Bill
(*The Marquess of Waterford*)
l. Read 2ª, after short debate *July* 24, 265
  Committee *; Report *July* 26 (No. 146)
  Read 3ª * *July* 27
  Royal Assent *Aug* 2 [46 & 47 *Vict.* c. 26]

Seely, Mr. C., *Jun., Nottingham*
  Agricultural Holdings (England), Comm. *cl.* 5, 179; *cl.* 28, 389

Selborne, Earl of (*see* Chancellor, The Lord)

Sellar, Mr. A. Craig-, *Haddington, &c.*
  Parliamentary Elections (Corrupt and Illegal Practices), Consid. *add. cl.* 1995

Settlement and Removal Law Amendment Bill (*Sir Hervey Bruce, Mr. Pell, Mr. Corry, Mr. Lewis, Mr. O'Sullivan*)
c. Bill withdrawn * *July* 30 [Bill 152]

Sexton, Mr. T., *Sligo*
  Ireland—Endowed Schools—Swords Borough School, Dublin, 2084
  Ireland, State of—Excursion to Mr. Parnell's Estate, 2115
    Inflammatory Language at Belturbet, 2076
  Law and Justice—Execution at Durham, 2101
  New South Wales—Removal of Magistrates, 1640
  Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 2, 2006, 2017; *cl.* 5, 2023

Shaftesbury, Earl of
  Children's Dangerous Performances Act, 1879—Juvenile Acrobats, 1462, 1465

Sheil, Mr. E., *Meath Co.*
  Supply—Embassies and Missions Abroad, 2227

Sheridan, Mr. H. B., *Dudley*
  Electric Lighting Provisional Orders (No. 5), 3R. 1303, 1304
  Electric Lighting Provisional Orders (No. 8), 3R. 1305, 1309; Amendt. 1310, 1311

Slagg, Mr. J., *Manchester*
  Agricultural Holdings (England), Comm. *add. cl.* 403
  Parliamentary Papers—Consular Reports, 942

Small, Mr. J. F., *Wexford Bo.*
  Constabulary and Police Administration (Ireland), Motion for Leave, 1087
  Irish Land Commission—Sittings of the Sub-Commissioners, 2072
  Land Law (Ireland) Act, 1881—Judicial Rents, 2073
  Law and Justice—Execution at Durham, 2102
  Poor Law (England and Wales)—Poland Street Workhouse, 936

Smith, Right Hon. W. H., *Westminster*
  Diseases Prevention (Metropolis), Consid. 1958
  Electric Lighting Provisional Orders (No. 5), Consid. 1219
  Electric Lighting Provisional Orders (No. 7), Consid. 424
  Electric Lighting Provisional Orders (No. 8), Consid. 1219
  Harbour at Dover—Convict Labour, 1150, 1151
  Literature, Science, and Art—British Museum—Researches at Sippara, 1853
  National Debt, 2R. 1866, 1919, 1924, 1929
  Parliament—Business of the House, 308;—Ministerial Statement, 1344, 1345
    Public Bills—Provisional Order Bills, 959
  Suez Canal—Traffic Returns, 161
  Suez (Second) Canal—Provisional Agreement with M. de Lesseps, Ministerial Statement, 158
  Supply—Chancery Division of the High Court of Justice, &c. 1417
    Irish Votes, 1657
    Public Education in Scotland, 664, 667

SMITH, Lt.-Col. G., *Wycombe*
Hull, Barnsley, and West Riding Junction Railway and Dock (Interest), Consid. 24, 25

SMITH, Mr. S., *Liverpool*
Supply—Public Education in England and Wales, &c. 585

SOLICITOR GENERAL, The (Sir FARRER HERSCHELL), *Durham*
Agricultural Holdings (England), Comm. *cl.* 5, 172; *cl.* 6, 181, 182, 206; *cl.* 7, 218, 226; *cl.* 8, 229; *cl.* 11, 231; *cl.* 12, 243, 245; *cl.* 14, 248, 249; *cl.* 15, 325; *cl.* 16, 345, 347; *cl.* 17, 350; *cl.* 19, 353; *cl.* 23, 382, 384; *cl.* 28, 388; Amendt. 389, 390; *add. cl.* 396, 403, 404; Schedule 1, 416; Consid. *add. cl.* 817, 819; *cl.* 1, 1173, 1178; *cl.* 5, 1182; *cl.* 18, 1186; Amendt. 1187; *cl.* 41, 1190, 1192; *cl.* 43, 1194
Parliament—Privilege—"Bradlaugh *v.* Gosset"—Consideration of Writ, &c. 54
Parochial Charities (London), Comm. *cl.* 3, 873
Statute of Frauds Amendment, 3R. 869
Supply—Central Office of the Supreme Court of Judicature, &c. 1440

SOMERSET, Duke of
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Question, Mr. Healy; Answer, Lord Edmond Fitzmaurice *July* 26, 519

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Agricultural Holdings (England), Consid. Schedule, 1197, 1198
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Bankruptcy [Salaries], Res. 1092, 1093
Constabulary and Police Administration (Ireland), Motion for Leave, 885, 888, 1078, 1081, 1085
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  Irish Land Commission Court—Judicial Rents, 1468
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  Prevention of Crime Act, 1882 — Mr. Harrington's Case, 539
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  "Count-out," 1537, 1538
  Order—Rules of Debate, 2108;—Time for putting Questions, 1293
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Parliamentary Elections (Corrupt and Illegal Practices), Consid. *add. cl.* 1995
Parochial Charities (London), Comm. 686; Consid. 1095, 1096, 1097
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Revenue and Friendly Societies, Comm. 1594
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Suez (Second) Canal—Provisional Agreement with M. de Lesseps, Ministerial Statement, 156

Spirits in Bond Bill
(*Mr. O'Sullivan, Colonel Nolan, Mr. Richard Power, Mr. Daly, Mr. James Richardson*)
c. Bill withdrawn * *Aug* 1 [Bill 38]

Stage Plays (Oxford and Cambridge) Bill
(*Mr. Shield, Mr. William Fowler, Mr. Hicks, Mr. Bulwer*)
c. Bill withdrawn * *July* 26 [Bill 35]

STANHOPE, Hon. E., *Lincolnshire, Mid*
Afghanistan—Subsidy to the Ameer, 2066
Agricultural Holdings (England), Comm. *cl.* 5, 68; *cl.* 23, 365, 372, 373, 380, 384, 385; Consid. *add. cl.* Motion for Adjournment, 818, 820, 821
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STANLEY, Right Hon. Colonel F. A., *Lancashire, N.*
Agricultural Holdings (England), Comm. *cl.* 23, 366, 375, 381, 382; Consid. *cl.* 1, 1179
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STANLEY, Hon. E. L., *Oldham*
Agricultural Holdings (England), Comm. *cl.* 23, 381
Education Act, 1870—The School Rate, Res. 846, 856
Parochial Charities (London), Comm. 686; *cl.* 14, Amendt. 876, 879; *cl.* 46, 881
Supply—Public Education in England and Wales, &c. 621

STANLEY OF ALDERLEY, Lord
Agricultural Holdings (Scotland), 2R. 2054

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Statute Law Revision Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1a* *Aug* 3 (No. 176)
Read 2a* *Aug* 9

Statute Law Revision and Civil Procedure Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1a* *Aug* 3 (No. 177)
Read 2a* *Aug* 7
Committee*; Report *Aug* 9

Statute of Frauds Amendment Bill
(*Mr. Reid, Mr. Whitley, Mr. Arthur Elliot*)
c. Considered* *July* 23 [Bill 204]
Moved, "That the Bill be now read 3°" *July* 27, 862
Amendt. to leave out "now," add "upon this day three months" (*Mr. Lewis Fry*); Question proposed, "That 'now' &c.;" after short debate, Question put; A. 43, N. 47, M. 4 (D. L. 239)
Words added; main Question, as amended, put, and agreed to

STEWART, Mr. J., *Greenock*
Commercial Harbours, Defences of—Report of Committee, 1332
Local Government Board (Scotland), 2R. 1497
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Stolen Goods Bill [H.L.]
c. 2R. deferred *Aug* 7, 1959 [Bill 258]

STORER, Mr. G., *Nottinghamshire, S.*
Agricultural Holdings (England), Comm. *cl.* 6, 184, 186, 198, 200, 204; *cl.* 15, 319; Schedule 1, 407; Amendt. 408, 410, 411, 413, 415; Consid. Schedule, Amendt. 1198, 1199, 1201, 1202

STRATHEDEN AND CAMPBELL, Lord
Suez Canal—Concession to M. de Lesseps, Motion for an Address, 1602, 1608

STUART, Mr. H. VILLIERS-, *Waterford Co.*
Egypt—Cholera—Introduction from India, 782
Ireland — Irish Land Commission — Judicial Rents, 530
Suez Canal—Maps, &c. 937

Suez Canal Company (*Future Negotiations*)
Sir Stafford Northcote's Motion, Notice of Amendment, Baron Henry De Worms *July* 27, 774; Question, Mr. Callan; Answer, Sir Stafford Northcote *July* 30, 961
Moved, "That an humble Address be presented to Her Majesty, praying that, in any negotiations or proceedings with reference to the Suez Canal Company to which Her Majesty may be a party, She will, while respecting the undoubted rights of the Company in regard of their own concession, decline to recognise any claim on their part to such a monopoly as would exclude the possibility of competition on the part of other undertakings, designed for the purpose of opening a water communication between the Mediterranean and the Red Sea" (*Sir Stafford Northcote*) *July* 30, 962
Amendt. to leave out from "That," add "this House desires to maintain its entire freedom of judgment in regard to all matters connected with the question of water communication between the Mediterranean and the Red Sea; and this House, in consequence, declines to pass any Resolution as to future negotiations or proceedings respecting the same" (*Mr. Norwood*) *v.*; Question proposed, "That the words, &c.;" after long debate, Question put; A. 183, N. 282; M. 99
Div. List, A. and N., 1051
Words added; main Question, as amended, put, and agreed to

Suez Canal (*Questions*)
Corruptness of the Local Administration, Question, Mr. Ashmead-Bartlett; Answer, Mr. Chamberlain *July* 31, 1144
List of Shareholders, Question, Mr. J. Lowther; Answer, The Chancellor of the Exchequer *July* 24, 304
The English Shares, Question, Mr. Cavendish Bentinck; Answer, The Chancellor of the Exchequer *July* 30, 936
Purchase of Shares—The Drawn Shares, Question, Mr. Tomlinson; Answer, The Chancellor of the Exchequer *Aug* 2, 1333

Printing of the Statutes in Different Languages under Article 12, Question, Sir H. Drummond Wolff; Answer, Lord Edmond Fitzmaurice *July* 23, 160
Maps, &c., Question, Mr. Villiers Stuart; Answer, Lord Edmond Fitzmaurice *July* 30, 937
Statistics, Observation, Mr. Gladstone *July* 23, 128
Traffic Returns, Questions, Mr. Carbutt, Mr. W. H. Smith; Answers, The Chancellor of the Exchequer *July* 23, 161

Suez (*Second*) *Canal* (*Questions*)
Provisional Agreement with M. de Lesseps, Question, The Marquess of Salisbury; Answer, Earl Granville; Observations, The Marquess of Salisbury *July* 23, 115; Ministerial Statement, Mr. Gladstone; short debate thereon, 141; Question, Mr. Errington; Answer, Lord Edmond Fitzmaurice, 163; Observations, Sir Stafford Northcote; Reply, Mr. Gladstone; Questions, Mr. Gibson; Answers, The Chancellor of the Exchequer *July* 24, 299;—*Letter of M. de Lesseps*, Question, Mr. Bourke; Answer, Mr. Gladstone *July* 24, 306; Questions, Mr. Bourke, Mr. Ashmead-Bartlett; Answers, Lord Edmond Fitzmaurice, Mr. Gladstone, 307

Exclusive Powers of M. de Lesseps and the Suez Canal Company, Question, Sir Stafford Northcote; Answer, The Chancellor of the Exchequer *July* 20, 34; Questions, Mr. Gibson, Sir Hardinge Giffard, Mr. J. Low-

Suez (Second) Canal—cont.
ther, Mr. Stuart-Wortley, Mr. Bourke, Mr. Labouchere, Sir H. Drummond Wolff; Answers, The Chancellor of the Exchequer, Mr. Evelyn Ashley, Lord Edmond Fitzmaurice, Mr. Gladstone, 36
Claims of M. de Lesseps, Question, Mr. M'Coan; Answer, Lord Edmond Fitzmaurice *July* 24, 297
Exclusive Right of the Canal Company over the Isthmus of Suez, Questions, Baron Henry De Worms, Mr. Gorst, Mr. Labouchere, Mr. Chaplin; Answers, Mr. Gladstone, Sir Stafford Northcote *July* 26, 552
Communications from Foreign Powers, Questions, Mr. Ashmead-Bartlett, Mr. O'Donnell, Sir R. Assheton Cross, Mr. J. Lowther; Answers, Lord Edmond Fitzmaurice *July* 26, 548; Questions, Mr. Ashmead-Bartlett, Mr. J. Lowther, Sir Stafford Northcote; Answers, Lord Edmond Fitzmaurice *July* 27, 784
Policy of Her Majesty's Government, Question, Baron Henry De Worms; Answer, Mr. Gladstone *July* 30, 950
Claim to Exclusive Powers of M. de Lesseps, 1872, Question, Mr. Bourke; Answer, Mr. Gladstone *July* 31, 1151
Protest of M. de Lesseps in 1872, Question, Mr. Gorst; Answer, Mr. Gladstone *Aug* 2, 1341
Meeting of the Directors—Exclusive Claim of M. de Lesseps, Questions, Sir H. Drummond Wolff, Baron Henry De Worms, Mr. Bourke; Answers, Mr. Gladstone, The Attorney General *Aug* 9, 2109

Suez (Second) Canal
Moved, "That an humble Address be presented to Her Majesty for Papers respecting the proposed new Suez Canal" (*The Earl De La Warr*) *Aug* 3, 1457; after short debate, on Question? resolved in the negative

Suez Canal—Concessions to M. de Lesseps
Moved, "That an humble Address be presented to Her Majesty for copies of the original concessions to M. de Lesseps with regard to the Isthmus of Suez Canal" (*Lord Strathieden and Campbell*) *Aug* 6, 1602; after short debate, Motion withdrawn

SUFFOLK AND BERKSHIRE, Earl of
Agricultural Holdings (England), 2R. 1826

SULLIVAN, Mr. T. D., *Westmeath*
Ireland—Crime and Outrage—Murder of Mrs. Smythe—Magisterial Investigation, 2097
Law and Police—Conduct of the Police, 2080, 2081
Tramways and Public Companies (Ireland), Leave, 1977
Union Officers' Superannuation (Ireland), 2R. 1587

Summary Jurisdiction (Repeal, &c.) Bill
(*The Lord Chancellor*)
l. Read 2ª, after short debate *July* 23, 120
Committee * *Aug* 2 (No. 153)
Report * *Aug* 3
Read 3ª * *Aug* 9

Superannuation (Ireland) Bill
(*Mr. Herbert Gladstone, Mr. Courtney*)
c. Ordered; read 1° * *Aug* 7 [Bill 285]

SUPPLY (*Questions*)
Civil Service Estimates
The Education Vote—The Proposed Welsh Colleges, Question, Lord George Hamilton; Answer, Mr. Mundella *July* 26, 535
The Irish Education Votes, Question, Mr. Corry; Answer, Mr. Trevelyan *Aug* 2, 1336
The Irish Votes, Question, Mr. W. H. Smith; Answer, Mr. Gladstone *Aug* 6, 1657
Civil Service Supplementary Estimates, Question, Mr. Sclater-Booth; Answer, Mr. Courtney *Aug* 7, 1848
The Suez Canal Directors' Vote, Question, Mr. Bourke; Answer, Mr. Courtney *Aug* 7, 1858

SUPPLY
Considered in Committee *July* 26, 585—CIVIL SERVICE ESTIMATES — CLASS IV.—EDUCATION, SCIENCE, AND ART, Vote 1—CIVIL SERVICES AND REVENUE DEPARTMENTS, £1,032,570 further on Account
Resolutions reported *July* 27
Considered in Committee *Aug* 2, 1351—CIVIL SERVICE ESTIMATES — CLASS II.—SALARIES AND EXPENSES OF CIVIL DEPARTMENTS, Votes 26, 27, 29, 30 to 33—CLASS III.—LAW AND JUSTICE, Votes 1 to 8
Resolutions reported *Aug* 3
Considered in Committee *Aug* 6, 1659—CIVIL SERVICE ESTIMATES — CLASS V.—FOREIGN AND COLONIAL SERVICES, Vote 7—CLASS III.—LAW AND JUSTICE, Votes 9 to 12
Resolutions reported *Aug* 7
Considered in Committee *Aug* 9, 2117—CIVIL SERVICE ESTIMATES — CLASS V.—FOREIGN AND COLONIAL SERVICES, Votes 1, 2, and 5—CLASS III.—LAW AND JUSTICE, 13 to 15A, 17 to 23
Resolutions reported *Aug* 10

Supreme Court of Judicature (Funds, &c.) Bill [H.L.]
c. Read 1° * (*Mr. Courtney*) *July* 23 [Bill 270]
Read 2° * *July* 26
Committee *—R.P. *July* 27
Committee *; Report *July* 30
Considered * *July* 31
Read 3° * *Aug* 1

Supreme Court of Judicature [Funds, &c.]
c. Resolution considered in Committee, and agreed to *July* 27, 892

Surrey (Trial of Causes) Bill
(*Mr. Warton, Captain Aylmer*)
c. Bill withdrawn * *Aug* 1 [Bill 65]

SYNAN, Mr. E. J., *Limerick Co.*
Ireland — National Education — Mungret Vested National School—Action of the Trustees, 2089, 2090; — Irish Model Farms, 928, 930, 1616
Royal Irish Constabulary—Limerick City, 2085

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Synan, Mr. E. J.—*cont.*
Post Office — Remuneration of Sub-Postmasters, 2090

Talbot, Mr. J. G., *Oxford University*
Constabulary and Police Administration (Ireland), Motion for Leave, 884
Ireland—Prisons Act—Convict Establishment at Spike Island, 535
Parochial Charities (London), Comm. *cl.* 46, 881
Supply—Public Education in England and Wales, &c. 613, 616

Taxation—Property held in Mortmain
Question, Mr. Firth; Answer, The Chancellor of the Exchequer *Aug* 6, 1628

Taylor, Mr. P. A., *Leicester*
Criminal Law—Case of Foote and Ramsey, 295
Magistracy—Language of a Sitting Magistrate at Sedgley, 1839

Tenure of Land—Peasant Proprietary
Amendt. on Committee of Supply *July* 20, To leave out from "That," add "in the opinion of this House, it is desirable, in order to increase the productiveness of the land, to arrest the decline of the rural population, and to promote the interests of the commercial industries of the Country, that provision should be made by Parliament to facilitate the acquirement by agricultural labourers, tenant farmers, and others, of proprietary rights in agricultural land" (*Mr. Jesse Collings*) *v.*, 95; Question proposed, "That the words, &c.;" after debate, [House counted out]

Thomasson, Mr. J. P., *Bolton*
Agricultural Holdings (England), Consid. *cl.* 52, Amendt. 1196
Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 6, Amendt. 2029
Supply — Embassies and Missions Abroad, 2215, 2224

Thompson, Mr. T. C., *Durham*
India—Criminal Code (Procedure)—Corporal Punishments, 1316
Supply—Criminal Prosecutions—Sheriffs' Expenses, &c. 1416

Thurlow, Lord
Electric Lighting Provisional Orders (No. 1), 2R. 1450
Electric Lighting Provisional Orders (Nos. 5 & 8), 2R. 2033
Merchant Shipping (Fishing Boats), 2R. 263
Metropolis—Drainage, 1615
Parliament—Palace of Westminster—House of Lords—Peers' Robing Room, 690
Public Health—Sanitary Condition of Somerset House, 279
Railway Passenger Duty, &c. 2R. 1611; 3R. 2063
Sea Fisheries (Ireland), 2R. 273

Tomlinson, Mr. W. E. M., *Preston*
Agricultural Holdings (England), Comm. Schedule 1, 414
Egypt—Rise of the Nile, 2114
Electric Lighting Provisional Orders (No. 5), 3R. 1303
Friendly, &c. Societies (Nominations), Comm. *cl.* 5, Amendt. 419; *cl.* 10, Amendt. 420, 421; Consid. *cl.* 10, 683
Parliament — Business of the House, 1540; Ministerial Statement, 1155
Parliamentary Elections (Corrupt and Illegal Practices), Consid. *cl.* 4, 2022
Revenue and Friendly Societies, 2R. Motion for Adjournment, 1217
Suez Canal (Purchase of Shares)—Drawn Shares, 1333

Torrens, Mr. W. T. M'C., *Finsbury*
Education Act, 1870—The School Rate, Res. 838

Tottenham, Mr. A. L., *Leitrim*
Army—Auxiliary Forces—Militia Surgeon E. R. Corbin, 132
Mess Plate, 1139, 1140
Cruelty to Animals Acts Amendment, Comm. *cl.* 2, Amendt. 1963; 3R. 1964
Law and Police—The Dynamite Conspiracies—Rewards to the Police, 1638
Parliament—Business of the House, Motion for Adjournment, 1592
Post Office (Contracts)—The Irish Mail Service, 541, 1330
Union Officers' Superannuation (Ireland), 2R. 1582

Tramways and Public Companies (Ireland) Bill
Question, Mr. Barry; Answer, Mr. Trevelyan *Aug* 2, 1342; Questions, Mr. Findlater, Mr. Parnell; Answers, Mr. Trevelyan *Aug* 6, 1657

Tramways and Public Companies (Ireland) Bill
(*Mr. Trevelyan, Mr. Chamberlain, Mr. Attorney General for Ireland, Mr. Courtney*)
c. Motion for Leave (*Mr. Trevelyan*) *Aug* 7, 1965; after debate, Question put, and agreed to; Bill ordered; read 1°* [Bill 286]

Tramways Provisional Orders (Aldershot and Farnborough, &c.) Bill
(*The Lord Sudeley*)
l. Royal Assent *Aug* 2 [46 & 47 *Vict.* c. cxxxi]

Tramways Provisional Orders (No. 3) (Colchester, &c.) Bill
(*The Lord Sudeley*)
l. Royal Assent *Aug* 2 [46 & 47 *Vict.* c. cxxxiii]

Treasury—The "Crown's Nominee Account"
Question, Sir Herbert Maxwell; Answer, Mr. Courtney *July* 23, 132

Treaty of Berlin — Article X. — The Rustchuk-Varna Railway Company
Question, Observations, Earl De La Warr; Reply, Earl Granville *July* 24, 277

Treaty of Washington—The "Alabama" (Surplus) Claims—Court of Commission
Question, Mr. Coleridge Kennard; Answer, Lord Edmond Fitzmaurice *July* 20, 35

TREVELYAN, Rt. Hon. G. O. (Chief Secretary to the Lord Lieutenant of Ireland), *Hawick, &c.*
Constabulary and Police Administration (Ireland), Motion for Leave, 884, 887, 1055, 1085
Court of Criminal Appeal, 1538
Egypt (Re-organization)—Mr. Clifford Lloyd, 1480, 1481, 2116
Ireland—Questions
Arrears of Rent Act, 1882—Appeals, 138; —Collector General of Rates, Dublin, 533, 1136, 2072, 2075
Borough and County Valuation, 1134
Contagious Diseases (Animals) Act—Foot-and-Mouth Disease, 1319;—Pleuro-Pneumonia, 292;—Veterinary Inspection, 129
Criminal Law—Case of P. W. Nally, 2082, 2083
Endowed Schools—Swords Borough School, Dublin, 2084, 2085
Harbours of Refuge—Irish Convict Labour, 930
Inland Navigation and Drainage—Scariff Drainage Board, 944
Law and Justice—Dublin Murders Trial—Assassination of Carey, the Informer, 1152; — Reported Assassination of a Witness, 1350
Local Government Board — Mr. H. J. M'Farlane, Inspector for Donegal, 2087, 2088
Medical Charities Act, 1852—Dispensary Officers, 2073
Metropolitan Dublin Police—Alleged Misconduct, 1619
Peace Preservation Act, 1881 — Arms' Licences, 1858
Prisons—Convict Establishment at Spike Island, 534, 535;—Extra Allowance to Prison Surgeons, 128
Province of Ulster — County Valuation, 775, 776
Public Health—Cholera Hospitals, 1322, 1478
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Roscommon, Alleged Distress in, 957
Sea and Coast Fisheries—Report for 1882, 2074
Supply—Irish Education Votes, 1336
Tramways, 540, 1342
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Vaccination Acts—Fines, &c. 926
Ireland—Crime and Outrage—Questions
Alleged Outrage at Londonderry, 139
Murder of Mrs. Smythe—Magisterial Investigation, 2097
Wexford Riot, 298, 1466

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Ireland—Irish Land Commission—Questions
Court of Appeal—Postponement of Sittings, 2079, 2080
Judicial Rents, 530, 531, 2073
Sittings of the Sub-Commissioners, 2072; —At Ennis, 1471;—At Wicklow, 2078
Ireland—Land Law Act, 1881—Questions
Fair Rent—Case of R. Driscoll, 2105
Sec. 21, 1649, 1650
Ireland—Law and Police—Questions
Conduct of the Police, 2081
Disloyal Placards at Monaghan, 289
Orangemen and Catholics, 519
Ireland—Magistracy—Questions
Cavan Co.—Alleged Perjury by a Magistrate, 1322
Colonel Connelly, V.C., a Resident Magistrate, 130, 131
Derry Petty Sessions—Alleged Suppression of a Charge, 1324
Fishery Trespass Case at Glin, Co. Limerick, 1323, 2086
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Mr. Clifford Lloyd, 931
Mr. W. P. Lloyd-Vaughan and Mr. T. R. Garvey, 531, 532
Ireland—National Education—Questions
Irish Model Farms, 929, 1617
Mungret Vested National School—Action of the Trustees, 2089
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Ireland—National Education—National School Teachers—Questions
290, 291
Gratuities to Widows and Families on Decease, 1158
National School Teachers' Act, 1875—Amendment of Act, 1329, 1330
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Ireland—Poor Law—Questions
Ballycastle Workhouse, 518
Belfast Union Workhouse—Erection of Detached Dwelling-house for the Master, 1842
Election of Poor Law Guardians—Carnamoney Division of the Magherafelt Union, 777, 778; — Greenan Division of the Omagh Union, 2087
Limerick Workhouse, 293
Oldcastle Union (Meath)—Suspension of Medical Officer, 1838, 1839
Poor Law Elections—Magherafelt Union, 1327
Ireland—Prevention of Crime Act 1882—Questions
Compensation for Malicious Injury Clause —Case of Patrick Kinnane, Ennis, 2082
Cost of Erection of Police Huts, 932
Extra Police at Kilmallock, 1631
Mr. Harrington's Case, 308, 538, 539
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Ireland — Royal Irish Constabulary — Questions
Appointment of Police Surgeon at Waterford, 2103
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Sub-Constable Clifford, 948, 1840
Sub-Constable Egan, 1840
Ireland—State-aided Emigration—Questions 779, 780, 1629
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Emigration to New South Wales, 1840
Proposed Grant, 2116
Ireland, State of—Questions
Destitution in Donegal, 132
Evictions — Caretakers, 1467;—Case of Francis Lynch, 937
Inflammatory Language at Belturbet, 2076
Inflammatory Speeches—Mr. William Johnston, Inspector of Fisheries, 136, 1137
Lord Cloncurry's Estate at Murroe, 933
Mr. Parnell's Estate, Excursion to, 2115
Protection of Vacant Farms, 1841
Parliament—Business of the House, 47, 48, 1541
Parliamentary Registration (Ireland), 2R. 1543
Supply—Civil Services and Revenue Departments, 671
Supreme Court of Judicature—The New Rules, 140
Tramways and Public Companies (Ireland), Leave, 1965, 1970, 1973, 1976

Trial of Lunatics Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª* *Aug* 2 (No. 169)
Read 2ª* *Aug* 6
Committee* *Aug* 9 (No. 184)

TRURO, Lord
Sale of Intoxicating Liquors on Sunday (Cornwall), 3R. 918

Tunis—The Capitulations
Moved, "That an humble Address be presented to Her Majesty for Papers and Correspondence respecting the arrest of a Maltese British Subject at Tunis" (*The Earl De La Warr*) *July* 24, 274; after short debate, Motion withdrawn

Turkey (Asiatic Provinces)
Navigation of the Tigris, Question, Mr. Arthur Arnold; Answer, Lord Edmond Fitzmaurice *Aug* 6, 1633
The Euphrates and Tigris Steam Navigation Company, Question, Mr. Arthur Arnold; Answer, Lord Edmond Fitzmaurice *Aug* 7, 1846

Turkey (Asiatic Provinces)—Euphrates Valley Railway
Moved, "That an humble Address be presented to Her Majesty for Papers respecting the formation of the Euphrates Valley line of railway" (*The Lord Lamington*) *July* 26, 507; after short debate, Motion agreed to

Turnpike Acts Continuance Bill
(*Lord Carrington*)
l. Royal Assent *Aug* 2 [46 & 47 *Vict.* c. 21]

Union Officers' Superannuation (Ireland) Bill (*Mr. Herbert Gladstone, Mr. Trevelyan, Mr. Attorney General for Ireland*)
c. Moved, "That the Bill be now read 2°" *Aug* 4, 1580
Amendt. to leave out "now," add "upon this day three months" (*Mr. Biggar*); Question proposed, "That 'now,' &c.;" after short debate, Question put; A. 80, N. 25; M. 55 (D. L. 259)
Main Question put, and agreed to; Bill read 2° [Bill 132]

Universities (Scotland) Bill—Deanery of the Chapel Royal in Scotland
Question, Mr. Webster; Answer, Mr. Courtney *Aug* 6, 1618

University College of South Wales—Claims of Aberystwith College
Question, Lord Claud Hamilton; Answer, Mr Mundella *Aug* 2, 1334

Vaccination Acts
Fines, &c., Question, Mr. Hopwood; Answer, Mr. Trevelyan *July* 30, 925
Vaccine Lymph, Question, Mr. Arthur O'Connor; Answer, Mr. George Russell *Aug* 6, 1643

VENTRY, Lord
Irish Reproductive Loan Fund Act (1874) Amendment, 2R. 906; Comm. *cl.* 3, Amendt. 1608, 1609; *cl.* 5, Amendt. 1611

VERNEY, Sir H., *Buckingham*
Agricultural Holdings (England), Comm. *cl.* 23, 360
Channel Tunnel Railway, 2R. 282

VIVIAN, Sir H. Hussey, *Glamorganshire*
Agricultural Holdings (England), Comm. Schedule 1, Amendt. 412

VIVIAN, Mr. A. P., *Cornwall, W.*
Literature, Science, and Art—Meteorological Stations, 1326

WARTON, Mr. C. N., *Bridport*
Agricultural Holdings (England), Comm. *cl.* 6, Amendt. 184, 186, 198; *cl.* 16, 346; *cl.* 23, 367; *cl.* 28, 390; Consid. *cl.* 13, Amendt. 1186; *cl.* 41, Amendt. 1193
Agricultural Holdings (Scotland), Comm. *cl.* 2, 453; *cl.* 5, 496; *cl.* 7, 1207, 1209; *cl.* 26, 1263, 1264; *cl.* 27, Amendt. 1280; *cl.* 37, 1285
Cruelty to Animals Acts Amendment, Comm. Motion for Adjournment, 1599; 3R. Amendt. 1964
Diseases Prevention (Metropolis), Motion for Leave, 1445
Education (Scotland), 2R. 1771
Harrison's Estate, 2R. 1113
Hull, Barnsley, and West Riding Junction Railway and Dock (Interest), Consid. 30

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WARTON, Mr. C. N.—*cont.*
- Local Government Board (Scotland), 2R. 1534, 1553, 1572
- Navy—Courts Martial—H.M.S. "Triumph"—Case of Louis Price, 517, 934
- Parliament—Business of the House, Ministerial Statement, 429
  - Standing Committees, 1156
- Parliamentary Elections (Corrupt and Illegal Practices), Consid. Amendt. 1989; *add. cl.* Amendt. 1997; *cl.* 1, 2002; *cl.* 3, 2020; *cl.* 5, Amendt. 2024
- Parochial Charities (London), Comm. 686; Consid. 1101, 1102
- Payment of Wages in Public-houses Prohibition, Comm. 1595; *cl.* 3, 1788, 1789; 3R. Amendt. *ib.*
- Post Office (Protection), 2R. 253
- Railway Passenger Duty, &c. Comm. 673; 3R. Amendt. 1094
- Revenue and Friendly Societies, 2R. 1218; Comm. Amendt. 1594
- Sale of Intoxicating Liquors on Sunday (Durham), Comm. 2248, 2249
- Supply—Central Office of the Supreme Court of Judicature, &c. Motion for reporting Progress, 1441
  - Chancery Division of the High Court of Justice, &c. 1436
  - Criminal Prosecutions—Sheriffs' Expenses, &c. 1414, 1416
  - Law Charges, 1401
  - London Bankruptcy Court, 1763
  - Public Prosecutor's Office, 1412
- Supreme Court of Judicature—The New Rules, 140, 936

WATERFORD, Marquess of
- Irish Land Commission, Motion for Returns, 694, 698, 701, 710, 773
- Sea Fisheries (Ireland), 2R. 265, 272

WATKIN, Sir E. W., *Hythe*
- Petroleum Acts—Storage of Petroleum in the Metropolitan Area, 1837
- Post Office (Telegraph Department)—Telegraphic Messages between England and France, 522
- Railway Passenger Duty, &c. 514; Comm. 673; *cl.* 2, 674; *cl.* 3, 675, 679, 681, 949

WAUGH, Mr. E., *Cockermouth*
- Agricultural Holdings (England), Comm. *cl.* 17, Amendt. 348; *cl.* 19, Amendt. 351, 353; *add. cl.* 400; Schedule 1, Amendt. 416; Consid. *cl.* 9, 1185; *cl.* 43, Amendt. 1193, 1195
- Supply—London Bankruptcy Court, 1761, 1762

WAVENEY, Lord
- Irish Land Commission, Motion for Returns, 760
- Merchant Shipping (Fishing Boats), 2R. 264
- Scotland—Orkney Islands—The "Hen and Chickens" Rock, 774

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- *Carriage Licences*, Question, Mr. Callan; Answer, The Chancellor of the Exchequer *July* 26, 533

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- *Disparity between Grocers' Spirit Licences in Scotland and Ireland*, Question, Mr. O'Sullivan; Answer, Mr. Courtney *Aug* 7, 1858
- *Income and Expenditure—Finance Accounts for* 1882-3, Question, Mr. J. G. Hubbard; Answer, Mr. Courtney *July* 23, 127

WEBSTER, Mr. J., *Aberdeen*
- Agricultural Holdings (Scotland), Comm. *cl.* 23, 1237, 1241
- Local Government Board (Scotland), 2R. 1561
- Supply—Board of Lunacy in Scotland, Amendt. 1389, 1397
  - Public Education in Scotland, Motion for reporting Progress, 661, 665
- Universities (Scotland)—Deanery of the Chapel Royal in Scotland, 1618

WEMYSS, Earl of
- Agricultural Holdings (England), 2R. Amendt. 1803, 1804, 1808, 1811, 1812, 1822, 1835
- Factories and Workshops Amendment, 3R. Amendt. 121, 124
- London Commissioners of Sewers (Ventilation of Railways) Bill and Metropolitan Board of Works (District Railway), Motion for Instruction to Committee, 503, 688
- Merchant Shipping (Fishing Boats), 2R. 264; Comm. 1297
- Parliament—Business of the House—Agricultural Holdings (England), 1447
- Sale of Intoxicating Liquors on Sunday (Cornwall), 3R. Amendt. 907, 908, 916

Western Islands of the Pacific
- *Annexation of New Guinea—Public Opinion in the Australian Colonies*, Question, Sir George Campbell; Answer, Mr. Evelyn Ashley *July* 26, 526; Question, Mr. Ashmead-Bartlett; Answer, Mr. Gladstone *Aug* 6, 1656
- *New South Wales—Removal of Magistrates*, Questions, Mr. Healy, Mr. Sexton, Mr. Parnell; Answers, Mr. Evelyn Ashley *Aug* 6, 1639
- *Queensland—Law and Justice—Reception of Native Evidence in Courts of Justice*, Question, Sir George Campbell; Answer, Mr. Evelyn Ashley *July* 26, 527

WHITBREAD, Mr. S., *Bedford*
- Agricultural Holdings (England), Comm. *cl.* 15, 325
- Tramways and Public Companies (Ireland), Leave, 1982

WHITLEY, Mr. E., *Liverpool*
- Africa (West Coast)—Gaboon Colony, 134
- Diseases Prevention (Metropolis), Motion for Leave, 1444
- Friendly, &c. Societies (Nominations), Comm. *cl.* 10, 421; Consid. *cl.* 10, 683
- Supply—Chancery Division of the High Court of Justice, &c. 1427
  - Public Education in England and Wales, &c. 649

WIGGIN, Mr. H., *Staffordshire, E.*
- Agricultural Holdings (England), Comm. *cl.* 23, 371, 383

WILLIAMSON, Mr. S., *St. Andrews, &c.*
Agricultural Holdings (Scotland), Comm. *cl.* 4, 475

WILLIS, Mr. W., *Colchester*
Parochial Charities (London), Comm. *cl.* 3, 872
Statute of Frauds Amendment, 3R. 866

WILMOT, Sir J. E., *Warwickshire, S.*
Customs Department—Case of Samuel Hutin, 930
Harbours of Refuge—Irish Convict Labour 930
Metropolitan Improvements—The Wellington Statue, 2069
Parliament—Business of the House, Ministerial Statement, 1347
Post Office—Parcels Post, 1631

WILSON, Mr. C. H., *Kingston-upon-Hull*
Hull, Barnsley, and West Riding Junction Railway (Interest), Consid. 29

WINMARLEIGH, Lord
Manchester Ship Canal, 2R. Amendt. 258, 259, 263

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ERRATUM.

Page 166, line 12 from bottom, for "Colonel Dawnay," *read* "Mr. Guy Dawnay."

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